

Name: _____

Is It Constitutional?

The U.S. Supreme Court has a big job. The nine Justices on the Court review national and state laws to make sure they do not conflict with the U.S. Constitution. Imagine for a moment that you are a Justice on the Court. How would you vote on each of the following issues?

1. Several states have proposed laws banning the sale of violent video games to kids under 18. Supporters of these laws say that violent games are damaging to kids. They also argue that kids might copy the violent acts they see in the games. Video-game companies argue that the First Amendment to the Constitution guarantees freedom of speech. They say that free speech includes the right to make and sell violent games.

Do you think laws banning the sale of violent games to kids violate the U.S. Constitution? Why or why not?

2. Many cities put Nativity displays, Hanukkah menorahs, and other religious decorations up during the winter holiday season. Critics say that such decorations do not belong at city hall and other public places. They argue that the Constitution protects Americans' right to practice any religion they choose. They say that religious decorations make it seem like the government supports one religion over others.

What do you think? Do religious decorations in public places conflict with the Constitution? Why or why not?

3. Last summer, a reporter for *The New York Times* was sent to jail for refusing to tell a federal court the name of a person she had interviewed for an article. The court wanted to know the person's name because there was evidence that he or she had committed a crime. The reporter and her supporters argued that the First Amendment to the Constitution guarantees freedom of press. The reporter had promised her source that she would not reveal his or her name. In the news industry, this promise is known as a confidentiality agreement. The reporter said that if she were forced to name her source, many people would be reluctant to speak to news reporters about sensitive information in the future.

If you were deciding this case, what would be your call? Would you send a reporter to jail for refusing to name a source? Or do you argue that the right to a free press includes the right to promise confidentiality?

