

## CLAIM CARDS: EXPLORE

### Case #1:

#### Facts:

During World War I, Charles Schenck and Elizabeth Baer distributed a brochure to recently recruited soldiers encouraging them to refuse to give in to the draft as it was a form of servitude.

#### Issue:

Considering the political climate, were the actions of the defendant protected under the First Amendment of the United States Constitution?

### Case #2:

#### Facts:

Julian Bond endorsed a press release from the Student Nonviolent Coordinating Committee (SNCC), a civil rights group, criticizing the United States involvement in the Vietnam War and the draft law. He had recently been elected to the Georgia House of Representatives and was denied the privilege of taking his oath of office due to his public endorsement.

#### Issue:

Are legislators' rights to freedom of speech in violation of the legislatures' oath to support the Constitution?

### Case #3:

#### Facts:

Mr. Shaffer, with the help of his wife, used the USPS to mail a book titled "The Finished Mystery." In this book, he criticized patriotism and the war with Germany. He referred to the delusion of patriotism as murder and claimed that war was a crime.

#### Issue:

Were the books mailed as "non-mailable" matter under the Espionage Act, which makes it a crime to speak or publish with intent to hinder the United States in a war?  
Was there enough evidence to show that the plaintiff committed the act willfully and intentionally?

**Case #4:****Facts:**

Fourteen Communist Party leaders were charged under the Smith Act for advocating, teaching, and organizing a society that promoted overthrowing the government by force and violence.

**Issue:**

Does the Smith Act violate the First Amendment?

**Case #5:****Facts:**

Clarence Brandenburg was recorded by the media giving a speech to a small group of the Ku Klux Klan. In the speech, he made anti-Semitic and anti-black statements alluding to the possibility of revenge.

**Issue:**

Was Brandenburg's right to free speech violated by Ohio's law which outlawed encouraging violent overthrow of the government?