

American Government & Politics: A Christian Worldview.
Short Film: “The Incorporated Bill of Rights and Federalism” (10–12 Minutes)

TEACHER INSTRUCTIONS

Goal

This short (4:21) film provides insights about why incorporating the U.S. Constitution’s Bill of Rights is not necessarily helpful for federalism and limited government.

Instructions

1. Play the short film above here: https://www.youtube.com/watch?v=9y4CwX_SwNM, and tell students to take notes.
2. Have students in pairs/groups discuss for 3–5 minutes, and then discuss as a class.

Debrief/Wrap-Up Questions

1. Why have many praised the incorporation decision as being a positive development?
Many think, basically, “Good! Now all states have to protect free speech, just like the First Amendment to the U.S. Constitution prevents the U.S. government from restricting free speech.
2. What is the error in this type of thinking?
As the speaker says, “harm to the structural principle of federalism.” That is, different states have different approaches to applying the law, and the incorporation principle makes this a “one size fits all” approach and gives the U.S. government power over these states that it shouldn’t have. This “one size fits all” approach denies state governments the right to alter/update approaches that they see fit.