
Protecting Free Speech

Segment Length: 6:41 minutes

Lesson Description:

Should there be limits on free speech? If so, what should those limits be? Why? Should people be allowed to spew hate? Highlighting cases in Brazil, Canada, Scotland, and the United States, this video examines the proper and improper responses to hate speech.

Objectives:

Students will be able to:

- Summarize how speech has been banned in three countries discussed in the video.
- Evaluate the importance of protecting speech, including speech we disagree with
- Hypothesize the consequences of hate speech laws on the discussion of political and controversial topics
- Formulate a reasoned argument on whether certain types of speech should be restricted, ensuring to consider the need to protect opposing viewpoints

Concepts & Key Terms:

Censorship: The suppression or prohibition of speech, public communication, or other information which may be considered objectionable or harmful by authorities

Hate Speech: Speech that attacks, threatens, or insults a person or group based on attributes such as race, religion, ethnic origin, sexual orientation, disability, or gender

Imminent Lawless Action: A standard set by the Supreme Court to define the limit of free speech; it refers to speech that is likely to incite immediate illegal activities

Preview Activity:

Use Think, Pair, Share to have students answer and discuss this preview question: What do you think should be the limits, if any, on freedom of speech?

OR

Distribute copies of the K-W-L worksheet to the class. Have students fill in the K and W sections. After showing the video, have students complete the L section and answer the questions at the bottom of the worksheet.

Viewing Guide:

We recommend that teachers show the video twice: first to allow students to view the video and focus on the issues presented, and second to allow them time to complete the viewing guide. After they complete the viewing guide, allow students a few minutes to work in pairs to share and verify answers.

Answers to Viewing Guide

1. genocide
2. determiner
3. intends
4. tyrants
5. criticized

Protecting Free Speech

Viewing Guide

Name _____

Date _____

Class _____

Teacher _____

Directions: As you watch the video, fill in the blanks with the correct words.

1. If they are advocating _____, should that chant then be illegal?
2. Who's going to be the _____ of who's going to be prosecuted?
3. Unless your behavior is threatening or abusive and _____ to start up hatred, then you have nothing to worry about.
4. If you seek the removal of freedoms from an opponent simply on the grounds that they have offended you, you have crossed a line to stand alongside _____.
5. They convicted me. They fined me. Five years later, I'm still in court over a book that _____ Justin Trudeau.

Now, take a few moments to reflect on the video and answer the questions below:

Did anything you see in the video concern you? _____ If so, what concerned you, and why? _____

What is one risk of allowing government officials to outlaw certain types of speech?

What could be long-term social and political consequences if a government restricts what its citizens are allowed to say? _____

Discussion and Analysis:

1. What are some examples of hate speech laws that were mentioned in the video?
2. How do hate speech laws affect freedom of expression in Canada and Scotland?
3. Who are some key figures discussed in the video and what are their views on free speech?
4. Ezra Levant said that J.K. Rowling and Elon Musk are the two people in the world who have done more to stop cancel culture. What does he mean? How have they done that? Have they been effective in defending free speech?
5. Why do some people think that the chant "From the river to the sea, Palestine will be free" is a call for genocide? Should people go to jail for saying that?
6. Scottish politician Humza Yousaf said of his country's anti-hate crime law, "unless your behavior is threatening or abusive and intends to start up hatred, then you have nothing to worry about." How does the government know what you intend? Would you support that law, or do you see this as a problem?
7. Ezra Levant was tried and convicted for using hate speech, which he says was simply a book criticizing Canadian Prime Minister Justin Trudeau. Should that have happened? Why / Why not?
8. Do you trust your government—no matter who the president is and which political party is in charge—to regulate speech they deem hateful or offensive?
9. What might happen if the U.S. adopted similar hate speech laws to those in Canada?
10. The Supreme Court judge in Brazil who ordered X (now Twitter) to block certain accounts claims he is taking on disinformation. Elon Musk has refused, claiming he is supporting the free speech of Brazilians. Does the government have a role in deciding what is fact and what is not?
11. Does anyone remember or have you read about the U.S. government telling social media companies to take down posts about COVID the government claimed were misinformation? Were all the posts really misinformation?
12. What are the arguments for and against making certain types of speech illegal?
13. How does the First Amendment protect freedom of speech in the United States?
14. Is it important to protect speech that we disagree with? Why?
15. What are the possible consequences of limiting free speech too much?
16. According to Ezra Levant, how might limiting free speech lead to problems such as violence or terrorism?
17. What is your opinion on the statement: "Even hateful speech should be protected"? Explain your reasoning.

