

# Civil rights and responsibilities

[Sociology](#), [Human Rights](#)



Civil Rights and Responsibilities HIS/301 The Bill of Rights was added to the Constitution shortly after its ratification. These amendments guarantee certain political, procedural, and property rights against infringement by the national government (Patterson, 2009). “ A bill of rights is what the people are entitled to against every government on earth, general or particular, and what no just government should refuse, or rest on influence (Thomas Jefferson). The First Amendment provides the foundation for freedom of expression which is the right of individual Americans to hold and communicate views of their choosing (Patterson, 2009). The motivation of the Bill of Rights was to guarantee individual rights and freedoms. The First Amendment reflects this tradition, providing for freedom of religion along with freedom of speech, press, assembly, and petition. The three provisions of the First Amendment are the freedom of speech, assembly and religion. The freedom of speech states that you are free to say almost anything except that which is obscene, slanders another person, or has a high probability of inciting others to take imminent lawless action. The freedom of assembly states that you are free to assemble, although government may regulate the time and place for reasons of public convenience safety, provided such regulations are applied evenhandedly to all groups. The freedom of religion states that you are protected from having the religious beliefs of others imposed on you, and you are free to believe what you like. Freedom of religion simply means citizens have freedom to attend a church, synagogue, temple or mosque of their choice, or not to attend at all. The First Amendment allows us to practice our religion the way we want to. When talking about freedom of religion and the First Amendment I think about

religion in the schools. Ever since the Supreme Court held school-sponsored prayer unconstitutional in the early 1960s, there has been a concerted and well-funded campaign to reintroduce religion in public schools. Public schools themselves should not be in the business of promoting particular religious beliefs or religious activities and they should protect children from being coerced by others to accept religious (or anti-religious) beliefs. A

Saskatchewan Human Rights Commission inquiry ruled in July that the Saskatoon Board of Education must end a practice of giving teachers the option of conducting prayers in public school classrooms and assemblies. In practice, the choice has been primarily the Lord's Prayer. The ruling will not change practices in separate schools. The inquiry followed a complaint six years ago by nine parents, including Muslims, Jews, Unitarians and atheists. About 20% of the 550 public school classrooms in Saskatoon begin the day with prayer. The decision may be appealed in court (Globe and Mail, 1999).

The relationship between religion and government in the United States when it comes to the United States Constitution is governed by the First Amendment to the Constitution, which both prevents the government from establishing religion and protects privately initiated religious expression and activities from government interference and discrimination. The First Amendment thus establishes certain limits on the conduct of public school officials as it relates to religious activity, including prayer. Prayer should not have been taken out of schools. Parents should be sent home a letter opting out of religious activities and employees should be given the same option, but taken it out of schools was ridiculous. The case of Engel v. Vitale (1962) went to the Supreme Court and the case was about a time in 1951 the New

York State Board of Regents (the State board of education) approved a 22-word “ nondenominational prayer “ for recitation each morning in the public schools of New York. It read: “ Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers and our Country. “ The Regents believed that the prayer could be a useful tool for the development of character and good citizenship among the students of the State of New York. The prayer was offered to the school boards in the State for their use, and participation in the “ prayer-exercise” was voluntary. In New Hyde Park, New York, the Union Free School District No. 9 directed the local principal to have the prayer “ said aloud by each class in the presence of a teacher at the beginning of the school day. “ The parents of ten pupils in the New Hyde Park schools objected to the prayer. They filed suit in a New York State court seeking a ban on the prayer, insisting that the use of this official prayer in the public schools was contrary to their own and their children's beliefs, religions, or religious practices. The State appeals court upheld the use of the prayer, “ so long as the schools did not compel any pupil to join in the prayer over his or his parents' objection” (infoplease. com). The Freedom to Assemble gives people the right to assemble peacefully without causing any harm to others. As much as I do not agree with the KKK views and opinions they should be able to assemble if they do it in a peaceful manner. The First Amendment prohibits government from abridging “ the right of the people peaceably to assemble. This basic freedom ensures that the spirit of the First Amendment survives and thrives even when the majority of citizens would rather suppress expression it finds offensive. Over the course of our history, freedom of assembly has protected

individuals espousing myriad viewpoints. Striking workers, civil rights advocates, anti-war demonstrators and Ku Klux Klan marchers have all taken to the streets and sidewalks in protest or in support of their causes. Sometimes these efforts have galvanized public support or changed public perceptions. Imagine a civil rights movement without the March on Washington or the women's suffrage movement without ranks of long-skirted, placard-carrying suffragists filling city streets. The U. S. Supreme Court recognized the importance of this freedom in the 1937 case *De Jonge v. State of Oregon*, writing that " the right to peaceable assembly is a right cognate to those of free speech and free press and is equally fundamental. " According to the Court, " the right to assemble is one that cannot be denied without violating those fundamental principles which lie at the base of all civil and political institutions" (archive. firstamendmentcenter. org). The KKK's right to assemble peaceably was secured by the famous 1977 case of *National Socialist Party v. Skokie*, in which the American Civil Liberties Union successfully argued that the First Amendment prohibited officials of Skokie, Ill., from banning a march by the National Socialist Party. Skokie is a Chicago suburb that is home to many Holocaust survivors. One federal judge reasoned that " it is better to allow those who preach racial hatred to expend their venom in rhetoric rather than to be panicked into embarking on the dangerous course of permitting the government to decide what its citizens may say and hear" (archive. firstamendmentcenter. org). In conclusion, the First Amendment of the United States protects the rights to freedom of religion and freedom of expression as well as freedom of assembly from government interference. Freedom of expression consists of the rights to

freedom of speech, press, assembly and to petition the government for a redress of grievances, and the implied rights of association and belief. The Supreme Court interprets the extent of the protection afforded to these rights. The First Amendment has been interpreted by the Court as applying to the entire federal government even though it is only expressly applicable to Congress. Two clauses in the First Amendment guarantee freedom of religion. The Establishment Clause and the Free Exercise Clause are two clauses in the First Amendment that guarantee freedom of religion. The Establishment Clause prohibits the government from passing legislation to establish an official religion or preferring one religion over another. It enforces the " separation of church and state." The Free Exercise Clause prohibits the government, in most instances, from interfering with a person's practice of their religion. The right to assemble allows people to gather for peaceful and lawful purposes. Implicit within this right is the right to association and belief. With that being said, all people should be having some kind of freedom. They should be able to boycott and assemble peacefully without causing any harm to anyone. People should be free to have their different views and opinions of religion, be it that they religious or anti-religious. To sum it all up I would love for everyone to feel that they are free. References [http://www.oyez.org/cases/1960-1969/1961/1961\\_468](http://www.oyez.org/cases/1960-1969/1961/1961_468)  
<http://www.aclu.org/religion-belief/program-freedom-religion-and-belief-government-funded-religion> " Religion in schools (teachers in Saskatchewan will no longer have the option of conducting prayer services in class)." Humanist in Canada 130 (1999): 4, 39. General OneFile. Web. 25 June 2012.

[http://www2.ed.gov/policy/gen/guid/religionandschools/prayer\\_guidance.html](http://www2.ed.gov/policy/gen/guid/religionandschools/prayer_guidance.html)