

Why did AOC (Articles of Confederation) fail?

united States of America
small u = not united - every state will just run their own little country

"league of friendship" will bind the 13 states
- didn't want to give up state rights to a federal govt

- what do they need first? → "security (army) / Foreign relations"

2) economy - currency - can't ^{army? ambassadors} interfere with economy → needs to be stable.

3) Gov't must be run - make laws efficient, smooth govt + democratic govt - no taxes, voluntary contributions

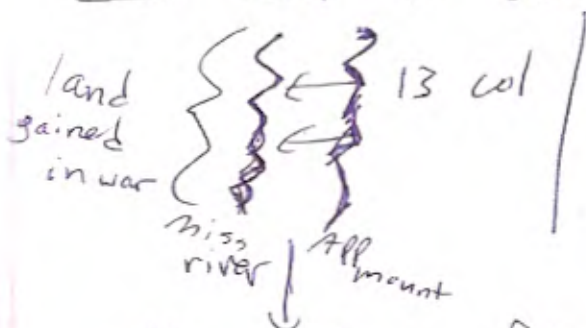
- Economy has huge national debt → should tax, but since they were sick of taxes from British - so no taxes - instead had voluntary contributions

- govt has no credit - can't give loans → limits economy
- no control interstate or foreign commerce
- no national currency.

- states put tariffs on other states goods, so their economy does good - citizens only buy their states stuff - but this causes no interstate trade - this also makes currency in every state different - like different countries → national economy shuts down + like 13 different countries.

(2)

- have no ambassadors + representatives for foreign countries - we look like fools to other countries - can't negotiate with like Spain + France
- This is bad because shows vulnerability in America - anyone can come + take us over
- No army - can't defend ourselves - no taxes to pay soldiers - just voluntary contributions to become soldier -> no one wants to fight, no general
- no president,
- no courts
- only one unicameral legislature - parliament like British.
- each state had 1 vote - not fair - state with many ppl gets same representation as state with few ppl - undemocratic
- 9/13 votes to pass a law
- to change something you need 13/13 votes
- unanimous to change
- so since you need so many votes - nothing changes - stuck - hard to get 9 votes, or unanimous vote

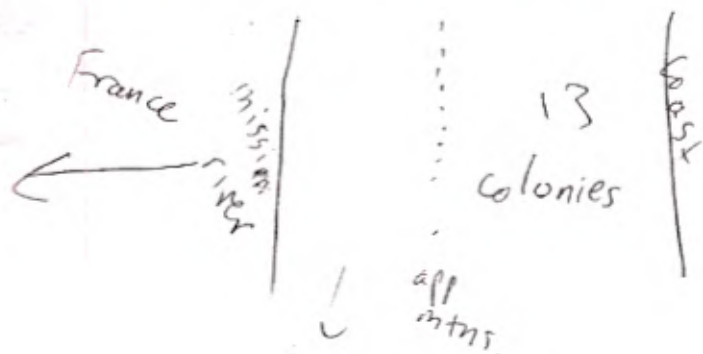


This land is federal property - AOC makes govt for 13 colonies

- So, the AOC are ineffective + inefficient - it was a weak central govt - not strict enough
- the result was 13 separate state govt's instead

(3)

of one unified country.



became
 ours in Treaty
 of Paris →
 gained more than
 double of our original land

Land Ordinates - divides new land ~~into~~ into sections - describes how they are going to sell this land. → this is how they made money + made up for not giving taxes.

North West Ordinates - creates basic rules for which can live in that area -

- 1) every section must have public school
- 2) Freedom of Religion
- 3) Treat Indians good
- 4) No slavery allowed in that new area
- 5) Set up ~~parameters~~ ^{parameters} - when enough ppl in certain area - they can petition for to become a state.

- The Northwest ordinance is important - sets cornerstone for expansion of America

(4)

How was the Constitution born out of compromise?

