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Freedom of Speech Hypothetical Situations

Instructions: Read the text of the First Amendment of the United States Constitution as it refers to speech:

“Congress shall make no law ... abridging the freedom of speech, or of the press ...”

Then, read each of the following hypothetical situations and decide whether or not the government can limit or punish the speech contained in the situation. Place an “X” in the box that best matches the amount you think the government can limit the speech based on these criteria:

- 1 = government may *not* limit or punish the speech.
- 2 = government can limit or punish the speech under rare conditions.
- 3 = you are unsure when and how the government can limit or punish the speech, but you think there may be good arguments on both sides.
- 4 = government can usually limit or punish this type of speech.
- 5 = government can always limit and punish this type of speech.

Hypothetical Situation	1	2	3	4	5
A person burns an American flag in protest of government policies.		✓			
A person creates a website asking people to support an anti-war agenda.	✓				
A person writes and publishes an essay about the superiority of his or her race.				✓	
A person criticizes the U.S. president on a blog site about public policy.		✓			
A person spreads malicious lies about a political candidate during an election.				✓	
A public school student criticizes the principal and teachers on social media.		✓			
A public school student starts a website for students to say hateful things about other students.					✓
A student threatens violence against his school on social media in the form of a poem.					✓
A person posts online that someone should assassinate Supreme Court justices.					✓
A person creates a pro-terrorist website that asks people to join terror groups in overthrowing the U.S. government.					✓

Total Points: 35