CHAPTER 4 – FREEDOM OF SPEECH: SEX, LIES AND VIDEO GAMES

- 1st Amendment – Free Speech Clause
- Wartime Speech
    - *Schenck v. U.S.* (1919) – Clear and Present Danger Test
    - *Gitlow v. New York* (1925) – Dangerous Tendency Test
    - *Korematsu v. U.S.* (1944) – Internment of Japanese Americans
    - *Holder v. Humanitarian Law Project* (2010) – financial contributions to designated terrorist groups
- Student Speech
    - *Tinker v. Des Moines* (1969) – "Material and Substantial Interference"
    - *Bethel School District v. Fraser* (1986) – Fundamental Values of Public Schools
    - *Hazelwood v. Kuhlmeier* (1987) – Student Speech using School Resources and Representing the School
    - *Morse v. Frederick* (2007) – Speech Contrary to School Policy
- Hate Speech
    - *Brandenburg v Ohio* (1969) – Doctrinal Teaching versus Incitement of Criminal Conduct
    - *R.A.V. v. St. Paul* (1993) – Overbroad Restrictions on Speech
    - *Wisconsin v. Mitchell* (1993) – Great Harm to Society
    - *Snyder v. Phelps* (2011) – Speech on Public Concern is Protected
- Obscenity
    - *Roth v. United States* (1957) – Obscenity is Not Protected Speech
    - *Miller v. California* (1973) – "Literary, Artistic, Political or Scientific Value"
    - *U.S. v. Stevens* (2010) – Ban on Depicting Conduct cannot include Legal Conduct
    - *Brown v. Entertainment Merchants Association* (2011) – Violent Video Games are Protected Speech

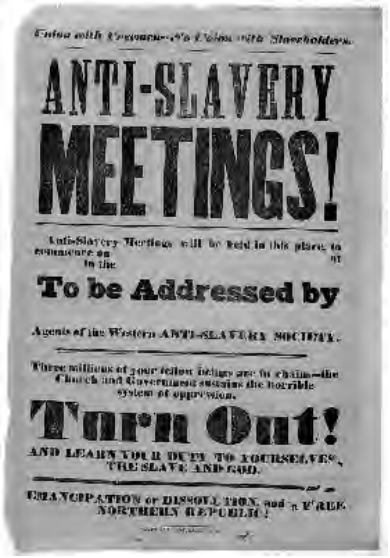
FIRST AMENDMENT
Congress shall make no law…abridging the freedom of speech.

***WARTIME SPEECH: HOLDER V. HUMANITARIAN LAW PROJECT* (2010)**

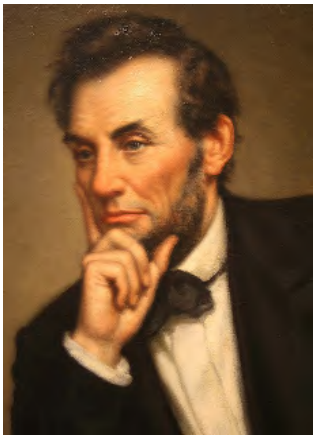
1798---- **Sedition Act** → During the tenure of President John Adams, the Sedition Act restricted speech criticizing the federal government, primarily suppressing the speech of Thomas Jefferson's supporters, the Democratic-Republicans; a possible political move by President John Adams and his party the Federalists. The acts were repealed in 1802, two years into Thomas Jefferson's presidency.

Photo: John Adams

1836---- **Post Office Act of 1836, South and the Civil War** → With the advancement of the printing press, abolitionist groups sought to reach slaves within slave states by mailing newspapers and pamphlets to them. The Postmaster General deferred to state policies prohibiting the dissemination of literature written by abolitionist groups and the topic of abolition. The federal government adopted these state laws through the Post Office Act of 1836. federal act supported state laws in which the Postmaster General deferred to state policies prohibiting the dissemination of literature written by abolitionists concerning abolition.



1863---- **Lincoln during Civil War** → "In March 1863, Lincoln appointed Gen. Ambrose Burnside to be the Union commander overseeing Ohio. In executing his duties, Burnside assumed the power to define lawful dissent. By his measure, any criticism of the president was treasonous…In his view it had to be stopped. He thus issued a general order (#38). That order warned that 'declaring sympathies for the enemy' would be a punishable offense in the Military District of Ohio. With that order in place, Burnside went after anti-war protestors."



