




First Amendment Freedom of Expression in a Digital Age

What Teachers and Students Need to Know



The First Amendment

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.



What do we mean by limited government?

- John Locke's *Social Contract*.
- *Governments are instituted among Men, deriving their just powers from the consent of the governed...Declaration of Independence.*



“Protected Speech”

Political speech is almost always protected:

Three interesting cases for students:

1. *Tinker v. Des Moines*
2. *Texas v. Johnson*
3. *Hazelwood v. Kuhlmeier*

<http://www.landmarkcases.org/>



Unprotected Speech

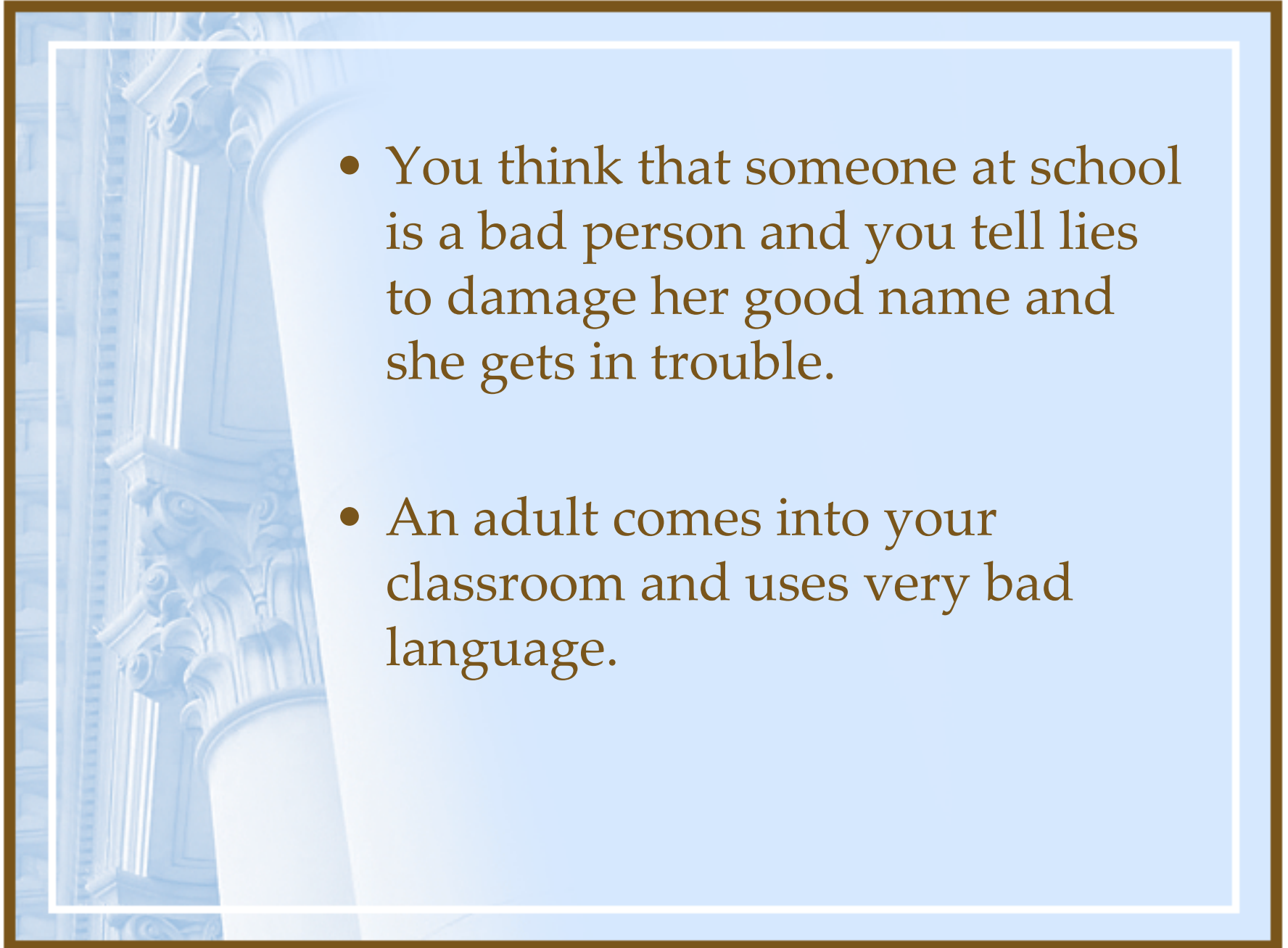
- Creating a clear and present danger for others or for our country.
- Encouraging breaking the law.
- Obscenity
- Libel
- Slander
- Hate Speech



Protected or Unprotected?

