

FIGURE 6.3 What Constitutes Freedom of Speech?

The following scenarios all have to do with freedom of speech. Read through each one and answer, in writing, the following questions:

1. Should this use of speech be allowed?
2. Why or why not?
3. What criterion for defining the right to freedom of speech does this scenario suggest? Write out the criterion.

SCENARIOS

1. A student disgruntled with education at your school delivers a harangue on the steps of the main building, outlining what he believes to be faults in the teaching, the policies of the administration, and the general atmosphere of the school. He demands that these be corrected.
2. The Avowed Anarchists of America hold a political meeting open to the public at which the major speaker ridicules all forms of government, arguing the need for self-determination in all things.
3. The American Nazi Party holds a parade and rally in a predominantly Jewish community. The main speaker claims that a worldwide conspiracy of Jews has been at work in taking over all Western democracies. He uses as evidence what he calls “the disproportionate numbers of Jews in appointed positions of political power.” He says Hitler had the right idea.
4. A group of college students, unable to obtain tickets for a big indoor rock concert, manage to enter the hall where the concert is about to begin. At a signal, they begin to shout “Fire!” as loudly as they can. Nothing happens.
5. The same facts as in 4, but a panic ensues and three people are trampled to death.

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FIGURE 6.3 What Constitutes Freedom of Speech? (continued)

- 6.** The *National Observer* publishes a story claiming that a famous politician, estranged from his wife, has been seen on several occasions with a beautiful model. The story claims that the politician entered the woman's Manhattan apartment at 2:00 A.M. and was not seen to leave until morning.
- 7.** A large city paper charges that a local politician has been regularly cheating the city out of thousands of dollars by submitting fraudulent expense vouchers, taking his family on vacations at city expense, and receiving kickbacks from contractors who perform various services for the city's department of sanitation. When the politician brings a libel suit against the paper, lawyers for the paper prove that over a three-year period, the politician was overreimbursed by \$900 for expenses and that he was entertained in expensive restaurants on seven occasions by contractors who performed services for the city, but they do not prove he cheated the city out of thousands of dollars.
- 8.** An extreme left-wing political organization advocates the violent overthrow of the U.S. government. At a rally in Atlanta, the leader urges his listeners to buy high-powered rifles with telescopic sights and to begin ambushing police and government officials. If enough people are killing police, he says, the government will have no protection. The next step will simply be to march on city hall, take over, and let the reign of the people begin.
- 9.** A group of students plan to dynamite a federal bank as a protest against American aid to right-wing governments in South America. They develop the plans in detail but never carry it out.
- 10.** Orson Welles produced a radio dramatization of H. G. Wells' *War of the Worlds*, written as news flashes announcing an invasion of the United States by Martians. The program was so realistic that it caused panic on the East Coast, and highways were jammed for many miles as people tried to flee the area.

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FIGURE 6.2 What Is Constitutes Freedom of Speech? (continued)

- 11.** Paedeia Toys, a manufacturer of expensive educational toys, conducts a study showing that children whose parents buy Paedeia toys earn significantly higher grades and test scores than other children. The company runs a series of advertisements claiming that children whose parents care enough to buy the best educational toys will do better in school: “If you care enough to put your child at the head of the class, buy Paedeia Toys!”
- 12.** A high school biology teacher instructs his students on the Darwinian theory of evolution—that the higher animals, including man, evolved from lower forms of life over millions of years. He explains that his students will be responsible for these concepts, including the sequence of development, on the final exam. When a student asks what he thinks of the Biblical creation story, he says, “That is an unscientific view of creation that some people believe.” The parents of fifty of his students sign a petition objecting to his teaching of Darwin, the requirement for the exam, and his dismissal of the Biblical story. They claim he is forcing his ideas on a captive audience and demand that he be removed from his teaching post.
- 13.** A woman going through security check at an airport jokes about hijacking her plane using the submachine gun and three grenades in her purse. Her purse is tiny. Nevertheless, she is immediately arrested.