in any Court shall have Libertie to imploy any man against whom the Court doth not except, to helpe him. Every man that findeth himselfe unfit to plead his owne cause in any Court shall have Libertie to imploy any man against whom the Court doth not except, to helpe him”; Virginia Declaration of Rights - nothing; Vermont Constitution - “That, in all prosecutions for criminal offences, a man hath a right to be heard, by himself and his counsel-to demand the cause and nature of his accusation”; Georgia Constitution - nothing.

Document B: This document does guarantee the right to have a lawyer; answers will vary.

Document C: 1. State governments. 2. Answers will vary. Some will say it is an essential part of due process; others will say it might depend on the situation.

Document D: 1. The Court will be sentencing a man unfairly to death without proper due process, effectively committing murder. 2. Since the United States and each state, required, in some form, the trial judge to appoint counsel for a defendant “unable to employ counsel,” the right to counsel had become fundamental.

Document E: 1. Federal. 2. Examining the particular circumstances of each case.

Document F: The rights protected by Fifth, Sixth and Fourteenth Amendments.

Document G: A lawyer is a necessity, not a luxury, and one cannot have a fair trial without one.

Document H: The constitutional right to counsel is guaranteed regardless of the type of case.

Document I: A defendant and a Supreme Court Justice. The cartoonist implies that individuals can be effective advocates for themselves, as evidenced by Gideon’s successful petition to the highest court in the land.

Document J: Some students will say requiring police to give these warnings prevents police from taking advantage of people who don’t know their rights. Others will say that it is citizens’ responsibility to know their rights.

Document K: The cartoonist’s perspective may be that common sense should tell defendants that confessions will be used against them. Or, the
Miranda ruling has led accused persons to assume their confessions will not be used in Court.

Tinker v. Des Moines
Document A: Religion, speech, press, assembly and petition. It stops Congress from restricting these freedoms.

Document B: Symbols are quick and easily understood ways of communicating ideas.

Document C: End the Vietnam War.

Document D: 1. Angry, outraged, hostile, threatening, intimidating, sarcastic, challenging. 2. Some considered the Tinkers to be unpatricotic traitors. Others suggested less disruptive ways for the Tinkers to express their beliefs.

Document E: They both see symbols as a way of communicating.

Document F: 1. Because a Des Moines student had been recently killed in Vietnam. 2. Document C depicts peaceful protest; elements of Document D illustrate the potential for violence.

Document G: 1. They were “akin to pure speech.” 2. Expressive conduct which would “materially and substantially disrupt the work and discipline of the school.”

Document H: The concurring opinion denies that First Amendment rights of children are the same as those of adults.

Document I: There is no “complete constitutional right” to speak one’s mind in any place, time or manner he chooses.

Document J: Restrictions not related to school concerns, but rather to restrict unpopular viewpoints.

Hazelwood v. Kuhlmeier

Document B: 1. If it substantially interferes with school discipline. 2. Silent, passive, and orderly.

Document C: Answers will vary.


Document E: The statement shows that the students assumed their student newspaper was protected by the First Amendment.

Document F: Verifying sources, being objective, being fair, minimizing harm, being accountable.

Document G: 1. Tinker involved individual student expression while Hazelwood involves school-sponsored speech.

Document H: 1. Because it wasn’t open to indiscriminate use by the public. 2. When they have legitimate pedagogical concerns and the speech is contrary to the school’s educational mission.

Document I: 1. He personally thought the articles were inappropriate, and not because he believed they would disrupt