- Alexander Hamilton hates the AOC - thinks it won't solve anything + can't rule a country - too loose.
- Daniel Shay was farmer - many farmers that borrowed money in war + are poor - owed - couldn't pay back.
- So Shay's rebellion - think maybe can start another revolution - but problem - ~~shows~~ shows that we can't rule + control ourselves - chaos - ppl revolt whenever they don't like something
- This rebellion made founding fathers realize that need to be controlled by something stronger than AOC - meet in Philadelphia to relook + fix AOC
- America is making fools of themselves to other countries ~~under~~ under AOC.
- kept everything that went on in ^{Philadelphia} meeting secret - why?
- didn't want distractions from roddy govt
- What they did was extreme → threw out AOC + started over - if ppl knew they would try to give input + be chaos + uproar
- So none of the public knew what was going on.
(John Adams + Jefferson were negotiating in Europe - weren't there)
- So at convention - Constitution was made + "born out of compromise" → many of them disagreed + needed to compromise
- "The Critical Time Period" → period that we ~~had~~ had nothing - threw out AOC + Constitution not finished
- AOC also served as learning curve, now we will learn from mistakes + fix it.
- Constitution was made by men who realized how important this is + their huge responsibility

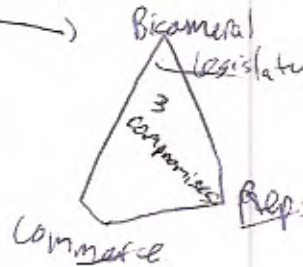
5

Disagreements:

- National vs. state govt - what is more important?
- Balance of Powers - president, Congress?
- Slavery?
- Commerce? - Taxes?
- Big state vs. Small state - are there a lot of ppl or few? - do we give same representation?
- Populism vs. Eliticism - rule by common ppl; and they all vote for everything, or do just elite + some ppl who know politics + laws make the decisions?

Roger Sherman: The Great Compromise / Connecticut Compromise

VA - House of Representatives } congress
NJ - Senate



Bicameral Legislature

VA - 1000 white men
 • 1000 slaves
NJ - 500 white men
 50 slaves

1 Rep = 100 men - so do slaves count - 1000 reps or 20? so they want 20 - which means that slave-holders get more political power

	<u>Representation</u>	<u>Voting</u>	<u>Taxes</u>
VA	20	1000	1000
NJ	10	1000	2000
3/5	16		

6

$\frac{3}{5}$ compromise - if have 1000 white men + 1000 slaves \rightarrow you get 10 for white men + $\frac{3}{5}$ of 1000 slaves = 600 \rightarrow 6 reps, so 16 reps - but $\frac{3}{5}$ still gives slave-holding + southern states more power than non-slave holding - so they payed for their power.

- VA here has more power than many states - even though have same amt of white men - they have more slaves!

Commerce - govt needs to control inter-state trade.

- So Federal govt can control inter-state and foreign trade (+ trade with Indians)

- they cannot control intra-state (within state)

slave states \leftarrow ppl worried that govt will control slave trade + maybe stop it

But they compromise that slave trade can't be touched by govt for 20 yrs - later - our children in 20 yrs will worry about it.

Federal govt can also only control imports + not exports so southern states trade won't be affected with exports

- We see that interests of North + South states are extremely different.

- So disagreement of slavery \rightarrow $\frac{3}{5}$ compromise (slave states more political power)

- 1) 20 yrs - slave trade
- 2) Fugitive slave - if he runs away to North - North must give them back

7

to South.

- New area open to Slavery - made slavery embedded in govt. → Constitution is worse for slaves

What does the Preamble tell us about our Constitution?

- The Constitution is very effective in compromising + going down the "middle road"

- In Preamble - use Capital U in United States - creating a name + stronger Central govt - we are no longer 13 separate states but United States of America - random words are capitalized to emphasize them

"We the people" → included white men (women + children also semi-included) - does not include blacks and slaves + Native Americans

- Didn't write "we the white ppl" because they knew that they were going to change it, also it doesn't sound poetic.

- "Union" capitalized - we are United

- "Common defense" → army

- "Promote General Welfare" → economy or maybe

← just for the good of happiness

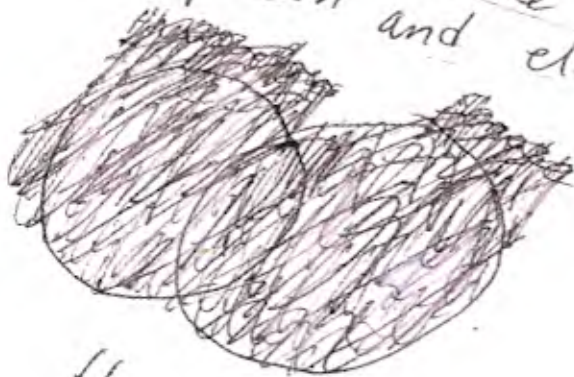
- "Secure blessings of Liberty" - this is our job - we said that govt's job is to ensure liberty.