18. Can societies balance protecting individuals from hate speech while also protecting freedom of speech? How so?
19. What would you do if you were in a position of power and had to decide on implementing hate speech laws? Why?
20. Does censorship and limitations on free speech impact freedom of thought? Why / Why not?
21. What are the potential risks of giving government the power to criminalize certain types of speech?
22. How might laws that criminalize certain types of speech, like those discussed in Canada and Scotland, impact democratic values and individual freedoms?
23. What could be the long-term social and political consequences if a government significantly restricts what its citizens are allowed to say?

Discuss These Lines from the Video:

Even Nazis deserve free speech.

Life in prison for saying the wrong thing.

Elon Musk said no. We will lose revenue, but principles matter more.

But Rowling won't back down. The day Scotland's new law took effect, she intentionally broke it by misgendering some trans people on Twitter, saying these "aren't women, but men."

If you cork them up, if you don't let them have the safety valve of free speech, they'll explode in another way, possibly including violence.

If you seek the removal of freedoms from an opponent simply on the grounds that they have offended you, you have crossed a line to stand alongside tyrants.

I don't agree with what these people say, but I'll defend everyone's right to say it.

If you look at what's happening in Canada today, I think it's a glimpse of America's future 5 or 10 years down the road. We're a laboratory of bad ideas.

Quotes for Discussion:

Free speech is the bedrock of democracy. That's why it's the FIRST Amendment.
Without free speech, all is lost. – Elon Musk

If you seek the removal of freedoms from an opponent simply on the grounds that they have offended you, you have crossed the line to stand alongside tyrants who imprison, torture and kill on exactly the same justification. – JK Rowling

Whoever would overthrow the liberty of a nation must begin by subduing the
freeness of speech. – Benjamin Franklin

I think free speech is probably the coolest thing we have in this country, and again,
you can label it hate speech and dismiss it, and then you're allowed to censor it.
– Dana Carvey

There is no general 1st Amendment exception allowing the government to punish
"hate speech" that denigrates people based on their identity. Things we call "hate
speech" might occasionally fall into an existing 1st Amendment exception: a racist
speech might seek to incite imminent violence against a group, or might be
reasonably interpreted as an immediate threat to do harm. But "hate speech," like
other ugly types of speech we despise, is broadly protected. – Ken White

Does hate speech or lies = free speech? 🤔 If so, where does a free society draw
the line? If this type of free speech results in death or genocide, it's not free.
There's a cost to everything. – Ryan Charleston

The big problem for proponents of hate-speech laws and codes is that they can
never explain where to draw a stable and consistent line between hate speech and
vigorous criticism, or who exactly can be trusted to draw it. The reason is that
there is no such line. – Jonathan Rauch

It is quite clear that the perceived benefits of censoring psychically harmful hate
speech are far outweighed by the costs of such suppression. The plus side, from
the perspective of those who seek speech suppression, is quite limited. That is
because the new suppression would extend to only a subset of hate speech, since
we already punish hate speech that causes specific tangible harms: threats,
harassment, incitement, and hate crimes. – Nadine Strossen

Freedom of speech and belief are at an end in Scotland if the accurate description
of biological sex is deemed criminal. – JK Rowling

First Amendment freedoms are most in danger when the government seeks to
control thought or to justify its laws for that impermissible end. The right to think
is the beginning of freedom, and speech must be protected from the government
because speech is the beginning of thought.
– Supreme Court Justice Anthony M. Kennedy

Activities:

1. Have students complete and submit the Exit Ticket before they leave class.
2. Have students complete the K-W-L chart in class or for homework.
3. Have students complete the PMI chart after viewing the video. Discuss as a class.
4. Have students complete the political cartoon activity in class or for homework.

