

Unit 4: The Bill of Rights and Freedoms of the Press, Assembly, and Petition

LESSON 1: WHY DOES A FREE PRESS MATTER?

Does a Free Press Matter?

1. Press freedom is a traditional right, though its practical definition has changed over time. Nearly all of the American colonies protected the freedom of the press. At the time, freedom of the press was understood to mean that government could not censor the publication of material in advance, known as “prior restraint.” The Founders valued newspapers themselves, because they helped support an informed citizenry.
2. Accept reasoned answers.
3. In a unanimous decision, the Supreme Court ruled in favor of the New York Times. In order to prove libel, a “public official” must know that the newspaper acted with “‘actual malice’—that is, with knowledge that it was false or with reckless disregard” for the truth. The Court asserted America’s “profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open.” Free and open debate about the conduct of public officials, the Court reasoned, was more important than occasional, honest factual errors that might hurt or damage officials’ reputations. For the second part of the question, accept reasoned answers.
4. The Court reasoned that it would be too difficult to operate a free press if newspapers were forced to fact-check every advertisement they ran in their paper; because of this, it is very difficult for public officials to win in court if they

accuse a publisher of libel. For the second part of the question, accept reasoned answers.

5. Accept reasoned answers.

Handout B: A Free Press and the Candidates

Answers will vary based on the candidates researched and resources used.

Handout C: Letter From a Friend

Accept reasoned responses.

Handout A: Background Essay –

LESSON 2: WHY ARE THE RIGHTS TO ASSEMBLY AND PETITION IMPORTANT TO LIBERTY?

Where Did the Rights to Petition and Assembly Come From, and How Do Americans Exercise Them?

1. The Magna Carta (1215) first provided a right to assemble and petition the king for small groups of barons, but it was very limited. This right was then expanded to all citizens, and the limitations lifted, in the English Bill of Rights (1689). These rights influenced our Founding generation in the various petitions they made to the king, such as the Stamp Act Congress and the Olive Branch Petition, culminating in the Declaration of Independence.
2. Americans petitioned the Congress and their states from very early on, regarding issues such as slavery, child labor, and prohibition. Civil Rights leaders, such as Martin Luther King, urged citizens to