

CHAPTER 11 QUIZ

TRUE/FALSE

1. According to the Supreme Court, under some circumstances Congress has a right to regulate speech.
2. Pure speech receives constitutional protection whereas speech-plus does not.
3. The Supreme Court has held that burning an American flag is protected by the First Amendment if it is done as a political expression.
4. Regulation of speech in a public forum cannot discriminate based on the content of the speech.
5. The Supreme Court has held that children in school can be expelled for refusing to recite the pledge of allegiance.
6. Obscenity is not protected by the First Amendment.
7. Cross burning is never protected by the First Amendment.
8. A school need not tolerate student speech that is inconsistent with its basic educational mission, even though the government could not censor similar speech outside the school.
9. Advertising is protected by the First Amendment unless it is false and misleading.
10. The right to assembly does not include the right of a protest group to block a road.

MULTIPLE CHOICE

1. The English law of seditious libel made it a crime

- A. to publish pornography.
- B. to criticize the government of England.
- C. to spread lies about anyone.
- D. to plan to overthrow the government.

2. The Marketplace of Ideas

- A. limits free speech to political ideas.
- B. extends free speech to commercial situations.
- C. is a theory explaining why free speech is protected.
- D. has nothing to do with free speech.

3. A law banning the burning of a draft card

- A. was held constitutional by the Supreme Court because it served a legitimate state interest.
- B. was held unconstitutional by the Supreme Court because it was protected as symbolic speech.
- C. was held constitutional by the Supreme Court because burning a draft card was not any type of speech.
- D. None of the above.

4. A law limiting soft money political contributions

- A. was upheld by the Supreme Court because political contributions are not a form of speech.
- B. was upheld by the Supreme Court because it regulated only the source of money, not the amount that a candidate could spend.
- C. was held unconstitutional by the Supreme Court because it interfered with a political candidate's right to campaign.
- D. None of the above; the Court refused to rule on the issue holding that it was a political question.

5. When ruling on a law that banned virtual child pornography, the Supreme Court

- A. held the law constitutional because it served a legitimate government purpose, specifically protecting children from pornography.
- B. held the law constitutional because Congress had the absolute right to ban any indecent material.
- C. held the law unconstitutional because the definition of obscenity was too broad.
- D. held the law unconstitutional because virtual depictions are not really a form of speech.

6. Defamation has no First Amendment protection unless

- A. the person defamed is a public figure.
- B. the person defamed is a public official.
- C. the subject matter is one of public concern.
- D. All of the above.

7.1. If defamation is directed to a private person but relates to a matter of public concern,

- A. the plaintiff in a lawsuit must show actual malice to receive any damages.
- B. the plaintiff in a lawsuit must show actual malice to receive punitive damages, but not general damages.
- C. the plaintiff in a lawsuit must adhere to the same standards as a public figure or public official.
- D. the plaintiff in a lawsuit is not limited in any way by the First Amendment.

8. Expression that incites illegal action

- A. is never protected by the First Amendment.
- B. is protected by the First Amendment unless the speech presents a clear and imminent danger.
- C. is always protected by the First Amendment.
- D. can never be criminally prosecuted.

9. According to the Supreme Court, a student's First Amendment rights were violated

- A. when a school prohibited the wearing of armbands as a method of protest.
- B. when a school punished students for lewd comments.
- C. when a school censored a school newspaper.
- D. According to the Supreme Court, students have no First Amendment rights.

10. The fairness doctrine

- A. requires that broadcasters present fair, unbiased reports of political figures.
- B. has been ruled unconstitutional by the Supreme Court because it interferes with a free press.
- C. allows the federal government to require television and radio stations to provide reply time to respond to political editorials and personal attacks.
- D. All of the above.