5. Have students complete the Cloze Activity in class or for homework.
6. Have students research different viewpoints on hate speech laws and prepare for a class debate. Divide them into two groups, one supporting hate speech laws and the other opposing them. The groups will present their main arguments and supporting evidence during the debate.
7. Have students write a one-page reflection on the importance or lack of importance of protecting speech they disagree with. They should include examples from the video and their own opinions on why or why not this protection is crucial.
8. Have students work in pairs to create a timeline of significant events related to free speech and hate speech laws mentioned in the video.
9. Assign students roles as different figures from the video (e.g., Elon Musk, J.K. Rowling, Ezra Levant, politicians, and John Stossel). Then, in small groups, have them role-play a discussion on free speech, expressing their assigned character's viewpoints.
10. Have students write a persuasive letter to a politician or elected official, arguing either for or against implementing hate speech laws. They should use evidence from the video to support their arguments.
11. Have students work in pairs or groups of three to conduct "man-on-the-street" interviews to find out if people support or oppose hate speech laws. Have different groups word the question differently to see if the terms they use make a difference. Also, have them track responses by age and by sex. Are there any notable differences in their answers?
12. Conduct a classroom poll on students' views about hate speech laws before and after watching the video. Students will then discuss any changes in their opinions and the reasons behind those changes.
13. Have students work in small groups to analyze different case studies of hate speech laws from various countries. Have them compare and contrast these laws and present their findings on a poster board or in a slide show.
14. Have students draft a speech advocating for the protection of free speech, even for speech they disagree with. They will focus on using persuasive language and evidence from the video.
15. Have students work individually or in pairs to s will create posters that highlight key arguments from the video about free speech and hate speech laws.
16. Organize a panel discussion in which students take on different perspectives (e.g., lawmakers, activists, and citizens) to discuss the impact of hate speech laws. Students should prepare their points beforehand and engage in a moderated discussion.
17. Have students write an essay or create a short video with their personal response to the information they learned from watching the Stossel video. They should address key points and include their personal opinions on free speech and hate speech laws.

18. Have students research the history and impact of a specific hate speech law in a chosen country. They will present their research findings to the class.
19. Have students write an opinion piece for a school newspaper on the topic of free speech versus hate speech. They should use arguments and examples from the video to support their viewpoint.
20. Conduct a classroom debate on the statement "Even hateful speech should be protected." Students should be given time to work in teams to prepare their arguments.
21. Explore the connection between free speech and comedy by watching the videos: "[Don't Cancel Comedy](#)" and "[Comedy – More Than a Laugh.](#)" Discuss these videos as a class. How does comedy aid society in examining its flaws? What is lost when comedians are silenced and prevented from provoking introspection on life's issues?

Don't Cancel Comedy: <https://stosselintheclassroom.org/dont-cancel-comedy/>
Comedy – More Than a Laugh: <https://youtu.be/cDXK9jtzyUY>

Name _____
Class _____ Period _____

Date _____
Teacher _____

Protecting Free Speech K-W-L Chart

Directions: Complete the **K** and **W** sections prior to watching the video. After you have seen the video, complete the **L** section and answer the questions below the K-W-L chart.

K	W	L
What I know about hate speech and free speech...	What I want to know about hate speech and free speech...	What I've learned about hate speech and free speech...

Is it important to protect speech that we disagree with or find offensive? _____ Why/Why not? _____

What are some of the risks of giving politicians and government officials the power to criminalize certain types of speech? _____

Name _____

Date _____

Class _____ Period _____

Teacher _____

Protecting Free Speech PMI Chart

P = Plus: What might be some positive effects of banning hate speech?

M = Minus: What might be some negative effects of banning hate speech?

I = Interesting: What is interesting about banning hate speech?

