

INSIDE JOURNALISM

Volume 1, Issue 1

On the Front Lines

*Ears and Folds,
Ticks and Editions:
Getting To Know
How All Is Done*

INSIDE

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10 You and Your Rights The Supreme Court's Role



An Integrated Curriculum For The Washington Post Newspaper In Education Program

About Inside Journalism

Welcome to INSIDE Journalism. These once-a-month curriculum guides will focus on different aspects of news gathering and producing each day's Washington Post. You will meet editors, reporters, photographers and other people who each have a part in getting the newspaper to your home or school. The vocabulary of journalists and the journalism world will become familiar to you. You will not only get INSIDE the front door of The Washington Post, but also gain insight into how you can produce your own newspaper. Look for these features in INSIDE Journalism:

- **How to . . .** is a basic journalism lesson that gives insight into the process by which news is gathered or a paper is produced.

- Each month **Timeline** provides notable events in the first 125 years of The Washington Post. You will see the influence of developments in technology and the impact of a changing social

and economic environment. Most of the timeline was written by Michael Farquhar and published on June 5, 2002, in the 125th Anniversary Section of the Post. Information came from *The Washington Post: The First 100 Years*, by Chalmers M. Roberts; *Keeping Posted: One Hundred Years of News From The Washington Post* edited by Laura Longley Babb, *A Good Life* by Ben Bradlee and *Personal History* by Katharine Graham.

- **A Changing Community, A Changing Role** section accompanies Timeline. It provides discussion questions and short activities that are related to the time period reflected in the timeline and to the curriculum guide's focus.

They can easily be adapted for individual or group work, required or enrichment projects.

- In the last pages, you will find **You and Your Rights**. Use these lessons to bring the U.S. Constitution and First Amendment alive in your classrooms.

A law student enrolled in the Marshall-Brennan Fellowship Program writes each lesson.

- Teachers are provided with background and lesson plan as well as reproducibles to use with your students.

The INSIDE Journalism curriculum guides provide information and resources that can be used on many grade levels. Whether you teach journalism or media studies, history or current events, art or reading, you will find an activity for your students. We will offer some suggestions for using the curriculum guides. Use all or part of them.

As Robert Kaiser and Leonard Downie state in *The News About the News: American Journalism in Peril*, "good journalism makes a difference somewhere every day." That difference often begins when you pick up the newspaper and begin reading the front page.



FILE PHOTO—THE WASHINGTON POST



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The Front Page

KidsPost Article: "On the Front Lines"

The INSIDE Journalism curriculum guide provides information and resources that can be used on many grade levels and in many subject areas. Here are a few suggestions for using the material in this guide.

Think About It

What role does the newspaper play in society? Are newspapers important in a democracy? After discussion, give students "The Importance of Newspapers in a Democracy." What do students think of the ideas expressed by Donald Graham and Len Downie?

Read

Read "On the Front Lines." What important information does the front page provide? Is this true of the front page on each section of the newspaper?

Vocabulary

Review vocabulary in the KidsPost article. Give students "On the Front Lines." Have them find examples of the vocabulary as they review each term.

Explore the Front Page

Give students "How to ... Read the Front Page." After reading the first page, ask them to complete the "Read for Yourself" activity using today's front page of The Washington Post.

Consider the Constitution

Just as the reporter interviews and researches to find the facts, the nine Supreme Court Justices seek the facts. Page 10 in this guide is

for the instructor. It suggests one approach to introducing students to this basic role of the Supreme Court.

Give students the information sheet (page 11, for older students; page 12, for younger students) that provides some background of establishing the Supreme Court's function and relation to the other branches of government. Select the version of the student handouts that is appropriate for your students. Students are to play the role of justices who study briefs to find the facts and make a decision. Two Supreme Court cases are suggested for use by older students and "You Be the Judge" chart is provided.

Enrichment

Use "Timeline" to discover the history of The Washington Post from its beginning in 1877. Select discussion questions, activities and research projects from "A Changing Community, A Changing Role." Learn more about journalism and understand more about the social, economic, and political changes in D.C. and the country.

While these events took place in D.C. or at the Post, what else was happening? Students may create a parallel timeline for Virginia, Maryland or D.C., for Europe or another part of the world. A timeline of art, technology and science might also be created.