Examples from *We the People*

- You learn some of our country's military secrets. You write about them in a letter to the newspaper.
- People are very angry about the way a trial turned out in your community. You stand up at a meeting and say, "Let's go close down the courthouse!"
- You are thinking about lying in court to help out a friend accused of a crime.

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- The background of the slide features a light blue gradient with a faint, semi-transparent image of classical architectural columns on the left side. The columns are white with detailed capitals and fluted shafts. The entire slide is framed by a dark brown border.
- You think that someone at school is a bad person and you tell lies to damage her good name and she gets in trouble.
 - An adult comes into your classroom and uses very bad language.



What about bullying?

Is it obscene?

Is it untrue?

Is it hate speech as has been
defined by the law?

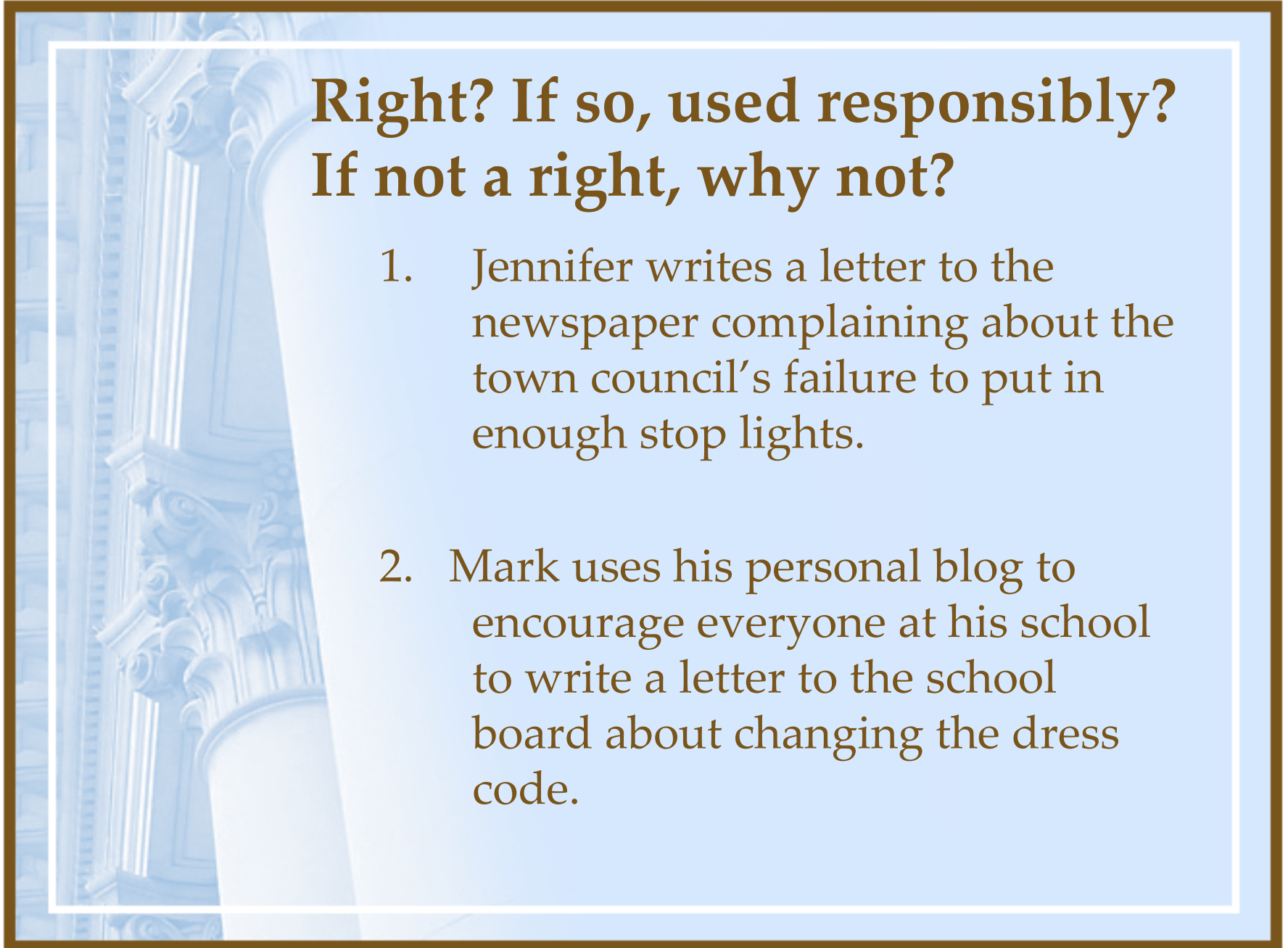


Rights and Responsibilities

What is a right?