- Welfare = free trade, health care, public school

- Justice = Courts, police, Balance of Powers.

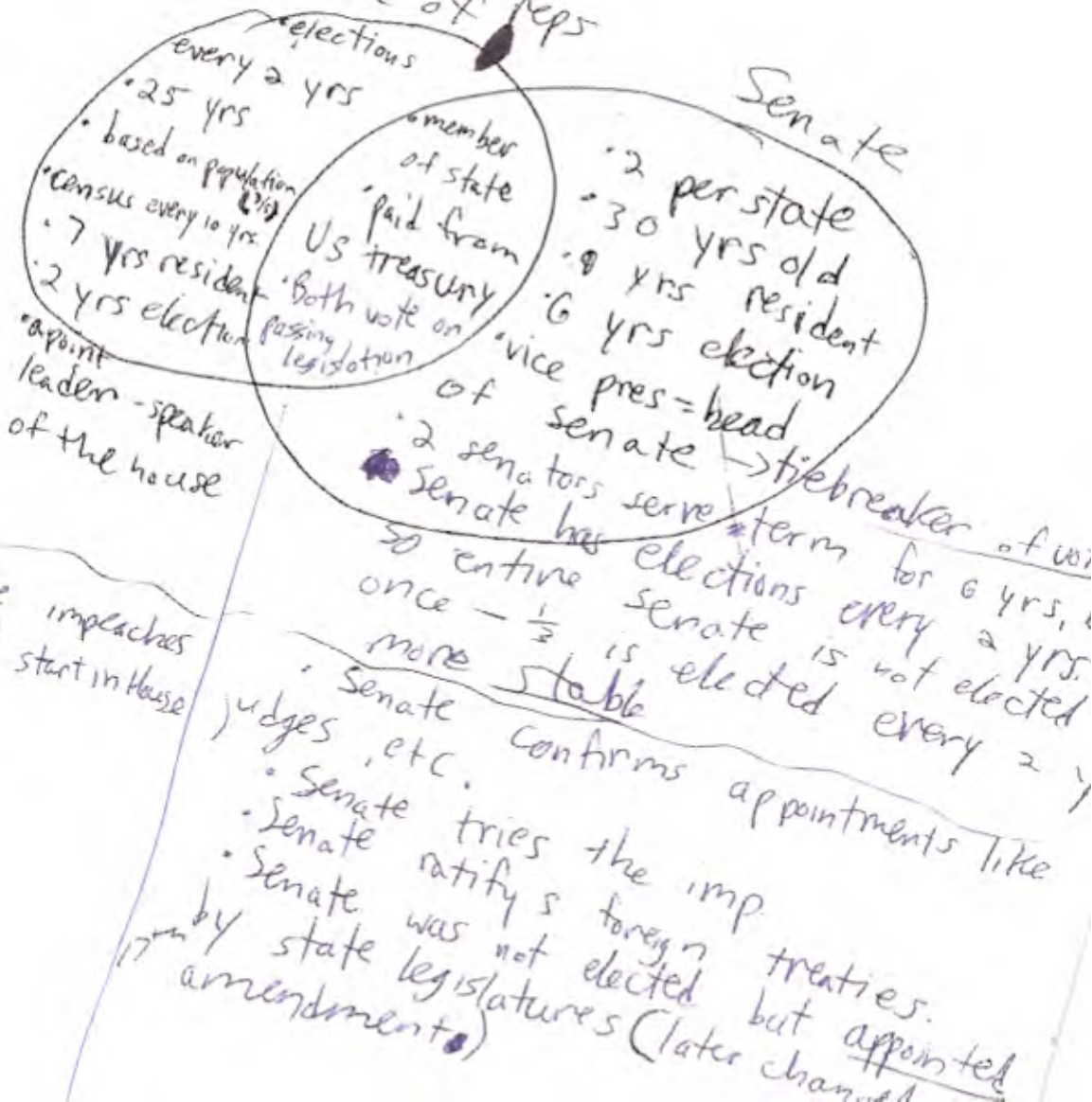
8

Congress: How did the founders establish
between populism and elitist government



House of Reps

Senate



9

Why were they different? → House satisfies big states, Senate satisfies small states

- Created balance between populism (House) + elitists (Senate)

- Senate were very elitist - not even elected - originally were appointed + older + more years - more elite, the smarter ppl - more exclusive - requires extra wisdom (Foreign treaties, confirm appointments, tries) → need to be smarter - don't really have to do what ~~their~~ their states want - don't even need to campaign - appointed

- Representatives are constantly campaigning elections are every year

- HOB has power to start convo about taxes - Senate has no power to do that

- Senate is not in touch with ppl as much as House is → so it is balanced

How does a bill become a law?