"On the Front Lines" can be found at http://www.washingtonpost.com/wp-srv/education/daily/graphics/paper_102902.html

More Front Pages

On the Web

► http://www.washingtonpost.com/news_ed/about/read.shtml

Anatomy of a Page

The January 1, 2000, front page of The Washington Post is online. Move the mouse to learn about its elements. This front page is also available to teachers as a poster. To receive a poster, contact The Washington Post Public Relations Department, (202) 334-7969. Ask for "The Making of The Washington Post." There is no charge.

► <http://www.newseum.org/todaysfrontpages/>

Today's Front Pages

The Newseum provides over 100 front pages from D.C., the 50 states and countries around the world.

The home page of an online newspaper is its front page. You could use the Newseum collection of front pages for actual front pages or go to the home pages of particular newspapers to compare and contrast front pages.

On Video

"The Front Page"

A PG-rated movie for older students. Billy Wilder directs Jack Lemmon and Walter Matthau in the third film version of the Hecht-MacArthur classic comedy. Just as hard-headed editor Walter Burns (Matthau) is trying to keep his ace reporter Hildy Johnson (Lemmon) from leaving the newspaper business to get married, anarchist Earl Williams (Austin Pendleton) breaks out of prison and somehow manages to get to the press room of the newspaper. Johnson cannot leave Chicago, at least not immediately.



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The Importance of Newspapers in a Democracy

"The awful events since September 11, 2001, have reminded everyone in the newspaper business just how important our profession is. The need for accurate reporting, compelling pictures, insightful analysis and perspective—all delivered under impossible deadlines—was never more apparent than on that awful day when America found itself under unprecedented attack.

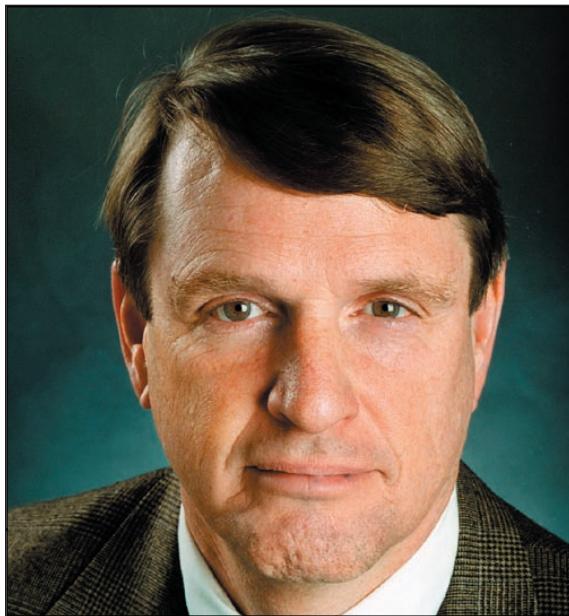
"Most days, thankfully, aren't like that one. But every day's news is important, and nothing is more important to the citizens of a democracy than having access to complete information, fairly reported, on the local, national and international issues that define our times and help shape our lives.

"That's what newspapers provide, and that's why the First Amendment—the one guaranteeing free speech and a free press in America—is first. It's our protection against tyrants, against corruption, against ignorance—and it's indispensable to our free society."



Donald Graham

Chairman, The Washington Post



Leonard Downie, Jr.

Executive Editor, The Washington Post

"Even in this age of electronic journalism, newspapers still do most of the original reporting of news. In America's towns and cities, newspapers set the news agenda for other local media. A few major newspapers, including The Washington Post, do the same for the national news media. Newspapers give Americans both useful information for their daily lives and a sense of participation in the wider world. Citizens cannot function together as a community unless they share a common body of information about their surroundings, their neighbors, their governing bodies, their sports teams, even their weather. Newspapers tell citizens what they need to know to govern themselves in our representative democracy. And they hold accountable those citizens who have power over others. Newspapers matter."



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How To . . . Read the Front Page

You are one of at least 739,000 individuals who read The Washington Post Monday through Saturday. On Sunday, an additional 307,676 readers get The Washington Post. The front page is a good place to begin reading the newspaper. Page one is important because here is where you find the biggest stories of what is going on near you and around the world. The news and much information about the newspaper are provided on the front page.

About The Washington Post

At the top of the front page is the nameplate, or title of the newspaper. It is also called the flag or masthead. The official name of the newspaper is The Washington Post.

To the left of the masthead is the weather ear. In it you will find the expected high and low temperatures and weather condition. It will tell where to go in the B section for more information about the weather.

