This course examines the expanse and the limits of speech (broadly defined) in the United States over the past hundred years. During the first half of the course, we will read scholarly articles and Supreme Court rulings on selected topics, both historical (constraint of “radical” political speech; “morality” campaigns against “indecency” and popular media) and contemporary (debates over censoring pornography and racist hate speech). During the last half of the course, each student will give an oral presentation of the research project that he or she has chosen, and submit a research paper at the end of the semester.

This course will give students an opportunity to study an ongoing civic issue—free speech—in legal, political, and social contexts. Skills to be gained include: how to analyze legal and scholarly texts; how to conduct research using relevant legal and policy documents; how to orally discuss and debate controversial issues of great public concern; and how to present such topics in writing.

Feb 5: Foundational arguments for free speech; political speech

Schenck v. United States (1919): 47-53
Abrams v. United States (1919): 616-631

Feb 12: The McCarthy era

Dennis v. United States (1951): 494-511, 579-591

Feb 19: Campaigns against indecency, film, comic books, popular music

Roth v. United States (1957): 476-496, 503-514
Feb 26:  Harmful speech I: Pornography

March 5:  Harmful speech II: Racist hate speech
Beauharnais v. Illinois (1952): 250-267

March 12:  NO CLASS: 8-page essay due

March 26:  Individual meetings to discuss research projects

April 2, 9, 16, 23:  Presentations of research projects

April 30:  Research essay due

Supreme Court rulings are available via the Library of Congress website; see https://www.loc.gov/item/prn-18-026/historical-supreme-court-cases-now-online/2018-03-13/

Your final grade for the course will be based upon class participation and oral presentation of your research project (25%), one 8-page essay on an assigned topic based on the common readings (25%), and a 15- to 20-page research essay on a topic to be determined by you and the instructor (50%). No extensions or incompletes will be granted, except for medical reasons.

My office hours are Mondays 2:00-3:30 in Gilman Hall 394.