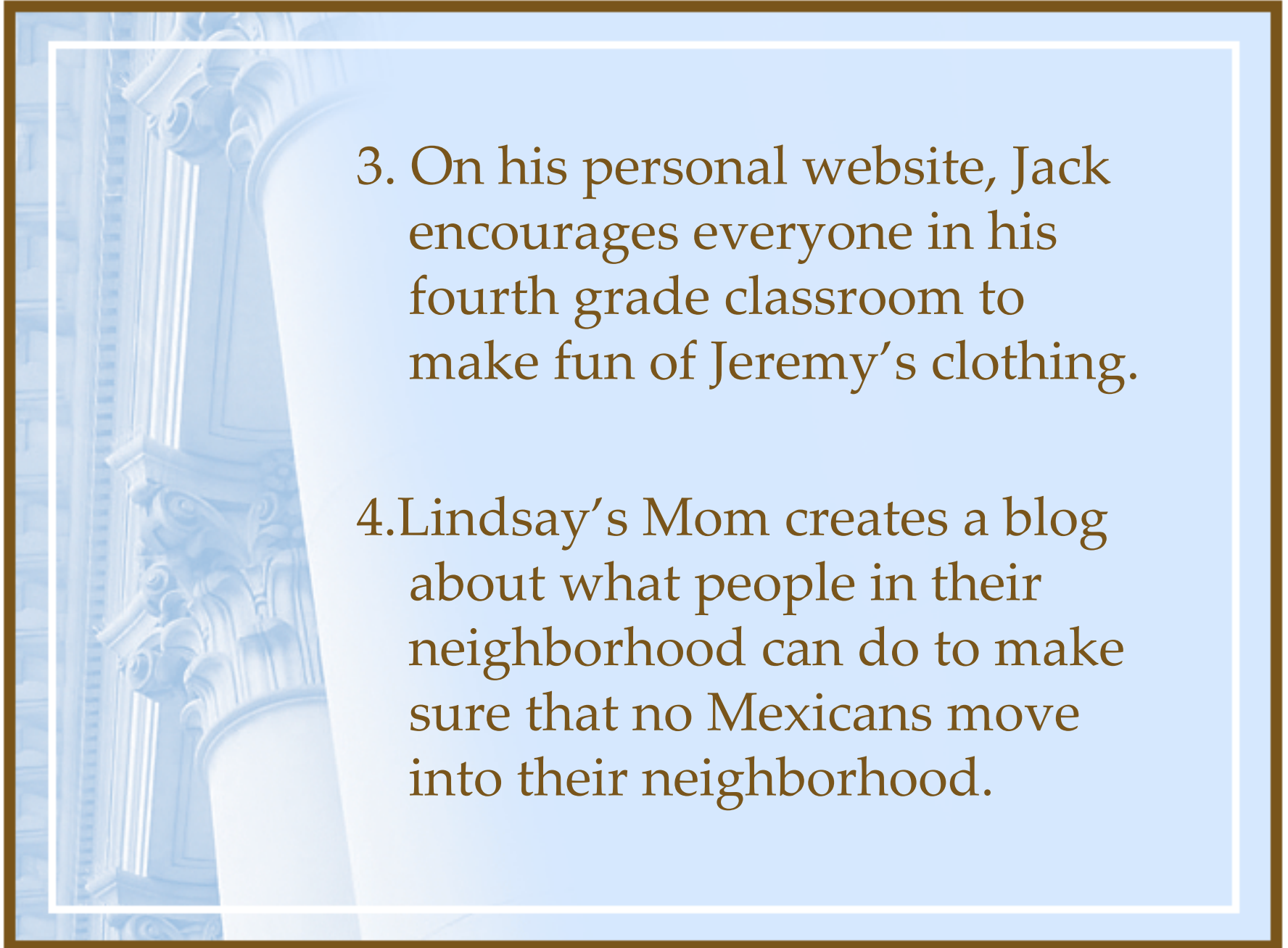
What do we mean about using
that right responsibly?