Below the weather ear, you will find the issue number. Since the first Washington Post was published on Dec. 6, 1877, each year's Dec. 6 issue is No. 1. How many years has The Washington Post been published?

To the right of the masthead is more interesting information about the edition of your newspaper. Three editions are published Monday through Saturday. On Sunday five editions are printed. Around 7:30 p.m. the editor turns copy over to layout designers. By 11:00 p.m. the first edition of the next day's newspaper is off the presses. The second edition is printed at 12:45 a.m. This is the newspaper that arrives at your home. The final edition rolls off the presses at 2:15 a.m. It will include any edits and latest news. Check out the vending boxes. Do the newspapers have FINAL in the upper right corner?

There's another secret revealed at the top of the front page. You can tell whether your Post was printed at the Maryland or Virginia plant. Look for a small V or M. What do you think the number stands for after it? It tells you which of the four presses at that location was used to print the paper. These are called the press letter and number.

About Today's News

The big news stories of the day are printed on page one. Your newspaper is folded in half. The stories above the fold are the more important ones. The most important news event of all is set in the largest font.

The name of the writer of the article is found in the byline that appears below each headline. Under the byline in italics, you will find more information about the Washington Post reporter. You might find "Washington Post Staff Writer" or "Washington Post Foreign Service." Don't be surprised to find a dateline at the beginning of articles written by Washington Post foreign service reporters. This tells you where the reporter is when he or she writes the story.

In most books, the content reads across the entire page, from margin to margin. In newspapers, the body copy is set in vertical columns. More stories can get on a page and they are quicker to read in narrow columns. Margins, or white space, and thin lines, called rule lines, separate the stories. Some stories are boxed.

Look at the end of each story on the front page. Under the rule line, you will find a line that begins with the verb "see." This is the jump line. It tells you where the story continues on another page.

At the bottom of the page, look for copy in a box. This INSIDE box is the key. It "keys" you to stories located on other pages. There wasn't room for these stories on the front page, but the editor of The Washington Post thinks readers will find them interesting.

NAME _____

Read for Yourself

Let's see what you know about the front page of a newspaper. Study page one of today's Washington Post, then answer the following questions.

1. Where do you find the official name of the newspaper?

2. What information do you find in the left ear?

3. Find the issue number. How old is The Washington Post?

What issue of this year's paper are you reading?

4. Was your newspaper printed at the Post's Virginia or Maryland plant? _____

On which press?

5. Sometimes a key will appear above the nameplate. Check today's paper to see where the keys are. Is there a key above the nameplate?

If yes, what story are you encouraged to read?

6. Check the key box. To what pages are you directed to read other news stories?

page _____, page _____, page _____

7. What is the headline of today's top news story?

8. Was a story written by a Washington Post foreign service reporter? If yes, who?

9. Does a front page story have a dateline? If yes, where is the reporter?

10. How many front page stories jump to another page?

11. How many headlines on the front page take up more than one column?

12. How much does your newspaper cost?

Front Page Vocabulary

Banner: headline across or near the top of all or most of the newspaper page. It is used for a major news event. It is also called a ribbon, streamer or screamer.

Byline: a line at the beginning of a news story giving the writer's name

Column: the vertical division of a newspaper page

Dateline: the city at the start of the story that tells where the reporter is if he or she is not in the local area. The date may be included if it was written before that day's newspaper.

Ear: small box or area in the upper corner of the front page that contains weather, promotional or other information

Headline: the line or lines, in large and different typeface, appearing above a news article

Jump line: the line directing the reader to turn to another page to continue reading an article

Key: It "keys" the reader to a story located on another page. Look in the INSIDE box.

Masthead: the official statement of the newspaper's name, editors and place of publication. It is usually found on the editorial page. The nameplate is also called the masthead.

Nameplate: Printed name of a newspaper on the front page. Also called flag or masthead.

Rule line: line used to separate stories and sections of the page

On the Front Lines

THE FRONT PAGE IS A NEWSPAPER'S front door. It's the first thing a reader sees. And the stories that appear there are ones that will be talked about all day.

What makes a front page story? Important news, of course, about decisions the president has made, wars that have broken out or planes that have crashed. But editors—the people who run newspapers—want a mix of stories. A good front page might also include articles about a come-from-behind sports victory,

a medical breakthrough or an ordinary person who has done something extraordinary—what's known as a "human interest" story. Photographs that grab the readers' eyes are also important parts of the front page.