Created by Sara Hofeditz Christensen

1870-1900 ----- **Gilded Age** → The Comstock Act of 1873 banned "obscene" material from the mail resulting in the prosecution of proponents of increased sexual freedom. Provisions of the Alien Immigration Act, effective in 1903 following President McKinley's assassination, permitted the imprisonment and deportation of advocates of anarchism and syndicalism, in conjunction with state and local governments.

THE FACTORS OF THE GREENBACK-LABOR-SOCIALIST-WOMAN-SUFFRAGE PARTY.

1914-1918 ----- **World War I** → To suppress pacifists, anti-war demonstrators and political opponents and similar to the act pasted in 1789, the Espionage Act of 1917 aimed to prohibit interference with military operations, recruitment, insubordination within the military and prevent the support of U.S. enemies during wartime. This authority not only extended to speech and conduct but also authorized the Postmaster General to impound or refuse delivery of mail publications that he deemed in violation of this act. The Sedition Act of 1918 supplemented the Espionage Act, expanding prohibited speech to "any disloyal, profane, scurrilous, or abusive language about the form of government of the united states."

Created by Sara Hofeditz Christensen

1919**----** ***Schenck v. U.S.*** → During World War I, Schenck mailed circulars to draftees encouraging the recipients "not [to] submit to intimidation" as the draft was a monstrous wrong motivated by the capitalist system. Schenck was charged under the Espionage Act for attempting to cause insubordination in the military and to obstruct recruitment. Justice Holmes, speaking for a unanimous Court, stated that Schenck could not use the First Amendment to protect his speech in this situation. The test Justice Holmes presented was: "The question in every case is whether the words are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has the right to prevent." Thus, during wartime, utterances tolerable in peacetime can be punished.

Photo: Anarchist rally in New York's Union Square in 1914

1925**----** ***Gitlow v. New York*** → Gitlow, a socialist, was arrested for distributing copies of a "left-wing manifesto" that called for the establishment of socialism through strikes and class action of any form. As a defense to speech such as this New York passed a criminal anarchy law, which punished any advocating the overthrow of the government by force. Because no action resulted from Gitlow's publication and distribution of the publication, he claimed he was protected by the First Amendment. The Supreme Court held that free speech was one of the liberties protected by the due process of the Fourteenth Amendment; thus incorporating Free Speech to the states. A state may forbid both speech and publication if they have a tendency to result in action dangerous to public security, even if such statements do not go so far as to create a clear and present danger, establishing the "dangerous tendency" test. A legislature may decide that an entire class of speech is so dangerous that it should be prohibited, even if the speech created no danger at all.

BENJAMIN GITLOW

Photo: Benjamin Gitlow

Created by Sara Hofeditz Christensen

1944**----** ***Korematsu v. U.S.*** → While not a free speech issue, *Korematsu* raises the issue of the government's power during wartime. During WWII, Presidential Executive Order 9066 gave the military authority to relocate citizens of Japanese descents on the west coast, restricting their movement on the grounds of national security and preventing espionage that would threaten the safety of Americans. When the Supreme Court was asked to determine whether the federal government had exceeded its powers by infringing on the rights of these American citizens, the court deferred to the federal government on the grounds of respect for the separation of powers and the expertise that the other branches had on the subject, justifying their actions. Justice Black stated that while the compulsory exclusion of the Japanese Americans is constitutionally suspect, it is justified during circumstances of "emergency and peril."

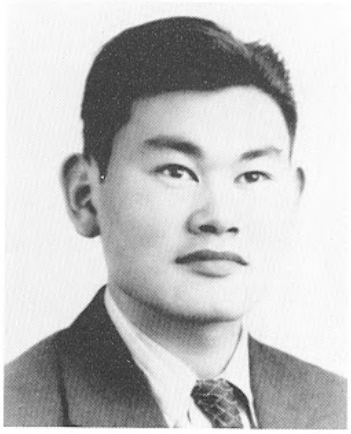


Photo: Fred Korematsu

1947-1954 **-----** **Cold War** → At the height of McCarthy's allegations against individuals as communists, Congress passed The McCarran Internal Security Act. This act tightened immigration and deportation laws and allowed for the detention of dangerous, disloyal, or subversive persons in times of war or "internal security emergency." President Truman called the bill "the greatest danger to freedom of speech, press and assembly since the Alien and Sedition Laws of 1789," and vetoed it. However, his own party, the Democrats, joined with Republicans to override his veto.

