Cart, Claim, Challenge

Test how legal principles support a public policy argument

11-12.RI.8 "Delineate and evaluate the reasoning in seminal U.S. and British/global texts, including the validity, relevancy, and sufficiency of founding principles, legal reasoning, and arguments."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline the author's policy claim, circle the two legal sources, and number the reasons connecting those sources to the proposed policy. Put a question mark beside a claim that still needs evidence.

When the City Takes a Cart

1 At noon, a city inspector finds a food cart blocking a wheelchair ramp. The inspector moves it to a storage lot, then the city keeps it permanently without telling the owner how to object. Should officials be allowed to do that? A city must keep sidewalks passable, yet permanently taking a cart without a chance to challenge the decision is hard to justify. The question is not whether officials may act quickly to clear a ramp. It is whether an urgent removal alone gives the city enough reason to keep someone's livelihood forever.

2 One useful starting point is Clause 39 of Magna Carta, issued in England in 1215. It protected free men against seizure, imprisonment, dispossession, and similar penalties except by the lawful judgment of their peers or by the law of the land. Its reach was limited: it did not protect every person in medieval England, and it did not establish modern hearing procedures. Still, its demand that power follow law helps explain a later American rule. The Fourteenth Amendment says a state cannot deprive a person of property without due process of law, a limit that also applies to city governments.

3 That principle supports a narrower policy than never moving a cart. Inspectors could clear an obstructed ramp immediately, record why the cart was removed, and give its owner a prompt way to contest permanent loss. This plan respects public access while allowing an owner to challenge a mistaken accusation. But neither the charter nor the amendment proves that this particular procedure will be quick or affordable. Before adopting the plan, the city should gather evidence about how often carts block access, how often inspectors make mistakes, how fast appeals could be heard, and what appeals would cost. Legal principles guide the choice; practical evidence must test it.

2 ANSWER WITH EVIDENCE

Use the passage

1. Trace the author's reasoning from Clause 39 to the proposed cart policy. What does each step add?

2. Why is Clause 39 relevant to the cart dispute but insufficient by itself to establish what the city must do?

3. Does the proposed policy address both concerns in the first paragraph? Explain your reasoning.

4. What claim about the proposed procedure lacks sufficient support, and what evidence would help test it?

3 YOUR TURN

Your own words

Suppose the city proposes permanently taking bicycles locked to emergency exits after removing them. In 80 to 110 words, argue for a fair policy, apply one legal principle from the passage, explain what that principle does not settle, and name evidence the city would need.

ANSWER KEY

Cart, Claim, Challenge

PART 1 · READ AND MARK

Underline the author's policy claim, circle the two legal sources, and number the reasons connecting those sources to the proposed policy. Put a question mark beside a claim that still needs evidence. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	Trace the author's reasoning from Clause 39 to the proposed cart policy. What does each step add?	**Clause 39 supplies the principle that government power should follow law. The Fourteenth Amendment supplies a property-related due process rule applicable to cities. The author applies those ideas by proposing immediate removal for access, followed by a chance to contest permanent loss.**
2	Why is Clause 39 relevant to the cart dispute but insufficient by itself to establish what the city must do?	**It addresses government seizure and dispossession, but it protected only free men in medieval England and did not specify modern hearing procedures.**
3	Does the proposed policy address both concerns in the first paragraph? Explain your reasoning.	**Yes. Immediate removal keeps the ramp passable, while notice and a chance to contest permanent loss address the owner's property interest. Those concerns support the policy, though they do not prove its exact procedures are workable.**
4	What claim about the proposed procedure lacks sufficient support, and what evidence would help test it?	**The passage does not establish that the procedure would be quick or affordable. Evidence about appeal times and costs would test that claim; records of blocked access and inspector mistakes would also help evaluate the policy.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

Workers should remove bicycles blocking an emergency exit at once because people need a clear escape route. Permanent confiscation, however, should wait until owners receive notice and a way to contest the decision. The Fourteenth Amendment's due process rule makes a person's property interest relevant when a city acts, while Magna Carta's limited protections show that older principles do not supply a ready-made bicycle policy. Neither source specifies how long an appeal should take. The city should record how often parked bicycles actually block exits and how often owners successfully challenge removals before deciding whether permanent confiscation is justified.

Accept other policies if students accurately apply a legal principle, identify a limit to what it establishes, and propose evidence relevant to their policy. Do not require students to claim that either historical source mandates a specific appeal procedure.