The Washington Post's front page—also known as A1, the first page of the A section—starts coming together at a 2 p.m. meeting called the story conference. Post editors talk about the stories their reporters are working on and which ones seem like

good candidates for A1. Thirty minutes later they'll have a list of 25 to 30 A1 choices.

Editors spend the afternoon reading early versions of the stories. By 5:30 they've narrowed them down to the seven or eight they think should go on the front page. The final decision is made at a 6 p.m. meeting—though if big news breaks, the front page can still be "ripped up" to make room for new stories. The front page will be tinkered with and improved all night long.

Here's a look at all the bits and pieces that make up a typical front page. See if you can find them on today's A1.

Nameplate: This is our name. It's also sometimes called the flag, logo or masthead. Traditionally, newspaper nameplates are printed in a fancy style called "black letter" or "old English." The design gives an air of authority to the newspaper, and implies a rich tradition.

Weather ear: For obvious reasons, the top corners of a newspaper page are called "ears." Little snippets of information are sometimes put here.

Issue number: The Post began in 1877. But the day this paper was printed, Sept. 9, wasn't the 27th day of the year. So why does it say "278?" Because the first issue of The Post hit the streets on Dec. 6. Every Dec. 6 we add another year and start counting again at 1.

M2 DM VA
Edition: There are at least three editions of each day's newspaper. That means stories and photos may be changed on different pages three times. The first edition—which would be marked here by an "R"—is called the Regional and starts being printed at 11:15 p.m. The second edition is the Suburban, marked with an "S" and printed starting at 12:45 a.m. The third is usually the Final, marked with an "M2," printed beginning at 2:15 a.m. Sometimes there's an M1 before the Final. The letters "DM VA" refer to how the paper is zoned. Since readers live all over the Washington area, they're interested in all different things. Some papers delivered to Maryland and the District ("DM") have different stories than those delivered to Virginia ("VA"). You'll notice this mostly on pages in the Metro section. The front page is usually the same in all areas ("DM VA").

Sometimes you'll also see a "K" up here. That means there was a mistake on an earlier version of the page and it had to be "killed." That's newspaper-talk for replacing it with the correct page.

The fold: This is where the paper folds in half. When it's inserted into those blue street boxes or stacked on a store's counter, the top half is all you see. Some people say that stories that fall "below the fold" (on the bottom half) aren't as important as those "above the fold."

Dateline: Stories have a dateline if they were written by a reporter outside the Washington area. The dateline includes the date the story was written and the city it was written in. If there is a city but no date, that means the story is more than 24 hours old or is not about news that just happened.

Photo credit: The name of the photographer who took the picture, and the organization he or she works for, goes here. Graphic artists also get credits like this.

Caption: This is a sentence or two describing what's going on in the photo and identifying the person or people in it.

Holes: The newspaper starts out as one long, flat strip going through the presses. After it's folded vertically along the spine, it's pulled down to be cut by massive blades. Pins punch through the paper to pull it. Those pins leave marks at the bottom of every page.

Redskins Open Season With 31-23 Victory Over Cardinals | SPORTS Page D1

The Washington Post

MONDAY, SEPTEMBER 9, 2002

FINAL

Justin Martin on Defense
Dennis Cook on Offense
Sports Column on Page A11

**J.S. Fears
Low-Level
Al Qaeda
Attacks**

**Scattered Followers
Pose New Threat**

By STEPHEN SCHNEIDER
Washington Post Staff Writer
Washington Post Photos

One year into America's war on terror, it's clear that the thousands of Qaeda followers who were once training in camps in Afghanistan have found many ways to continue their deadly attacks.

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An Integrated Curriculum For The Washington Post Newspaper In Education Program

A Changing Community, A Changing Role

Americans' right to a free press is guaranteed in the First Amendment of the Bill of Rights. Newspapers keep us in touch with our communities. They inform us and remind us that citizens have responsibilities in a democracy.

1. Get a sense of history. The stories of the first newspapers and the people who produced them are interesting. Research to learn more about them. Before you begin your search, what do you know about the following?

- Public Occurrences Both Foreign and Domestic
- Benjamin Franklin
- Paul Revere
- Samuel Adams
- John Peter Zenger
- Alexander Hamilton and the New York Evening Post

2. Franklin's Pennsylvania Gazette and the Boston Gazette were important early American newspapers. Why was "gazette" part of their names? A dictionary search will tell you that "gazette" means newspaper or an official journal. An old word for a journalist is "gazetteer." In the 1500s in Venice, people could buy handwritten sheets that provided local news and information from travelers. It is believed that it cost a gazeta, a small coin.