Photo: Senator Joseph McCarthy

1971**----** **Pentagon Papers: *New York Times Co. v. U.S.*** → In 1967, the Department of Defense prepared a classified study of the U.S. involvement in the Vietnam War including classified documents from Department of Defense, the State Department, and the CIA. A former Marine officer and analyst with the Department of Defense who worked on the preparation of the study had become increasingly disenchanted with the Vietnam War and believed that the information in the report, unofficially called the Pentagon Papers, should be available to the American public. After approaching several members of Congress with no success, Ellsberg gave portions of the Pentagon Papers to *The New York Times*. Beginning in 1971, the Times published a series of daily articles based on the information in the Pentagon Papers, invoking a temporary restraining order by the U.S. Department of Justice preventing further publication of the material on the grounds that it was detrimental to U.S. national security. *The Washington Post* picked up where *The New York Times* left off in publishing similar stories. The Supreme Court found that the government failed to prove harm to national security and that the publication of the papers was justified under the First Amendment.

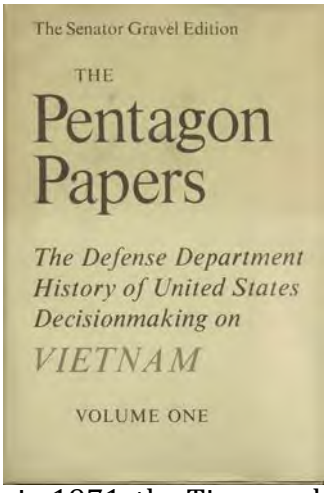


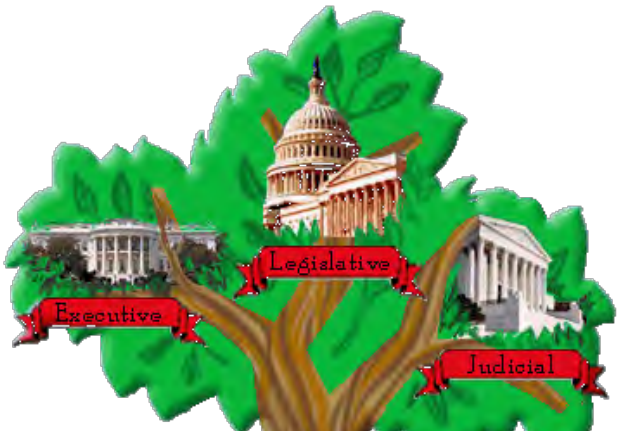
Photo: Volume 1 of 47 Volumes of the Pentagon Papers.

1960s -1970s**------** **Vietnam War protestors & the Civil Rights movement**

J. Edgar Hoover, director of the FBI for almost 50 years was given free reign to pursue civil rights activists based on his suspicion that communists were infiltrating civil rights organizations to overthrow the government. Sending informants to church meetings, intercepting mail and phone calls, planning and executing break-ins and planting news stories, Hoover defamed civil rights leaders. Hoover executed similar plans against the Communist Party, Socialist Workers Party, white supremacists, black nationalists and the New Left harming many lives in the process. Framing suppression of anti-war protesters and civil rights activists as fighting against the spread of communists, surveillance was performed not only by the FBI and local authorities but also by the U.S. Army. These programs continued until being exposed by a Senate subcommittee. Both the Johnson and Nixon administrations had secret programs whose main purpose was to link the civil rights movement and anti-war protestors to international communism, thus justifying the suppression of their protests and speech.

Photo: Anti-Vietnam War demonstrators confronted by military policy in their attempt to cross security lines at the Pentagon on October 21, 1967.

2010 ------ ***Holder v. Humanitarian Law Project*** → Seeking to financially support the humanitarian and nonviolent political activities of the Kurdistan Workers' Party and the Liberation Tigers of Tamil Eelam, the Humanitarian Law Project (HLP) tested a federal law banning the giving of "material support or resources" to any terrorist group, mainly money, supplies and weapons. The federal government justified their restriction of HLP's speech via supporting these groups on the grounds that support of any kind could free up resources used for terrorism. This possibility was enough for the Supreme Court and the Court deferred to the Executive Branch and its agencies and their findings that any kind of support had a tendency to cause the danger ("dangerous tendency" test from Gitlow) that Congress sought to prevent by passing this law.