+ Pluses +	- Minuses -	I

If there are laws against "hate speech," who will decide what is hate speech? Why does that matter?

Do we have a constitutional right to "not be offended"? Explain.

Name _____

Date _____

Class _____

Teacher _____

The One Un-American Act

By William O. Douglas

Protecting Free Speech Cloze Activity

Directions: Read the entire passage first. Then fill in the blanks with words from the box.

Communist	ideas	change	freedom
anarchy	suppression	powerful	dismissed
safety	thought	suspicion	liberties
revolutionary	insecurity	determine	rejecting

The other day I was rereading some English history that followed on the heels of the American and French Revolutions. England was suffering from tremors on account of the _____ of change that swept the world. We know from hindsight that most of England's fears were fancied. But the powers-that-be, the rulers, those who represented the status quo, were tense and fearful. Their fears were transmitted to the citizens; the epidemic of anxiety spread.

Each period of history has experienced these fears of _____. America is no exception. At the end of the 19th century the spectre of _____ and socialism stalked this country.

We witness today perhaps the most widespread _____ of views the country has known. The suppression comes not from fear of being jailed but from fear of being _____ from employment, banned from radio work, disqualified for teaching, or unacceptable for the lecture platform. Those sanctions are effective and _____. They often carry as much sting as a fine or a jail sentence.

We know that the _____ threat is the basis of the fears that sweep our communities. We know that that threat has substance to it. We know that Communist cells are much more dangerous than any Jacobin Club or Fabian society or Socialist party ever was. We know that there are sensitive areas in government where the employees must be beyond _____.

But we also know that the _____ of our civilization lies in making freedom of _____ and freedom of speech vital, vivid features of our life.

Our proudest boast has been a system that makes belief in the unorthodox a permissible way of life. It is not because we want to destroy existing institutions,

nor to undermine an orthodox faith that we make room for _____ ideas. Ideas, like the people who have them, need expression. The market place tests them—accepting a few, _____ many. It is the interchange of ideas, the challenge to prejudices that give any people the resiliency to meet changing conditions.

Political inventiveness is the great need of this age. People throughout the world have lost many of their moorings. The reasons are varied. But whatever they are, the result is a growing sense of _____. It is in that insecurity that Communism finds its greatest hold. Communists offer a world-wide fraternity that cuts across all racial, national, and color lines. It therefore has tremendous appeal among many people.

We who believe in a free society—and when I say we I mean not only we of the West but Nehru of India, U Nu of Burma, Maghsaysay of the Philippines, Mossadegh of Persia and kindred spirits the world around—we can offer much more liberty and much more fraternity than any Communist regime. But we must invent new political methods, if we are to enlist the peoples of the world in a new front.

It is our attitude toward free thought and free expression that will _____ our fate. There must be no limit on the range of temperate discussion, no limits on thought. No subject must be taboo. No censor must preside at our assemblies. We need all the ingenuity we possess to avert the holocaust.

The task of keeping our civil _____ alive is not an easy one in troubled times like these. But I believe our civilization will supply the necessary men. The people need leadership that makes a virtue of courage, of conviction and freedom of expression.

The pre-eminent problem of this age is the invention of new institutions, new political methods for aligning the people of the world in a true crusade for _____. The ingenuity will be lacking if fear of Communism shrinks the world of ideas to one school of thought, to one point of view. Restriction of free thought and free speech is the most dangerous of all subversions. It is the one un-American act that could most easily defeat us.

This is a condensation of a talk by Justice Douglas to the Authors Guild Council in New York, December 3, 1951 on receiving the 1951 Lauterbach Award. This annual award for support of civil liberties was established in memory of the late Richard E. Lauterbach, liberal journalist and author, who was a Nieman Fellow in 1947.

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<https://www.ala.org/bbooks/one-un-american-act>

Name _____

Date _____

Class _____

Teacher _____

The One Un-American Act

By William O. Douglas

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<https://www.ala.org/bbooks/one-un-american-act>

Name

Admit One

Why is it important to all speech we disagree with?