In 1801 the New York Evening Post began. In 1877, The Washington Post was first published. Why do you think these newspapers have "post" in their names?

3. Advances in technology influenced how quickly news was delivered. The telegraph completely changed the time it took for news to reach the printer. Riders on horseback

and trains took days or weeks. News could be sent in minutes by telegraph. Why would newspapers want to encourage the expansion of telegraph service?

The Linotype machine revolutionized typesetting. Before Linotype, each letter was set by hand. Read more about Linotype machines. What is hot lead? Explain how the linotype improved setting type.

4. Early American newspapers did not see themselves as watchdogs for society's benefit. Reporters were not necessarily objective in gathering the news. Federalists and Republicans owned newspapers to argue for strong federal or strong state governments. Publishers got so mean in their attacks, Congress passed the Alien and Sedition Acts in 1798. One part of the law punished seditious speech. People who said, wrote or published "any false scandalous and malicious [speech] against the government of the United States" could be fined or imprisoned for up to two years.

Read more about the act and its impact on a free press. Do you think the punishment of newspaper publishers was constitutional?

5. Readers today expect news reporters to be fair and accurate in their articles. Reporters should interview many sources and search for the facts. The many different sides of an issue should be presented. This was not true in 1877. When The Washington Post began, newspapers were often owned by people who wanted their own points of view expressed. They supported a particular political party or cause. They used their newspaper to present

Washington Post Timeline

1877: Stilson Hutchins, 38, a newspaperman and politician from Missouri, comes to Washington determined to establish "a Democratic daily" in the nation's capital. The Washington



FILE PHOTO—THE WASHINGTON POST
**Stilson Hutchins founds
The Washington Post
in 1877.**

Post makes its debut Dec. 6 with four pages printed on rag paper. It appears six days a week and costs 3 cents a copy. It is one of five dailies in the city.

1879: Calista Halsey becomes The Post's first female reporter.

1879: The first news picture ever to appear in The Washington Post shows a proposed design for the unfinished Washington Monument.

1879: The Post's first editorial cartoon features a ballot box atop a bayonet—a gibe at President Rutherford Hayes for his veto of a Democratic bill to nullify federal protection of voting rights for blacks in the South. The cartoon is unfunny enough that Post editors have to explain it in an accompanying note.

1880: A Sunday edition of The Post is launched. The Post is the first newspaper in Washington to publish seven days a week. Robert Louis Stevenson is among the Sunday edition's first fiction writers.

1881: The Post bids farewell to its longtime enemy, President Hayes, with a biting editorial. It is titled "Exit the Fraud." It reads, in part: "There should



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that party and their ideas as the right ones. This is called partisanship.

Thirty-eight-year-old Stilson Hutchins promised to produce a newspaper to support the Democratic party when he established The Washington Post. He did not like Republican President Rutherford B. Hayes. Similar to the 2000 presidential race, the election of 1876 was controversial and included contested electoral votes in Florida and three other states. A special commission reviewed the electoral votes to determine whether Hayes or Samuel Tilden was elected the 19th president. In *The Washington Post*, Hayes was referred to as "his fraudulence" and "the bogus president."

To learn more about Rutherford B. Hayes visit the online Rutherford B. Hayes Presidential Center (<http://www.rbhayes.org/>). Guess who was the first president to have a telephone and a typewriter in the White House? The "Easter Egg Roll" was first held in 1878 on the White House Lawn. There are other firsts for the Hayes presidency. See if you can find them.

6. Skim the front page of today's Washington Post. Answer the following questions.
 - a. Which issue of the Post are you reading?
 - b. How many stories made the front page?
 - c. What is the headline of the top story of the day?
 - d. Who is the reporter?
 - e. Was the reporter in D.C. when he or she wrote the article?
 - f. How many of the stories were written outside of the United States?
 - g. If one or more stories was written outside the United States, in what countries were the Post reporters?
 - h. Without turning to another page, name one or more other stories covered in today's Post.



FILE PHOTO—THE WASHINGTON POST
President Rutherford B. Hayes poses for photographer Mathew Brady in late 1800s.

be no spot of ground on the continent to give him harborage or shelter save the few feet of earth needed for a nameless grave. Exit Hayes the fraud. Eternal hatred to his memory."