STUDENT SPEECH: MORSE V. FREDERICK (2007)

1969**----** ***Tinker v. Des Moines*** → To protest the war in Vietnam, a group of students decided to wear black armbands. The principal of the students' school learned of the plan and set up a policy that stated that any student wearing an armband would be asked to remove it. If the student refused, the student would be suspended. Mary Beth Tinker, her brother John and Christopher Eckhardt wore their armbands anyway and were sent home. The students sued the school district on the grounds that their right of expression was violated and the school's discipline was improper. The U.S. Supreme Court, through Justice Abe Fortas, held that the students did not lose their First Amendment rights to freedom of speech when they stepped onto school property. To justify suppressing student speech, the school officials must prove that the conduct of the students would "materially and substantially interfere" with the operation of the school.

Photo: Mary Beth and John Tinker with their armbands.

1986**----** ***Bethel School District v. Fraser*** → Matthew Fraser made a nomination speech for a friend during a school assembly full of sexual innuendos and graphic metaphors. As part of the school's disciplinary code, Bethel High School prohibited conduct which "substantially interferes with the educational process…including the use of obscene, profane language of gestures," and suspended Fraser. While Fraser believed that his speech was protected by the First Amendment and *Tinker*, the Supreme Court found that the school was appropriate in its actions. It is in the school's interest to prohibit the use of vulgar and offensive language and may discourage such speech through disciplinary actions, such as those imposed on Fraser. The court found that this speech was different from that protected in *Tinker* as the black armbands were political speech and Fraser's speech was merely vulgar and lewd and, thus, inconsistent with the "fundamental values of public school education." Therefore, the school could punish Fraser for the speech he made during the school assembly.

Photo: Matthew Fraser in front of Bethel Senior High School.

1987 ------ ***Hazelwood School District v. Kuhlmeier*** → The journalism class at Hazelwood East High School produced The Spectrum, the school-sponsored newspaper written and edited by students. When the students presented an edition's proofs to the principal, he found two articles concerning: one on the issue of teen pregnancy and the other about the divorce of a student's parents. Concerned with the privacy of the pregnant students and the parents involved in the divorce, as well as issues of sex and birth control, the principal deleted the two pages with the questionable articles, and other articles that happened to appear on those pages. The Supreme Court found a school need not tolerate student speech inconsistent with the school's "basic educational mission." The paper was the product of a school course, used school resources and bored the school's name; therefore, the school has the right to control the speech that may appear to be representative of the school's position as well as using their expertise to take into account the needs of its students.

Photo: Students of Hazelwood East High School journalism class with *Spectrum.*

2007 ------ ***Morse v. Frederick*** → Juneau-Douglas High School arranged for students to attend the Olympic Torch Relay as it passed through on its way to the winter games in Utah. As the torchbearer passed by, senior Joseph Frederick unfurled a 14-foot banner:

BONG HiTS 4 JESUS.

Principal Morse confiscated the banner and suspended Frederick because the message encouraged illegal drug use in violation of school policy. The Supreme Court was split 5-4. The majority found schools may take steps to safeguard those entrusted to their care from speech that can reasonably be regarded as encouraging illegal drug use. The case was not about Frederick's speech rights but whether the statement violated school policy. Justice Thomas wrote students have no First Amendment rights at all. Justice Alito stated "when public school authorities regulate student speech they act as agents of the state" and it is a dangerous assumption that "parents simply delegate their authority – including authority to determine what their children say and hear – to public school authorities." The minority, written by Justice Stevens, felt that Frederick's speech was harmless and punishing speech based on what someone else might believe it meant was extreme censorship.

***HATE SPEECH: SNYDER V. PHELPS* (2011)**

1969 ------ ***Brandenburg v. Ohio*** → Ohio had a criminal syndicalism law that made it illegal to advocate "crime, sabotage, violence, or unlawful methods of terrorism as a means of accomplishing industrial or political reform" as well as assembling "with any society, group or assemblage of persons formed to teach or advocate the doctrines of criminal syndicalism." Brandenburg, a leader in the KKK, was making a speech at a Klan rally. Brandenburg's statements were consistent with the mission of the KKK and the following: "Save America… Let's go back to constitutional betterment…We intend to do our part…Give us our state rights…Freedom for the whites." Brandenburg was charged under Ohio's Criminal Syndicalism Law. The Supreme Court found that Brandenburg has the right to free speech and the Court established the test that speech can only be prohibited if it (1) is "directed at inciting or producing imminent lawless action," and (2) is "likely to produce such action." Brandenburg was only teaching doctrines of his organization and did not go so far as to incite action on those doctrines. The Ohio law as it stood was too broad and violated the First Amendment.