Bill introduction - who can do it? - member of Congress, the president, vice president, any citizen can (but might not listen), lobbyists

lobbyists - groups of ppl who have agendas + specific interests - gain influence and try to ~~introduce~~ ^{introduce} bills - promotes a special interest to government
EX: AIPAC, NRA, Tobacco lobbyist, NAACP, AARP, PETA → all have a lot of money so influential

- After bill is introduced - goes to subcommittee - which are specialized subcommittees + help ~~write~~ ^{write} + revision the bill - because they are experts in that area
- So if a bill is introduced for schools - it will be sent to a subcommittee for education
- Congressman join subcommittee that they know a lot about
- Then send to a full committee
- Who in charge? - Each committee has a head - chairperson + organizes studies to do research and stuff
- ~~Chairperson~~ If there is disagreement, the chairperson makes the final decision
- Chairperson is appointed by the leadership/majority of the party in ~~the~~ the HoR or senate
- So if House is majority Democrats, then every chairperson in House is Democrat
- In House - it is sent next to Rules Committee -
- In Senate - sent to leadership - just schedule it to

(11)

When going to be sent to Full Senate

- But House - Rules Committee has a lot of power - they set up rules for how this bill can be debated - (how many ppl talk about, how many amendments allowed to bill...) → so they have a lot of power + chairperson of Rules Committee also has power
 - They have power to completely run the bill - or make it great
 - why does House have rules committee + Senate doesn't have it?
 - Because in House there is a lot of ppl - and things can get out of hand - so Rules basically sets up agenda of who + how many ppl talk.
- But in Senate - can philibuster = ^{one side} keeps talking and don't stop talking until other side gives up (if keep talking - then Senate can never vote on anything else) - this is called Cloture -
 - In Senate - no time limit because there is no Rules Committee
 - ~~But~~ But, 60% of Senate vote against cloture then philibuster must stop
 - Today - Democrats are majority in Senate, but not 60% - so scared of Republican philibuster
 - If not passed, then goes back up to Committee
- If passes to House + Senate goes to Conference Committee - which is basically both House + Senate show then compromise more.

a lot of session builds up here.
- so in conference - come up with one identical bill

- Pork Barrel legislation - add stuff to bills (earmark - give money to their organization) so that they will win votes over - this is how Congressman get money for their districts (Rules Committee can limit earmarks)

- But sometimes bill is so expensive - spending money on stuff not even related to original purpose of bill - some ppl think govt is wasting money

- This one bill goes back to house + Senate and they vote separately on it. (In Full House and Full Senate)

- After passes in both House + Senate - goes to ~~the~~ President

- Pres can sign it, or veto it - or can do nothing

- if does nothing - it passes in 10 days - he does this to show that he's not really for it, but not going to veto it.

- If pres veto, need $\frac{2}{3}$ of both Houses to override veto - so veto is very strong power.

- Line Item Veto - gives pres power to cross out one or 2 lines of bill + pass the bill.

- Then that one line needs $\frac{2}{3}$ to override - This gives pres power to remove the "pork" (earmark money)

- But argument that this is wrong - gives pres too much power - checks and balances is messed up + tremendous danger - also against constitution.

13

- If pres couldn't veto - he would have no say → Pres can't lead Congress
- ppl wouldn't listen to pres because really can't do anything - Congress does it all - nothing to threaten with.
- takes very long to pass a bill - good or bad - good because have ^{a lot of} research + thought

How much power does the constitution give to Congress?

- Constitution makes list of what they can do powers
- There are 17 things - Art 1, Sec 2

#18
big powers - declare war, foreign commerce, last one → to make all laws that are necessary and proper - can do anything you need to do in order to carry out other 17 things.

Elastic clause - can stretch the laws

#1 → can raise taxes + collect money + use it for general welfare - so allowed to use it on health care - can spend it on anything they want for good of ppl

- elastic clause - can raise sales tax, or income tax - can stretch out way to get money - but must be for good of ppl.

