

When Does Free Speech Go Too Far?

Take the Free Speech Gallery Walk. At each station read about the court cases related to a particular aspect of free speech. Then fill out the worksheet below.

Defamation

You should be able to sue the press for publishing false information that affects your reputation...

- 1) When they are negligent and remiss in their duties
- 2) When they fail to retract the story and publish a correction
- 3) When they act with malice and seek to cause harm
- 4) When rumors show up on a Google search for your business or name
- 5) When the rumors affect how your kids are treated at school
- 6) When you lose your job
- 7) When you are prevented from getting another job
- 8) When you have to move from your community or country
- 9) When you suffer physical violence

NO	YES

Put the numbers of the statements that would get you to say “Yes” on the right side of the line

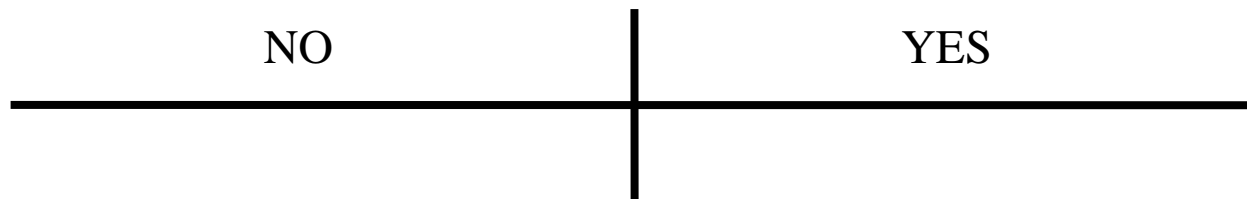
Circle one of the following rationales to justify your “Yes” answers or your “No.”

- A) The First Amendment is about helping our democratic system of self-governance to function.
- B) The First Amendment is about allowing all people to learn, develop their identity, and express themselves freely.
- C) The First Amendment is about finding truth through discussion and debate within the marketplace of ideas.
- D) The First Amendment is about helping elected officials respond to problems raised by citizens and prevent social unrest.
- E) The First Amendment is about checking the accumulation of power by government

Obscenity

The government should be able to outlaw the production and distribution of the following kinds of obscene material because of the damage done to the social fabric of society:

- 1) Media (e.g. print, video, web) that promotes objectification of a group of people
- 2) Media that promotes sexual activity
- 3) Media that displays nude bodies
- 4) Media that features the degradation of women
- 5) Media that promotes sexual violence
- 6) Media that includes child pornography
- 7) Media that offends the most sensitive person in the community
- 8) Media that offends the average person in the community



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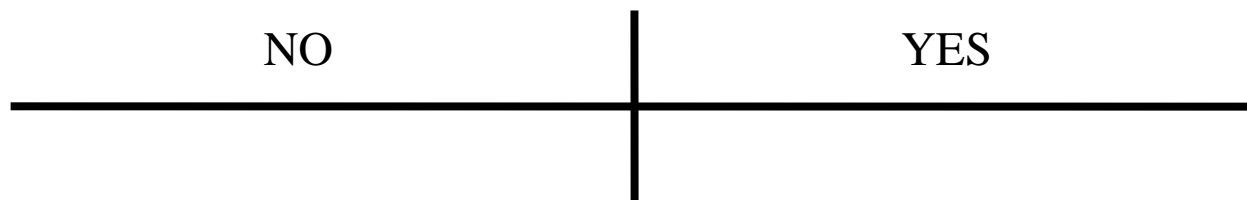
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Speech that is offensive and hateful

The courts should protect people from offensive speech when....

- 1) it is bigoted
- 2) it intrudes upon family rights of passage: births, deaths, marriages
- 3) it insults you as an individual
- 4) the person or organization "speaking" refuses to stop
- 5) it continues for more than a month
- 6) it interrupts your daily routine
- 7) it affects your standing in the community
- 8) directly results in violence



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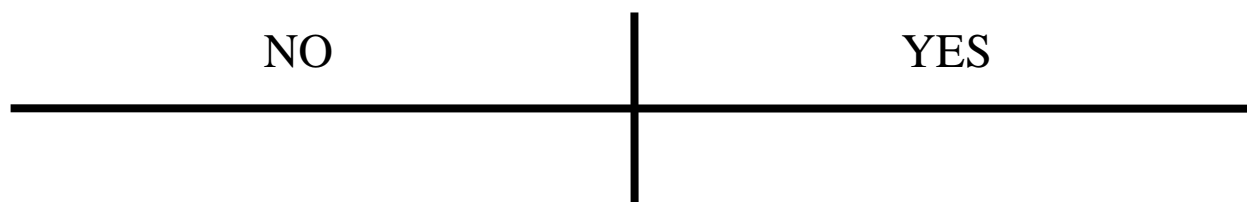
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Symbolic Speech

The government should ban expressive conduct that disrupts community life when...

- 1) it interferes with people doing their jobs
- 2) the conduct denies others the right to use public space
- 3) people can't get away from the conduct because of the situation
- 4) the conduct desecrates symbols or objects that are highly important to a community
- 5) the conduct triggers powerful and uncontrollable emotions
- 6) the conduct provokes violence
- 7) the conduct promotes or encourages violence



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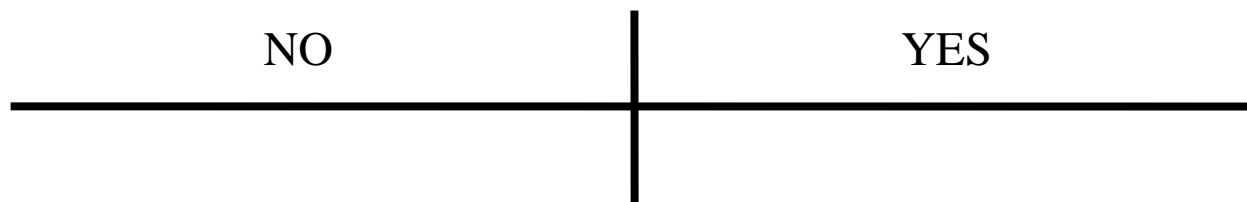
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True Threat

The government should arrest people who...

- 1) threaten violence against the President of the United States
- 2) threaten you with physical harm
- 3) threaten to kill you
- 4) threaten to harm your children
- 5) threaten to harm a public figure such as an elected official
- 6) threaten to do harm to a particular group of people
- 7) threaten to use guns at school
- 8) you believe intend to threaten you
- 9) threaten and have a history of violent behavior



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