Photo: KKK night rally in Chicago, 1920

1993 ------ ***R.A.V. v. St. Paul*** → St. Paul had an ordinance which prohibited the display of a symbol which "arouses anger, alarm or resentment in others on the basis of race, color, creed, religion or gender." Several white teens built and burned a cross inside the fence of a black family's yard and were charged under the aforementioned ordinance. R.A.V., one of the teenagers, claimed the ordinance violated his right to free speech as it imposed special prohibitions on speakers who expressed views on the disfavored subjects of "race, color, creed, religion or gender." The Supreme Court found that the ordinance was too broad and included speech that should be protected by the First Amendment. The ordinance was unconstitutional because it prohibited otherwise permitted speech solely on the basis of the subjects the speech addresses. A government cannot restrict speech because of disapproval of the ideas expressed.

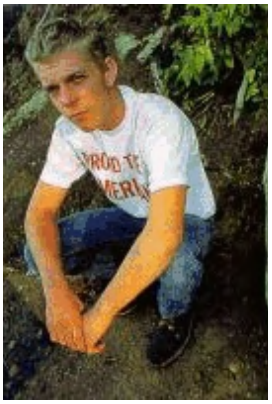


Photo: Robert A. Victoria who was prosecuted under St. Paul's ordinance.

1993---- ***Wisconsin v. Mitchell*** → After watching the movie *Mississippi Burning*, in which one scene portrayed a white man beating a young black boy who was praying, Mitchell rallied a group of young back men and boys to beat up a young white boy to the point of being rendered unconscious and was in a coma for four days. Mitchell was convicted of aggravated battery and while that offense provides for a maximum sentence of two years' imprisonment, because the jury found that Mitchell selected his victim based on his race, in accordance with a Wisconsin ordinance, could enhance his sentence up to five years. The provision enhances the maximum penalty for an offense whenever the defendant "intentionally selects the person against whom the crime…is committed…because of the race, religion, color, disability, sexual orientation, national origin or ancestry of that person." Mitchell claims that the ordinance violates the First Amendment directly by punishing what the legislature has deemed to be offense thought and should not be allowed to criminalize bigoted thought with which it disagrees. The Supreme Court held that Wisconsin's sentence enhancement ordinance did not violate the First Amendment. The ordinance is aimed at conduct and specific conduct that is thought to inflict greater individual and societal harm.

Photo: Movie Poster from *Mississippi Burning*

2011------ ***Snyder v. Phelps*** → At the funeral of marine Snyder, who was killed while serving in Iraq, members of the Westboro Baptist Church, lead by Fred Phelps, protested with signs reading "God Hates the USA" and "Thank God for Dead Soldiers." Phelps had ensured that the protestors complied with all local laws. Snyder had no connection with Westboro Church. During the funeral itself, Snyder's family did not know what the signs said and only learned of the story later through news and online. The Supreme Court found that because the protestors' statements are a matter of "public" concern – about the war and political policy – it is protected speech. The Court ruled that the protestors were permitted, despite the extreme emotional distress they had caused the Snyder family, because the First Amendment protects "even hurtful speech on public issues." Expression concerning public issues is vital to democracy and merits extra protection, despite the fact that it is cruel to the targets of the verbal assaults and may be designed to hurt them.

1957 **------** ***Roth v. United States*** → Congress passed a law making the mailing of material that is "obscene, lewd, lascivious, or filthy…or other publication of an indecent character" punishable. Roth operated a book-selling business in New York in which he published and sold books, photographs and magazines, and advertised by mailing circulars. Roth argued that his business was protected by the First Amendment and that the federal law unconstitutionally encroached on this right. The Supreme Court found that the First Amendment was not intended to protect every utterance and obscenity is not protected. "Sex and obscenity are not synonymous. Obscene material is material which deals with sex in a manner appealing to prurient interest – i.e., material having a tendency to excite lustful thoughts." The test in each case is the effect of the book, picture or publication considered as a whole upon all those whom it is likely to reach and its impact upon the average person in the community. If it offends the common conscience of the community by present day standards, it is obscene and outside free speech protection.