Admit One

EXIT TICKET

Name

Admit One

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Name _____

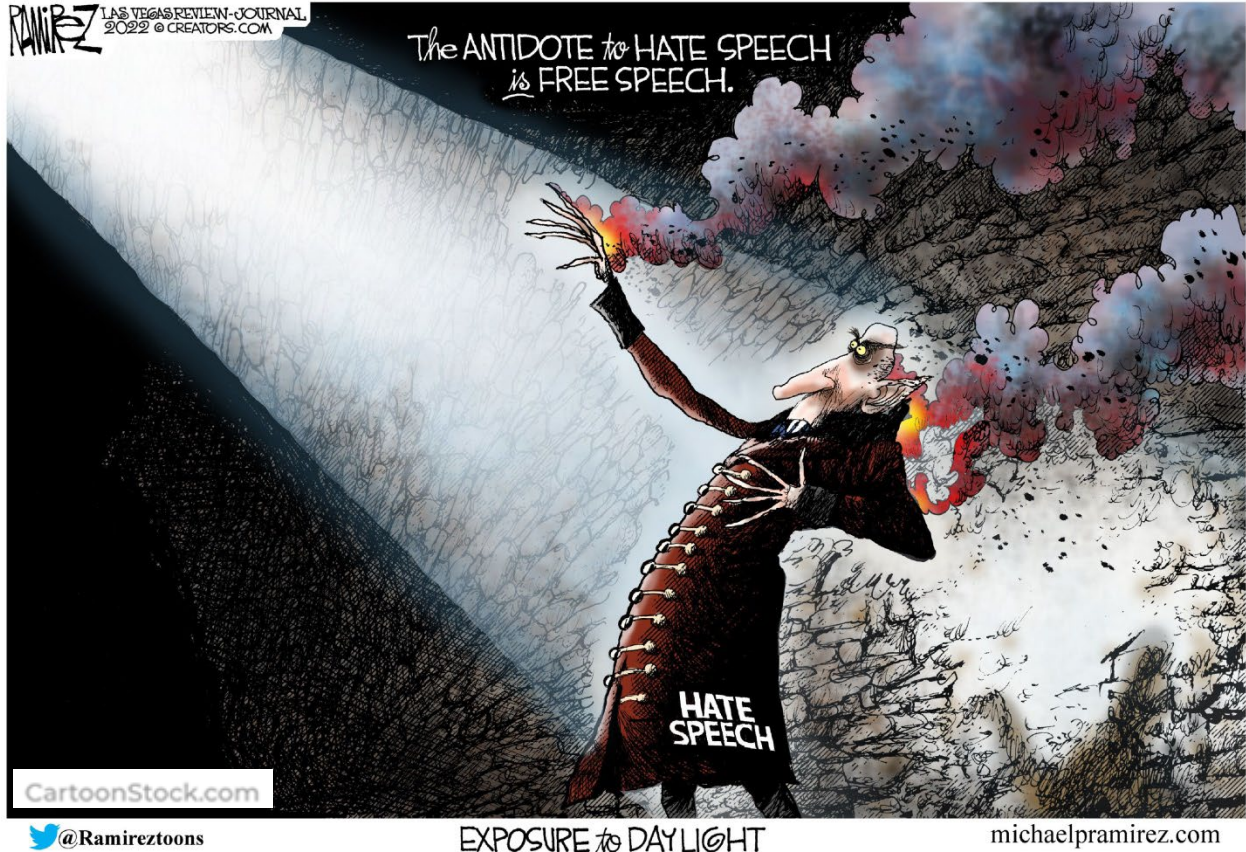
Date _____

Class _____

Teacher _____

Protecting Free Speech Political Cartoon Activity

Directions: Use the political cartoon to answer the questions.



Briefly describe what is happening in the cartoon. _____

How does the imagery demonstrate the message of this cartoon? _____

Do you agree with the cartoon that the antidote to hate speech is free speech? _____

Why or why not? _____

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by William O. Douglas

<https://www.ala.org/bbooks/one-un-american-act>

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