(4)

- 2 - can borrow money (if we go into deficit)
- 3 - Regulate commerce with foreign nations + inter-states - between states, not ~~intra~~state (within)
- 4 - uniform rule of naturalization - when can ppl become citizen, bankruptcy law - when can declare ^{bankruptcy}
- 5 - coin money + fix standard of weights + measures
- elastic clause - mint, control production of money - causes inflation or deflation, control interest rates
- 6 - Punishment for counterfeiting (make fake money)
- 7 - control post office + mail
- 8 - Copyrights + patent laws - can regulate it - like internet and stuff
- 9 - tribunals inferior to supreme court - set up courts
- 10 - Punish piracies on sea
- 11 - declare war - Congress declares war, not president
- 12 - raise and support armies - elastic - can make draft - but for 2 yrs only
- 13 - Maintain a navy

How does the constitution establish Federalism?

What happens if the power is not on the list? -
like schools, ^{regulations} drugs, marriage laws, abortion, stem cell research -
what happens to these? → its up to the states to decide

- if Congress can't connect it to list - can't do it - added Amendments - but Amendment 10 says - the powers not

15

delegated to Federal Congress, states can decide
(unless says specifically states can't do it)
these are reserved states

Art 16, sec 2 - states can't decide anything
that's on the list of 17 things.

- This system retains powers of states -
federalism

- The balance of state powers + president of
USA → this is federalism

- governor + mayor makes local laws, not on
list of 17 things. + pres + Congress makes federal
laws over general public of country

- but using elastic clause, federal powers can
stretch their circles - then state's power
automatically reduce.

- Congress ~~is~~ ^{is} always allowed to generate revenue +
spend money → elastic → this gives them a lot
of power.

abortion is national

16

How can the federal govt grab power from the states

1) Spending \$ - they're allowed to tax + spend more, sometimes their \$ takes away power from states - because their \$ comes with strings - they often spend/give with strings attached → so can indirectly control stuff like education - so can control some stuff that's supposed to be controlled by states

2) elastic clause - interstate commerce - can say that anything that can impact economy - can control - so can basically do anything by elastically stretching this "interstate commerce" clause

Am - What is it that makes a good president?

- connection to people

1) - charismatic, personality

- if pres has right personality to inspire 'make speeches → says things that ppl will always remember - so power of personality is most important thing - Washington, Lincoln, Kennedy

2) ^{to} - have a vision (and vision makes sense)

- FDR had vision of New Deal - inspired America + worked (LBJ's Vietnam → bad vision)

- Reagan - Reaganomics - approach to economy

- supposed to try to pass vision onto Congress -

17

his side
- Generals didn't make good presidents because they just listened to higher power (like Grant) but needs to be the convincer - convince media + ppl

- Obama now isn't persuading ppl + Congress well enough on his health care vision

4) Time - when America is in bad time, + reaction to it - FDR's new deal, Lincoln's Emancipation Proclamation.

- Hoover - didn't do anything for Great Depression
- Buchanan - didn't stop the civil war.

- Obama is pres in bad time - his reaction will define it pres or not.

How much power should the president have?

pic - Truman has a lot of power, but wants more from Congress.

- Teddy Roosevelt says that pres shouldn't be restricted to only the couple of things that Constitution has - I can do anything I want unless it is forbidden by Constitution - anything to help ppl.

- Taft - says only can do ^{specifically} what Constitution said.

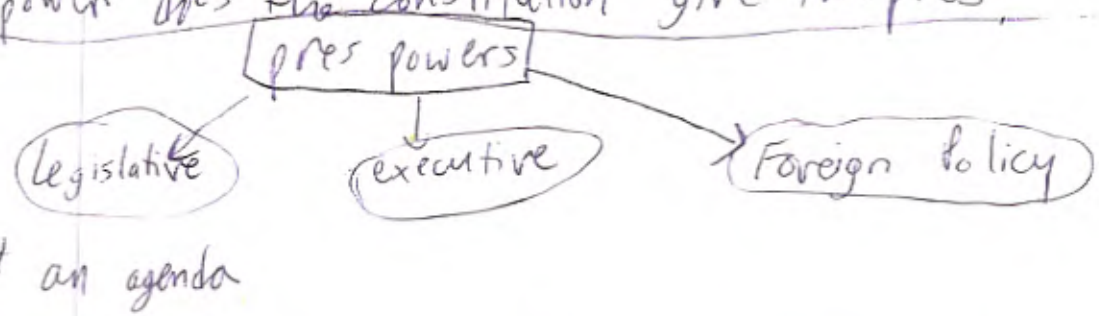
- President - executive - chief enforcer

- but really, cops enforce, so when ~~do~~ you need ~~the~~ pres

- but if states don't listen to law (Civil rights - Little Rock Arkansas - didn't listen to law of mixed colored schools) - then president has to do something about it. - fed govt must send in like national guard or something

- So really today, cops do listen to ^{fed} govt - but if don't - then govt, pres must take action

How much power does the constitution give the pres?



