

American Government: Stories of a Nation for the AP® Course

Guided Reading

Section 8.4: The Right of Expression

Name _____
Date _____ Class _____

 **Before you read**

Before reading this section, take a moment to read the Learning Target and vocabulary terms you will encounter.

Learning Target: Explain how the Supreme Court's decisions regarding the First and Second Amendments balance individual rights and freedoms with the need for public safety and order.

AP® Key Concepts

freedom of expression

clear and present danger test

prior restraint

symbolic speech

libel

slander

obscenity and pornography

 **While you read**

Use the following table to take notes as you read the section.

Supreme Court decisions	Impact on individual rights	Impact on public safety

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 **After you read**

Once you've finished reading the section, answer the following questions.

1. Which statement BEST summarizes freedom of expression?
 - A. the right to practice any religion
 - B. the right to criticize the government
 - C. the right to interfere with military recruitment
 - D. the right to speak, publish, and protest.

2. The right to criticize those in power is protected under the:
 - A. establishment clause.
 - B. free exercise clause.
 - C. the First Amendment.
 - D. the Second Amendment.

3. Which statement summarizes the outcome of *Schenck v. United States* (1919)?
 - A. allowing the distribution of anti-war leaflets during World War I
 - B. the conviction of Charles Schenck and Elizabeth Baer under the Espionage Act of 1917
 - C. detaining Charles Schenck and Elizabeth Baer for crimes against the United States
 - D. ruling in favor of the defendants, protecting their right to freedom of expression

4. What is the clear and present danger test?
 - A. a standard by which the Supreme Court can restrict freedom of expression.
 - B. a standard by which states may infringe on the rights of free speech.
 - C. a standard by which speech that hurts someone's feelings is prohibited.
 - D. a standard by which speech that poses an immediate threat to national security is not protected.

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5. What is the main idea behind prior restraint?
- A. that material may be censored after publication if it poses a threat to national security
 - B. that material may be censored prior to publication if it poses a threat to national security
 - C. that material may not be censored following publication, even if national security is threatened
 - D. that material may not be published whatsoever if it might endanger national security
6. Which was a ruling on the Pentagon Papers case?
- A. The government had the right to censor the document after publication.
 - B. The government had the right to censor the documents before publication.
 - C. The government did not have sufficient grounds to justify prior restraint.
 - D. The publication of the papers violated the Espionage Act.
7. Denise and her friends have decided to wear blue armbands in support of a local government representative.
- Denise and her friends are expressing their support through _____ speech.
8. Which statement describes the opinion issued by Justice Black on *Tinker v. Des Moines Independent Community School District*?
- A. that the students' right to wear the armbands should be protected as symbolic speech
 - B. that the issue of wearing an armband would need to cause more than discomfort to be restricted
 - C. that the issue would allow students to disobey simple requests from administrators
 - D. that the wearing of the armbands should be permitted since it does not distract from learning
9. Kim is a journalist who has written an article that might harm the Secretary of State's reputation. Kim could likely be charged with:
- A. slander.
 - B. libel.
 - C. defamation.
 - D. printing untruthful material.
10. Which statement BEST describes slander?
- A. a written statement that is generally a lie about someone
 - B. a written statement that hurts someone's reputation
 - C. a spoken statement that hurts someone's reputation
 - D. a spoken statement that hurts someone's feelings
11. Which statement BEST defines hate speech?
- A. speech that is intended to incite violence
 - B. speech that hurts the feelings of others
 - C. speech that has no other purpose but to express hatred
 - D. speech that is used by established hate groups

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12. Words, images, or videos that depict sexual activity in an offensive manner and that lack any artistic merit is known as:
- A. indecent speech.
 - B. obscenity and pornography.
 - C. symbolic speech.
 - D. inappropriate speech.
13. Although the speech itself may be protected, the government is able to:
- A. restrict speech in public based on what the topic is.
 - B. restrict speech based on political views.
 - C. restrict the time, place, or manner of the speech.
 - D. restrict speech based on interest groups.
14. Alyssa has organized a peaceful sit-in to bring awareness to the issue of homelessness in her city. Alyssa is able to do this because of:
- A. the First Amendment.
 - B. *De Jonge v. Oregon*.
 - C. *Miller v. California*.
 - D. *Roth v. United States*.
15. Which statement summarizes the majority opinion from *McDonald v. Chicago*?
- A. The right to keep and bear arms is an essential right to personal protection.
 - B. The right to keep and bear arms is not as essential as other rights.
 - C. The right to keep and bear arms is not necessary in modern society.
 - D. The right to keep and bear arms is not what the founding fathers envisioned.