

The First Amendment and the Supreme Court

"[i]f there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein."

-Supreme Court Justice Robert H. Jackson, in his opinion for
West Virginia State Board of Education v Barnette, 1943

Grade Level: 11th/12th Grade

Virginia State Standards of Learning

- GOVT.2, GOVT.3, GOVT.4, GOVT. 10, GOVT.11
- CE.2, CE.3, CE.8
- VUS.4, VUS.5
- USI.6, USI.7

AP United States Government and Politics Standards:

- Unit One: Constitutional Underpinnings
- Unit Four: Institutions of National Government

Time Required: 45 minutes

Overview:

The Bill of Rights is the constitutional guardian for our civil liberties. What many Americans do not realize is that the framers of the Bill of Rights received their inspiration from the Virginia Declaration of Rights and the Virginia Statute of Religious Freedom. When Thomas Jefferson drafted the Virginia Statute of Religious Freedom he established the importance of freedom of religion. This concept is so important that it has remained at the cornerstone of our rights for over 200 years. The Supreme Court has confirmed the importance of the free exercise of religion as they have upheld this important principle over the course of the nation's history.

Learning Objectives:

- To make connections between the Virginia Statute of Religious Freedom, the Virginia Declaration of Rights, and the Bill of Rights
- To identify the relevant court cases that have upheld the principle of religious freedom in our country's history.

Materials Needed:

- Copies of the [First Amendment](#)
- Text of the [Virginia Statute for Religious Freedom](#)

- Text of the [Virginia Declaration of Rights](#)
- Access to the following websites:
 - Multimedia archive of the United States Supreme Court www.oyez.org
 - Non-profit education site devoted to the Bill of Rights www.billofrightsinstitute.org

Learning Activity:

1. Divide students into groups of three. Instruct them to read three documents, "*The Bill of Rights*," "*The Virginia Statute of Religious Freedom*," and "*The Virginia Declaration of Rights*." Once they have completed their reading, ask them the following questions:
 - a. What sort of connections can you make between these three documents? Do you see any similarities between the three documents? Have them report their findings to their individual groups.
 - b. Have one student from each group report their answers to the entire class.
 - c. Follow-up with their findings with the PowerPoint titled, "*The First Amendment and The Supreme Court*."
2. Transition through the following four slides that confirm their findings.
3. Tell students that they will now learn three landmark Supreme Court rulings that will be reflected on the AP Exam. Continue transitioning through the remainder of the PowerPoint.
4. For homework/follow-up activity: Have students make further connections between the "*Virginia Statute of Religious Freedom*," "*The Virginia Declaration of Rights*," and the "*Bill of Rights*."