Foreign Policy - ~~the~~ deals with other countries, make treaties - $\frac{2}{3}$ of Senate

- appt ~~the~~ ambassadors
- shall receive ambassadors and other public ministers - must ~~the~~ meet with other foreign leaders - Netanyahu, Ahmadinejad

- Cartoon - ~~the~~ spider man - with great power comes great responsibility - pres has a lot of power with foreign policy

pic - Constitution has like 3 lines ~~on~~ pres + foreign policy - but those 3 lines give him a tremendous amount of power -

19

Washington - isolationism
Monroe - Monroe doctrine
Wilson - 14 points
Truman - Containment
McKinley → imperialism
Carter - Camp David accords
Teddy Roosevelt - peace betw Russia & Japan

- presidents have challenges - can't change the world ~~easy~~ easily
 - some pres get overwhelmed by all tension in world - feel they must solve it
 - it's not so simple to help other countries & yourself at same time.
- Pres is Commander in Chief of Army and Navy
 - Congress declares war, pres is Commander in Chief
 - Vietnam - LBJ just put troops in Vietnam - without Congress declaration
- so - War Powers Act - pres must report to Congress within 48 hrs. of sending troops. He has 60 days to keep them there without permission from Congress (then they need to leave) -
 - this is bec in war - needs to send troops immediately
- Is this constitutional that need to ask Congress? → pres would think yes, Congress thinks no - but yet to be decided - if pres challenged

20

it - judicial branch ~~could~~ ^{would} decide

- Pres don't just take to war w/out Congress - because Congress reps public + he wants support of ppl, not go against them.

- What stops pres from using army to take over + become dictator? → because then civil war will start - presidents take oath to believe in constitution + wouldn't want to go against it.

- Who pays for military? - our taxes + Congress decides how much money can be spent.

Power of pardons - pres can grant reprieves and pardons for offenses against U.S (except in cases of impeachment) → only federal offense

Pardon - checks and balances → if court + congress makes mistake → can pardon

- governors can pardon state defenses.

If pres isn't good → removal from office - must be impeached by House, and convicted from Senate

- can be impeached if does Treason, Bribery, High Crimes and Misdemeanors

~~When presidency is over - he becomes a normal American citizen~~

- When presidency is over - he becomes a normal American citizen

(21)

FDR had $3\frac{1}{2}$ terms - then ~~was~~ put in constitution
(22nd amendment) - can only run 2 terms)

Appoints Judiciary - chooses supreme court justices.
- Senate has to confirm them

Aim - How does the Electoral College work?

- ~~Electoral~~ Electoral college is all about states
(federalism)

Why do we have it? → 1) Big states vs. Small states
2) Populism vs. Elitism

- so Electoral college must satisfy both
Compromises

- Each state receives amount of votes according
to their congressional delegation.

- in state-majority of votes → all states "points" - electoral
votes, from the state - "Winner takes all"

- 2 states - Maine and Nebraska, didn't want to
do it - so they divide their electoral votes proportionally
to their real voters

- Those are only 2 states - everybody else
does winner takes all.

- So add how many Congressmen state has (NY has
29 ~~seats~~ seats + 2 senators → so 31 electoral votes)

22

- census is every ¹⁰ yrs - so this yr, 2010 - we have census - and then will redo the # of delegates
- need 270 to win - to get majority
- popular vote - just majority of American votes - we don't do that because presidents wouldn't campaign in small states - wouldn't bother with places with barely any votes
- electors ~~don't~~ see who ~~the~~ state voted for + give their ~~own~~ electoral votes to that pres
 - so really voting for the electors - not pres directly - this makes it slightly elitist - don't trust ppl fully, so ~~we~~ have power to sway votes to another candidate even if state voted otherwise → this never really happened. - just do it because it is tradition
- If a candidate doesn't get 270 votes. like ^{majority} split between 4 ppl - then the house decides who is pres.
- Back then - in 13 colonies - no media - no campaigning - so each state just sent who they thought was good + popular - so there was like 13 different candidates → house always ~~chose~~ ^{chose} → this is elitist

How does the election work because we have an electoral college?
↳ how do candidates campaign?