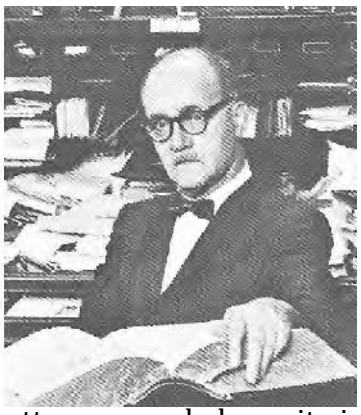


Photo: Samuel Roth

1973 **------** ***Miller v. California*** → Miller engaged in a mass mailing campaign to the sale of adult material. The material was unsolicited and included explicitly descriptive titles and graphic photographs. Miller was convicted under a California code making it a misdemeanor to knowingly distribute obscene materials. The Supreme Court found that Miller's First Amendment rights were not infringed upon as obscene materials are not protected speech. However, the Court refined its test for determining what is obscene material: "A work may be subject to state regulation where that work, taken as a whole, appeals to the prurient interest in sex; portrays, in a patently offensive way, sexual conduct specifically defined by the applicable state law; and, taken as a whole, does not have serious literary, artistic, political, or scientific value." Suppression of unprotected obscene material is permissible to avoid exposure to unconsenting adults and juveniles. States may regulate such speech as to conform with the "contemporary community standards" of its specific community without violating the First Amendment.

Photo: Marvin Miller

2010 ------- ***U.S. v. Stevens*** → Congress passed a law to criminalize the commercial creation, sale, or possession of certain depictions of animal cruelty applying to any visual or auditory depiction "in which a living animal is intentionally maimed, mutilated, tortured, wounded, or killed." The legislative background focused primarily on "crush videos," which feature the torture and killing of helpless animals, particularly appealing to persons with this particular fetish. Stevens was convicted for selling videos depicting dog fighting. Stevens argued that the law was unconstitutional as a content-based regulation of protected speech and violated his First Amendment rights. The Supreme Court examined the few categories of speech historically permitted restrictions on Free Speech – obscenity, defamation, fraud, incitement, and speech integral to criminal conduct – and found that depictions of animal cruelty should not be added to that list. Congress' law was too broad and punished depictions of conduct that was legal – such as hunting or the humane wounding or killing of animals. While the depictions distributed by Stevens was of illegal conduct, because the law itself was overly inclusive or broad, he cannot be convicted under it either.

2010 ---- ***Brown v. Entertainment Merchants Association*** → California passed a law restricting the sale or rental of violent video games to minors without parental approval. California relied upon precedents in which states are permitted to treat adults and children differently when selling pornographic material. The goal of the legislation was to curb the correlation between violent video games and violent behavior. The Supreme Court found that video games are in fact speech but that it is speech protected by the First Amendment, even if violent, and not open to regulation. The Court was not persuaded by studies linking interactive video games to violent behavior and cited several examples of violent content that society has not been concerned with such as *Grimm's Fairy Tales* and *Lord of the Flies.* Judge Thomas discussed that the First Amendment does not include a right to speak to minors without first going through the minors' parents or guardians; again, emphasizing the lack of rights of children. While Judge Alito agreed with striking down California's law on the grounds it was too vague, he was concerned that the interactive nature of some video games is unprecedented and their effect on young players is unknown. Judge Alito would defer to legislators who may be in a better position to address these implications.

Name_____

Date ____/____/____ Period____

CHAPTER 4 – FREEDOM OF SPEECH: SEX, LIES AND VIDEO GAMES

Guided Reading

Terms *Terms I've seen before but I'm not sure of the definition/Terms I haven't seen before:*	**History & Notes** *Background about Chapter topic*
Cases *Concurring or Disagreeing thoughts on how the Court decided on Chapter cases*	**Follow Up** *Topics on which I'd like to know more and discuss further*

CHAPTER 4 – FREEDOM OF SPEECH: SEX, LIES AND VIDEO GAMES

For more information:

1798 Sedition Act

- http://uscivilliberties.org/historical-overview/3833-freedom-of-speech-and-press-nineteenth-century.html
- http://en.wikipedia.org/wiki/John_Adams

