



Constitutional Opinion Instructions

Whenever we suggest that government adopts a public policy to deal with a problem, it is important that the policy we suggest does the following:

- Serves one or more of the purposes of government set forth in our U.S. Constitution
- Does not ask government to do something prohibited by the U.S. Constitution

The Constitutional Opinion graphic organizer includes some of the most important purposes our U.S. Constitution sets forth for our government. It also includes some of the most important limitations the Constitution places upon government. Use the graphic organizer when you develop your proposed public policy. Be sure that your policy serves the purposes of government and does not violate the limits placed on government that are designed to protect individual rights.

This Constitutional Opinion graphic organizer should, in some way, be included in Part 3 of the display and documentation sections of your portfolio. Use this graphic organizer to prepare a summary statement for both parts of your portfolio. The statement should support your position that your proposed public policy serves the purposes of government and does not violate rights protected by the U.S. Constitution.

Purposes of Government

Explain which, if any, of the following purposes of government from the Declaration of Independence and the Preamble to the Constitution would be served by your proposal:

- Securing the unalienable rights (rights that cannot be taken away because they are considered natural and basic to everyone) of individuals, such as those to life, liberty, property, and the pursuit of happiness
- Establishing justice
- Providing for individual security and public order
- Protecting the people from harm from internal and external sources
- Providing for the general welfare (or the common good)

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Limitations on Government to Protect Individual Rights

The following are some of the basic rights of individuals and limitations placed on government by the U.S. Constitution, Bill of Rights, and other amendments that are designed to protect those rights. If your proposed policy might appear to interfere with one or more of these rights, justify your position by explaining why you think what you are proposing is reasonable and fair and would not violate the U.S. Constitution.



- **The right to petition the government**

Our First Amendment guarantees our right to ask the government to make a change if we believe it is not doing its job in upholding our constitutional principles. This is what you are doing in this project by creating a public policy proposal to solve a community problem.

- **The right to freedom of religion**

The government cannot make any laws that establish a national religion or place unreasonable and unfair limits on a person's freedom to practice their religion.

- **The right to freedom of expression**

The government cannot make any laws that place unreasonable and unfair limits on a person's right to express themselves in speech, writing, or by other means.

- **The right to due process of law (fair procedures)**

The government cannot take a person's life, liberty, or property without giving that person a fair hearing in a court of law or before another authorized agency of government.

- **The right to privacy**

Privacy is the right to be left alone. The government cannot invade the privacy of a person's home or interfere in other private matters without having a compelling reason for doing so.

- **The right to equality of opportunity**

The government cannot unreasonably or unfairly discriminate against people on the basis of race, religion, age, ethnic group (national origin), or gender.

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Constitutional Opinion Organizer

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- Our proposed policy serves the following purposes of government:
 - Securing the rights of individuals
 - Establishing justice
 - Providing for security and public order
 - Protecting the people from harm
 - Providing for the general welfare
- Our proposed policy respects the following individual rights:
 - Freedom of religion
 - Freedom of expression
 - Due process of law
 - Privacy
 - Equality of opportunity
- Government is not allowed to interfere with a person's freedom of belief. Our proposed public policy does / does not violate this limit on the power of government.
- Government is not allowed to place unreasonable and unfair limits on a person's right to express themselves in speech, writing, or by other means. Our proposed public policy does / does not violate this limit on the power of government.
- Government is not allowed to take a person's life, liberty, or property without giving that person a fair hearing in a court of law or before another authorized agency of government. Our proposed public policy does / does not violate this limit on the power of government.
- Government is not allowed to invade the privacy of a person's home without a very good reason for doing so. Our proposed public policy does / does not violate this limit on the power of government.
- Government is not allowed to make laws that unreasonably or unfairly discriminate against people on the basis of race, religion, age, ethnic group (national origin), or gender. Our proposed public policy does / does not violate this limit on the power of government.

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Summary Statement

Write a summary statement in which you support your belief that your proposed public policy does not violate the Constitution or interfere with these rights. Be sure to address how your public policy respects individual rights that protect everyone's rights, such as freedom of expression, due process of law, privacy, and right to equal opportunity.