1885: The Post's new building at 10th and D is destroyed by fire. Its rival, the Evening Star, invites the Post to use its presses so production is uninterrupted. Within a month, The Post rebuilds.

1887: For one week, Page 1 of The Post is composed entirely of classified ads in the British fashion of the period.

1888: The Post buys out the morning National Republican and the afternoon Critic.

1889: Hutchins, involved in the development of the Linotype machine, sells the Post in order to concentrate on the new technology. He later says he, "made a fool of myself" in selling such a profitable enterprise as The Post.

1889: Republican Postmaster General Frank Hatton and Democratic Rep. Beriah Wilkins, both 42, purchase The Post for \$175,000.

1889: The Post is immortalized in music by John Philip Sousa. Before an award ceremony at the Smithsonian Institution for The Washington Post's "Amateur Authors" Association, Post owners Hatton and Wilkins had encountered Sousa on the street. "One of them," the march king recalled, "said it would be a great thing if I would write a special march for the [awards], to which I agreed, and the first performance of 'The Washington Post March' was at this event on the Smithsonian grounds." The march became an international hit, and the sheet music featured a reproduction of the paper's front page with a dedication to Hatton and Wilkins.



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YOU and YOUR RIGHTS

"The Supreme Court's Role – The Importance of Fact-Finding and Unearthing the Truth"

In this activity, students will attempt to keep fact-finding and truth-seeking as the overarching goal as they struggle to build consensus among peers who may or may not share similar opinions on controversial topics.

ACTIVITY: "You be the Judge!"

- CLASS 1: Distribute briefs in Supreme Court cases to be read for the next class. Hand out the attached worksheet to be filled out for each case. Allow students enough time to read the briefs, which are about thirty pages for the petitioner and thirty pages for the respondent.

- CLASSES 2, 3: Students will assume the role of Supreme Court justices meeting in conference to discuss and decide the cases based on the briefs.

Have students write three questions to which they need answers before they can make a decision about the case. Are facts available in the briefs that will help to answer the questions?

- CLASS 4: Each group's Chief Justice will present the group's holding(s). Ask your students to describe their roles as Supreme Court justices. To what extent were they able to keep an open mind about omitted facts? How was the fact-finding process influenced by other group members?

YOU and YOUR RIGHTS

The Marshall-Brennan Fellowship Program at American University's Washington College of Law trains upper-level law students to teach a unique course on constitutional rights and responsibilities to hundreds of students in Washington, D.C., area public high schools. For more information about the program, please contact Michelle Carhart, program coordinator, at mcarhart@wcl.american.edu. For curricular information or information on how to get involved, please contact Maryam Ahranjani, academic coordinator, at mahranjani@wcl.american.edu.

NO. OF STUDENTS REQUIRED: Ideally, you will be able to divide your class into groups of nine, to match the number of Supreme Court justices. If this is impossible, divide your class into groups as close to nine as possible in odd numbers (e.g., 7 or 5). It is important to have odd numbers so there are no ties.

SUPPLIES: Supreme Court briefs, which can be obtained from <http://supreme.lp.findlaw.com>. Click on "briefs" and then click on the appropriate term. You will probably want to edit the briefs for clarity and brevity. Select one set of briefs for each group.

See *Santa Fe Independent School District v. Doe* (on the docket for the 1999–2000 term) and *Good News Club v. Milford Central School* (on the docket for the 2000–2001 term).

In *Santa Fe v. Doe*, students and parents filed a lawsuit against the school district, alleging its policies and practices, including allowing student-led, student-initiated prayer before football games, violated the Establishment Clause. The United States District Court for the Southern District of Texas ordered the district to enact a more restrictive policy, allowing only nonsectarian, nonproselytizing prayer, and the students and parents appealed. The United States Court of Appeals for the Fifth Circuit determined that

even the modified policy violated the Establishment Clause. The District's petition for *certiorari* was granted, and the Supreme Court held that: (1) student-led, student-initiated invocations prior to football games did not amount to private speech; and (2) the policy of permitting such invocations was not allowable because it was too forceful.