Post Office Act of 1836, South and the Civil War

- http://uscivilliberties.org/historical-overview/3833-freedom-of-speech-and-press-nineteenth-century.html
- http://www.peterpappas.com/docs/lesson6/6-28.htm

Lincoln during Civil war

- http://www.firstamendmentcenter.org/civil-war-tested-lincolns-tolerance-for-free-speech-press
- http://radioamericahn.net/imag/2012/11/abraham-Lincoln.jpg

Gilded Age

- http://muse.jhu.edu/journals/reviews_in_american_history/summary/v026/26.4siegel.html
- http://images.flatworldknowledge.com/trowbridge2_1.0/trowbridge2_1.0-fig02_030.jpg

World War I

- http://www.history.com/this-day-in-history/us-congress-passes-espionage-act
- http://www.milestonedocuments.com/documents/view/espionage-act

Schenck v. U.S. (1919)

- http://www.oyez.org/cases/1901-1939/1918/1918_437
- http://www-tc.pbs.org/wnet/supremecourt/capitalism/images/schenck.jpg

Gitlow v. New York (1925)

- http://www.oyez.org/cases/1901-1939/1922/1922_19
- http://en.wikipedia.org/wiki/Benjamin_Gitlow

Korematsu v. U.S. (1944)

- http://www.oyez.org/case/1940-1949/1944/1944_22
- http://www.aaba-bay.com/news/korematsu-vs-u-s/

Cold War

- http://www.authentichistory.com/1946-1960/4-cwhomefront/1-mccarthyism/
- http://graphics8.nytimes.com/images/2008/01/27/books/essay-190.jpg

Pentagon Papers: *New York Times Co. v. U.S.* (1971)

- http://www.history.com/topics/vietnam-war/pentagon-papers
- http://nsarchive.files.wordpress.com/2011/07/pentagon-papers.jpg

Vietnam War protestors & the Civil Rights movement

- http://www.trackedinamerica.org/timeline/civil_rights/intro/
- http://photographyblog.dallasnews.com/files/2012/10/AP671021049.jpg

Holder v. Humanitarian Law Project (2010)

- http://questgarden.com/77/17/0/090223140110/images/gov_tree3.gif

Tinker v. Des Moines (1969)

- http://www.oyez.org/cases/1960-1969/1968/1968_21
- http://news.stlpublicradio.org/post/mary-beth-tinker-first-amendment-and-rights-students

Bethel School District v. Fraser (1986)
- http://www.oyez.org/cases/1980-1989/1985/1985_84_1667
- http://quizlet.com/18890218/scholastic-journalism-court-cases-flash-cards/

Hazelwood School District v. Kuhlmeier (1987)
- http://www.oyez.org/cases/1980-1989/1987/1987_86_836
- http://a66c7b.medialib.glogster.com/media/ed/ed5b30747e5e8b77e0ce1bf0804403977d8dd3f4d830ff23f147fc6370c27ee/hazelwood-jpg.jpg

Morse v. Frederick (2007)
- http://www.law.louisville.edu/sites/www.law.louisville.edu/files/Bh4j.jpg
- *Brandenberg v. Ohio* (1969)
- http://www.law.cornell.edu/supremecourt/text/395/444#writing-USSC_CR_0395_0444_ZO
- http://freespeechdebate.com/wp-content/uploads/2013/04/KKK_night_rally_in_Chicago_c1920_cph.3b12355-596x440.jpg

R.A.V. v. St. Paul (1993)
- http://www.law.cornell.edu/supct/html/90-7675.ZO.html
- http://law2.umkc.edu/faculty/projects/ftrials/conlaw/hatespeech.htm

Wisconsin v. Mitchell (1993)
- http://www.law.cornell.edu/supct/html/92-515.ZO.html
- http://cps-static.rovicorp.com/2/Open/20th%20Century%20Fox/Mississippi%20Burning/_derived_jpg_q90_410x410_m0/MississippiBurning-PosterArt.jpg?partner=allrovi.com

Snyder v. Phelps (2011)
- http://law2.umkc.edu/faculty/projects/ftrials/conlaw/hatespeech.htm

Roth v. United States (1957)
- http://www.law.cornell.edu/supremecourt/text/354/476#writing-USSC_CR_0354_0476_ZO
- http://jewishcurrents.org/wp-content/uploads/2012/06/Samuel-Roth.jpg

Miller v. California (1973)
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