- state by state vote

23

- In American tradition - we have a 2 party system - Republican + Democrats → (not written in constitution - just tradition)
- Primaries narrow it down to one candidate per party
 - Party / has primary election ~~on their~~ on their own
 - why do they only want one candidate from each party? → Because if both ran, then would ~~lose to~~ not get 270 if split between 3 ppl, and House would always get to decide

Constitution does require 51% of votes - so need only 2 candidates to reach that percent

- Swing state - state that does not consistently vote for the same party - switch off every year
- Candidates usually only ~~campaign~~ campaign in swing states - because in ~~the~~ states that always vote for your party - you already have their votes in states that always vote against his party - he has no chance - doesn't bother
 - ~~But~~ swing states they have a chance to win over

- People's poll before elections don't mean anything - because need to poll states to get real results.

- Third Parties - what role do they have? - Because it can help like Republicans if third party takes votes away from Democrats

24

ex: Ohio votes
Rep McCain 52,000

Dem Obama 51,450

3rd - Green Nader 700

} McCain gets all the votes, but really majority of ppl voted liberal (Dem + Green) - so he helped McCain - if

he ~~wasn't~~ wasn't there, Obama would've won

- In 2000, Al Gore would've won if it weren't for Nader → took away votes from him + Bush won

- Why vote for 3rd party? - To make a statement, way for 3rd party to publicize views

- Since they can sway an election → forces major parties to adapt + adopt their views - so this shows they have a tremendous amount of power.

- Candidates can win popular votes, but lose electoral votes - Gore had like 500,000 more votes ~~than~~ than Bush - but Bush got more electoral votes.

- If add up the small states electoral votes - they add up + can be more than only a few big states.

- The senators + 2's → disproportional - small states get 2 ~~votes~~ for little ppl + big states get 2 for a lot of ppl - but those 2 votes count the same

25

Supreme Court

- Supreme Court, Judicial - are like the "ref's"
- They decide if executive + legislative branches are going by constitution - it is their job to interpret the constitution.

Why is the Supreme Court so important?

Who ^{is} judges! - qualifications → Constitution did not establish any set requirements for judges, or amount of judges - our tradition → 9 judges

- Pres appoints judges - not elected
- Supreme Court justices - once nominated and approved - serve for life terms
- Why aren't they elected + serve for life? - bec they don't represent the ppl - they just do what's right + interpret constitution
 - This is very elitist → justices are scholars
- Congress approves justices - sometimes can be rejected
- What type of cases do they listen to? - cases of whether or not it's constitutional

original jurisdiction, appellate jurisdiction

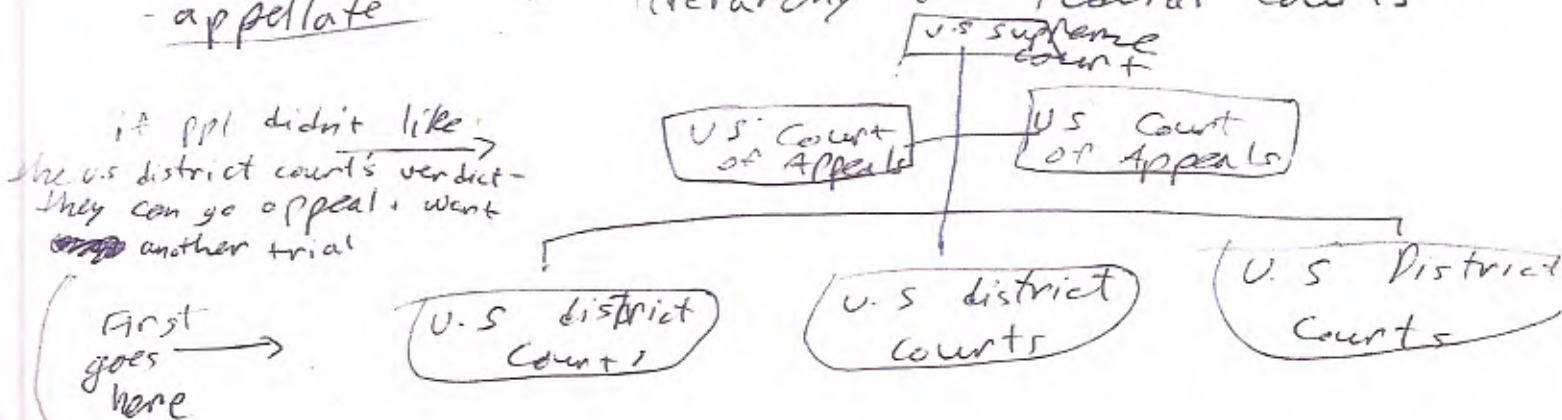
- Original - there is a list of what is original. ex;

(26)

if states sue other states, or Congress or person sues pres → straight to Supreme Court. - they have to because can't just go to normal city or state court.