*Your rights end when they begin to
interfere with my right to life,
liberty and the pursuit of
happiness.*

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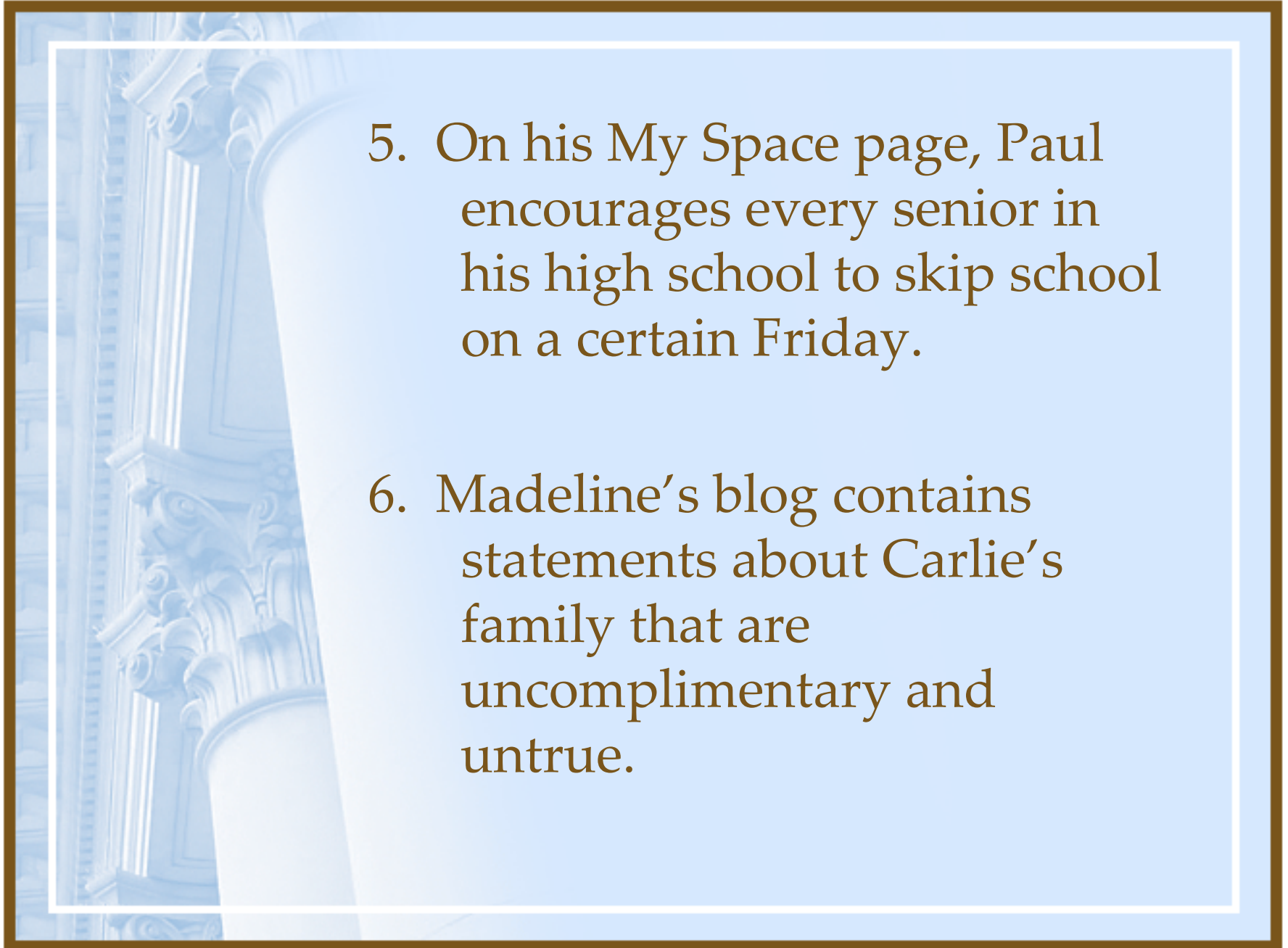
Right? If so, used responsibly? If not a right, why not?

1. Jennifer writes a letter to the newspaper complaining about the town council's failure to put in enough stop lights.
2. Mark uses his personal blog to encourage everyone at his school to write a letter to the school board about changing the dress code.

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3. On his personal website, Jack encourages everyone in his fourth grade classroom to make fun of Jeremy's clothing.

4. Lindsay's Mom creates a blog about what people in their neighborhood can do to make sure that no Mexicans move into their neighborhood.

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5. On his My Space page, Paul encourages every senior in his high school to skip school on a certain Friday.
 6. Madeline's blog contains statements about Carlie's family that are uncomplimentary and untrue.