

CASE I.

Freedom of Speech for All: *More Challenging*

Supreme Court Justice Oliver Wendell Holmes in 1919 said that free speech is not “falsely shouting fire in a theatre.” The Supreme Court does not allow free speech if it causes “a clear and present danger.” All other speech is free. People living in the United States are free to speak what they think even if they make other people angry.

In 1969, Clarence Brandenburg belonged to a group called the Ku Klux Klan. This group believed that people with different colors of skin or people who went to different churches should not live in the United States. Clarence Brandenburg invited a reporter to come to a Ku Klux Klan meeting. Many people said angry things at the meeting. The Ku Klux Klan planned a march and a demonstration in Washington D.C.

Mr. Brandenburg had been arrested for “advocating violence,” but he won his case. The Supreme Court ruled that acting violent is against the law. Talking about violence is not.