- appellate

- Hierarchy of Federal Courts



you can petition for certiorari - petition for court to hear your case → supreme court decides if want to take it or not.

- They get about 7,500 petitions that go to Supreme Court → they read + review every single case + go through which case they think they should hear.

"rule of four" - if 4 of the justices decide they want a case - schedule a docket (schedule it) - and they do a trial.

- 97% of cases are rejected

- they hear about 100 cases a year.

- cases they decide are cases that they need to redefine or reinterpret the law

- case put on docket → Briefs submitted - all research

28

and Washington was elected pres.

~~the~~ Federal papers were written in addition of Bill of Rights, because some anti-federalists still weren't happy after Bill of Rights - it was a great explanation of logic of Constitution.

1st amendment → 5 freedoms -
speech, assembly, press, petition, religion

Freedom of religion: ① Establishment clause (separation of Church & state)

② Free Exercise

- In establishment, Congress can't impose a religion so can't set up church in America

- In free exercise - can't stop ppl from practicing

Freedom of Assembly - ppl can gather together - maybe protest - allowed - this is dangerous because maybe can rebel

- Can petition govt - ask for a change by - appealing - redress of grievances - want to correct a problem

- Also freedom of press + speech

- Supreme Court interprets how far these freedoms can

(29)

Case: Engel vs. Vitale

- There was a prayer that a school made kids say - did this violate establishment clause
- states say this isn't specifically a religion - also kids weren't forced to say it.
- Supreme Court said this is unconstitutional - not okay to have prayer in public school.

Free Exercise - case: Church of Lukumi Babalu Aye vs. City of Hialeah

- are you allowed to prohibit killing of animals that would not be used for eating.
- wanted to do this because didn't want Church of Lukumi to go there to sacrifice animals
- Answer was yes it is unconstitutional - not allowed to prohibit animal killing - because not enough of a reason by State.

- Rights go as far as until it hurts other ppl. - "until tip of my nose" - supreme court decides when it is considered hurting ppl, and then the freedoms stop

Free speech

- Shenk vs. US - Shenk handing out fliers advertised to avoid ppl going into draft in WWII - govt arrested him - violated sedition Acts

Did he have free speech for it? - This is telling ppl to break law (draft is law) - so really there is no unlimited freedom of speech can't shout fire in theater, or bomb in airport

- In war - there is a clear and present danger and govt

30

can limit free speech.

- Also on TV - courses are censored - can hurt kids

- Can't lie on commercials

- Defamation - cannot defame somebody - ruin his rep based on lies

Symbolic speech - Texas vs Johnson - Johnson burned American flag in symbolism that he was against administration.

Expressing opinion, like burning flag is ~~part~~ part of speech

is this violating freedom of speech?

- Verdict - yes you can burn flag - it is constitutional

Free press

New York Times vs US

- NY times got info about ~~secret~~ U.S. govt you bring U.S. to war with Vietnam

- ~~Nixon~~ Nixon adm. sued them before they printed it in order to prevent them from printing it - said would hurt nat'l security

- Can govt prevent newspaper from printing something secret? - In this case, govt already deceived U.S. - already happened - not battle plans for army - so supreme court said

NY Times can print it

- If in a case that printing something that is a risk to nat'l security - like military strategies - ~~secret~~ can't be printed other countries can see

Free Assembly

National Socialist Party of America vs. Village of Skokie - Neo-Nazis wanted to march through this Jewish town. Town court put insurance on them to stop them ~~from~~ from marching, Neo-Nazis sued them

- Should the Neo-Nazis be able to march under 1st amendment? -

Town court was not allowed to charge them a lot to march

(31)

because it would be prohibitive - so yes, constitutionally supreme court said they could march

Right to Petition

Edwards vs. South Carolina

- 180 black student rallied to protest discrimination - police stopped the protest + arrested them - because scared they would start riot

supreme court ruled this unconstitutional - against freedoms - police can't stop them + also should protect them

When does 1st Amendment protect + limit rights? - Allowed to have rights until ppl harmed