In the Good News Club case, a Christian club for children, a sponsor, and a member brought a lawsuit against a public school, alleging that school's refusal to allow the club to use school facilities violated their free speech rights. The United States District Court for the Northern District of New York held in favor of the school. The United States Court of Appeals for the Second Circuit affirmed the District Court's decision, and the club appealed to the Supreme Court. Writing for the majority, Justice Thomas reversed, holding that: (1) the school's exclusion of the Christian children club from meeting after hours at school based on its religious nature was unconstitutional discrimination based on the club's views, and (2) the school's argument that if it had allowed the club to meet, it would have violated the Establishment Clause was not valid (in other words, it would not necessarily violate the Establishment Clause to allow the Christian club to meet at school).

ABOUT THE AUTHOR

Maryam Ahranjani, academic coordinator of the Marshall-Brennan Fellowship Program, is a 2001 graduate of American University Washington College of Law. A native of the Chicago area, she has been mentoring and teaching in public schools in Evanston and Chicago and D.C. for almost 10 years. She taught constitutional law at Roosevelt High School in D.C. for two years and currently teaches in the after-school enrichment program at Maya Angelou Public Charter High School.



An Integrated Curriculum For The Washington Post Newspaper In Education Program

YOU and YOUR RIGHTS

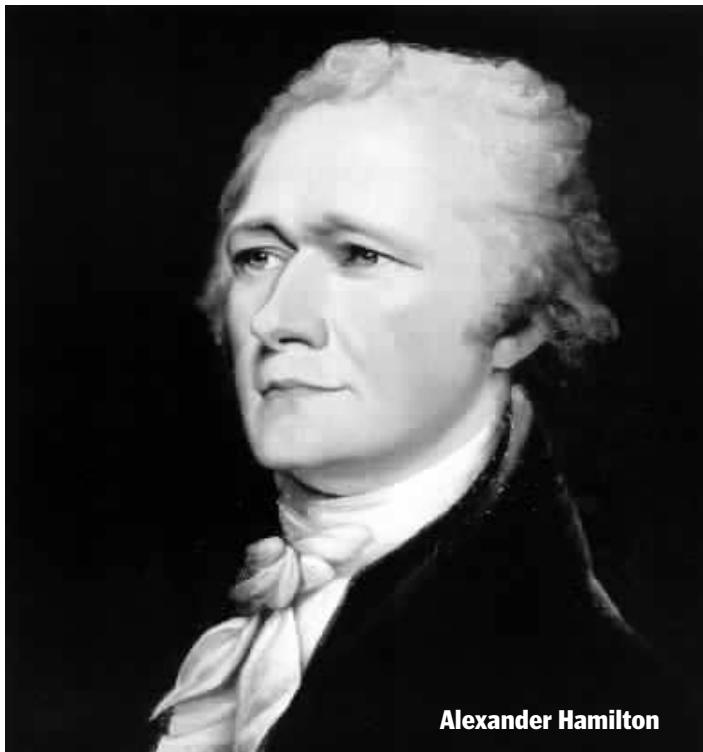
"The Supreme Court's Role – The Importance of Fact-Finding and Unearthing the Truth"

Views of the Supreme Court's role in a democracy may differ, but finding the facts and remaining true to constitutional values is a constant goal of the Court. The Constitution begins "We the People." It states the rights of the people. How does the Supreme Court protect the rights of the citizens of the United States? How do the nine justices know the facts before they make a ruling?

BACKGROUND

When ratification of the Constitution was pending in state constitutional conventions, Alexander Hamilton wrote in the important and influential Federalist 78:

"The Supreme Court will always be the least dangerous to the political rights of the Constitution; because it will be least in a capacity to annoy or injure them.... . The judiciary ... has no influence over either the sword or the purse; no direction either of the strength or of the wealth of the society; and can take no active resolution whatsoever. It may truly be said to have neither force nor will, but merely judgment; and must ultimately depend upon the aid of the executive arm even for the efficacy of its judgments."



Alexander Hamilton

PAINTING BY JOHN TRUMBULL, 1804; MUSEUM OF THE CITY OF NEW YORK

TRANSLATION

The Supreme Court will always be the least likely to endanger the political rights of the Constitution; because the Court's role is not to alter or change the rights provided to citizens by the Constitution. Courts cannot determine whether the country will go to war or how tax money is spent; they have no control over how strong or wealthy our American society is. Citizens must bring cases of active controversy to the Court. The justices can merely decide whether what the government does and what is happening in society is fair and consistent with the values of the Constitution. However, just because they decide something is unfair or unconstitutional, doesn't mean change will occur. The only way for change to occur is through the executive branch's enforcement of the decisions of the courts.

In weighing the merits of a particular case, the Supreme Court relies heavily on three sources of information: the briefs of the contending parties, *amicus curiae* (a Latin phrase meaning "friend of the court") briefs, and oral argument. When the Court grants *certiorari* and agrees to hear a case, the lawyers for both sides submit legal briefs and then argue the case orally before all nine justices, unless a justice excuses himself or herself for reasons of personal or financial interest in the subject of the litigation.

A legal brief is an attempt to persuade a court to rule in favor of one's client or position. In most cases, other interested parties submit requests to file *amicus* briefs, which increase the range of information available to the justices. Although oral arguments are limited to thirty minutes for each side, they can provide an opportunity for the justices to clarify the written arguments presented in the briefs. Justices must sift through all of this information and view all three sources with a critical eye since each party is presenting the facts in the most favorable light to his or her side. **You will need an inquiring and logical mind to be the judge.**



An Integrated Curriculum For The Washington Post Newspaper In Education Program

YOU and YOUR RIGHTS

"The Supreme Court's Role – The Importance of Fact-Finding and Unearthing the Truth"

Finding the facts and remaining true to constitutional values are fundamental goals of the Supreme Court. The Constitution provides the foundation for legal arguments



THE WASHINGTON POST

and previous Supreme Court decisions provide the precedents for current decisions. The Bill of Rights states the rights of the people. The Court has a responsibility to "We the People" to protect these rights.

When the justices are asked to make the final decision in a controversy, they select cases to hear that require interpreting the Constitution and protecting the rights of ordinary citizens.

The justices have three main sources to learn the facts of the case:

1. Legal briefs. Lawyers for both sides send these written documents to persuade the justices to rule in favor of their client or position.

2. Filed amicus curiae (a Latin phrase meaning "friend of the court") briefs. Other people who care about the final decision submit these briefs to the Court.

3. Oral arguments. The lawyer for each side is limited to 30 minutes to present his or her case and to answer any questions the justices may ask.

The nine justices must hear the oral arguments and read the briefs with a critical mind. They know each side will emphasize points that support its side of the argument. The Justices are experts in constitutional law and know the decisions made by previous Supreme Courts. You will need an inquiring and logical mind to be the judge.

- **Sante Fe Independent School District, Petitioner versus Jane Doe, individually and as next friend for her minor children, JANE and JOHN DOE, et al. (2000)**

In the case we are examining, the Supreme Court granted the school district's petition for *certiorari* to review the decision of the Court of Appeals. (*Certiorari* means "to be more fully informed" in Latin.) Here are the facts presented to the Supreme Court by lawyers in 2000:

Sante Fe Independent School District, Petitioner

1. Before 1995, students at Santa Fe High School elected a student council chaplain who delivered a prayer over the public address system before each varsity football game for the entire season.

2. While the District Court was considering the constitutionality of the above, we adopted a different policy that permitted, but did not require, prayer initiated and led by a student at all home games.

3. Prayer builds sportsmanship and character. The District Court ordered that policy be modified to permit only nonsectarian, nonproselytizing prayer. This kind of prayer would have no association with a particular religion or attempt to convert people to a particular belief.

Jane Doe, individually and as next friend for her minor children, JANE and JOHN DOE, et al. (2000)

1. Having an elected student chaplain deliver a prayer over a p.a. system before a football game is a violation of the Establishment Clause of the First Amendment.

2. People attending a football game are a captive audience. No one should be forced to hear a prayer.

3. The Court of Appeals held that, even as modified by the District Court, the football prayer policy was invalid. According to the Constitution, it is against the law for the state to favor any one type of religion, or force it upon its citizens.

You Be the Judge

OPINION OF JUSTICE _____

On this _____ day of _____, in the year _____

In the Matter of

v.

	PETITIONER	RESPONDENT
STRONGEST (MOST PERSUASIVE) ARGUMENTS	<ul style="list-style-type: none">• _____• _____• _____• _____• _____	<ul style="list-style-type: none">• _____• _____• _____• _____• _____
WEAKEST (LEAST PERSUASIVE) ARGUMENTS	<ul style="list-style-type: none">• _____• _____• _____• _____• _____	<ul style="list-style-type: none">• _____• _____• _____• _____• _____

FINAL VOTE

Please check the party for whom you vote:

Petitioner

Respondent

Undecided (explain below)