

Chapter 2

Constitutional Issues Today

PREPARING TO READ

Thinking about the topic **R**

A Look at the photographs and read the captions.



Political protestors sometimes burn the U.S. flag to express their ideas.



Burning a cross has been used as a symbol of hatred against nonwhites and non-Christians.

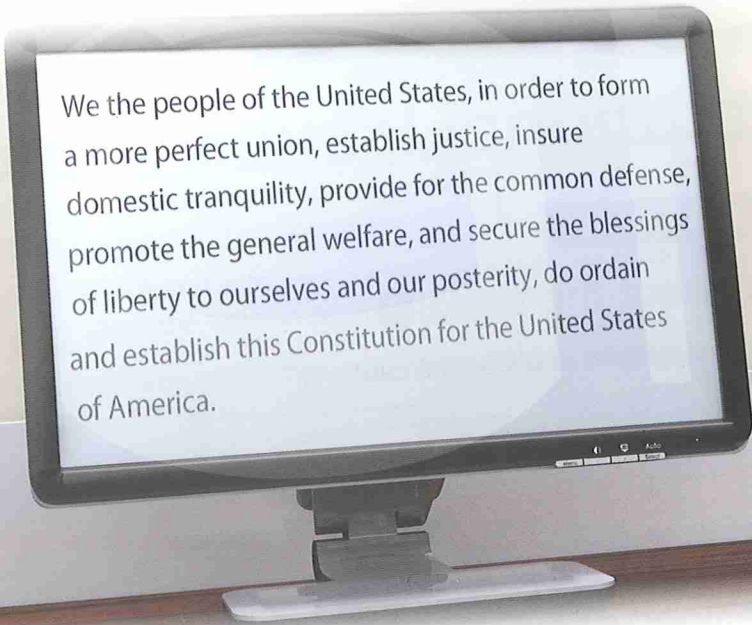
B Discuss these questions with your classmates.

1. Are the activities in these photographs legal in the United States? Why or why not?
2. Are these forms of expression legal or acceptable in other countries that you are familiar with? Explain your answer.
3. You can use expressions such as these in your discussion.

I think it is (il)legal for people to . . . because . . .

In my opinion, . . . is (un)acceptable because . . .

C With your classmates, discuss whether there should be limits on a person's freedom of expression. For example, should you be allowed to insult another person's religion?



We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

Reading 1

FREEDOM OF EXPRESSION: HOW FAR DOES IT GO?

Since the First Amendment was written, the term *freedom of speech* has gained a broader interpretation. It includes more than what people say. It also includes other forms of expression, such as what people write or do. Most people support the free expression of ideas that they agree with, but the First Amendment is important because it protects the freedom to express ideas that many people do not like. However, there are limits on this freedom of expression.

There are two types of protected free speech that are especially controversial. One of these is hate speech. Throughout American history, immigrants, and ethnic, racial, and religious minorities have often been treated badly. Other Americans have sometimes said or written negative and hurtful things about them. This kind of expression is called *hate speech*. Hate speech is directed against a group of people because of a specific characteristic, such as their race or ethnicity.

Is hate speech constitutional? Are people in the United States permitted to say offensive and hurtful things about Jews, African Americans, Muslims, or homosexuals? In fact, the First Amendment allows this. There are some restrictions, however. If the speech or writing is threatening, it is not permitted. For example, a person can stand up at a meeting and say, "I hate African Americans. I don't want any African Americans in my neighborhood." This is protected speech. However, if the person telephones or sends an e-mail with the same message to an African-American family who lives on his street, this might be a threat. It would not be protected speech.

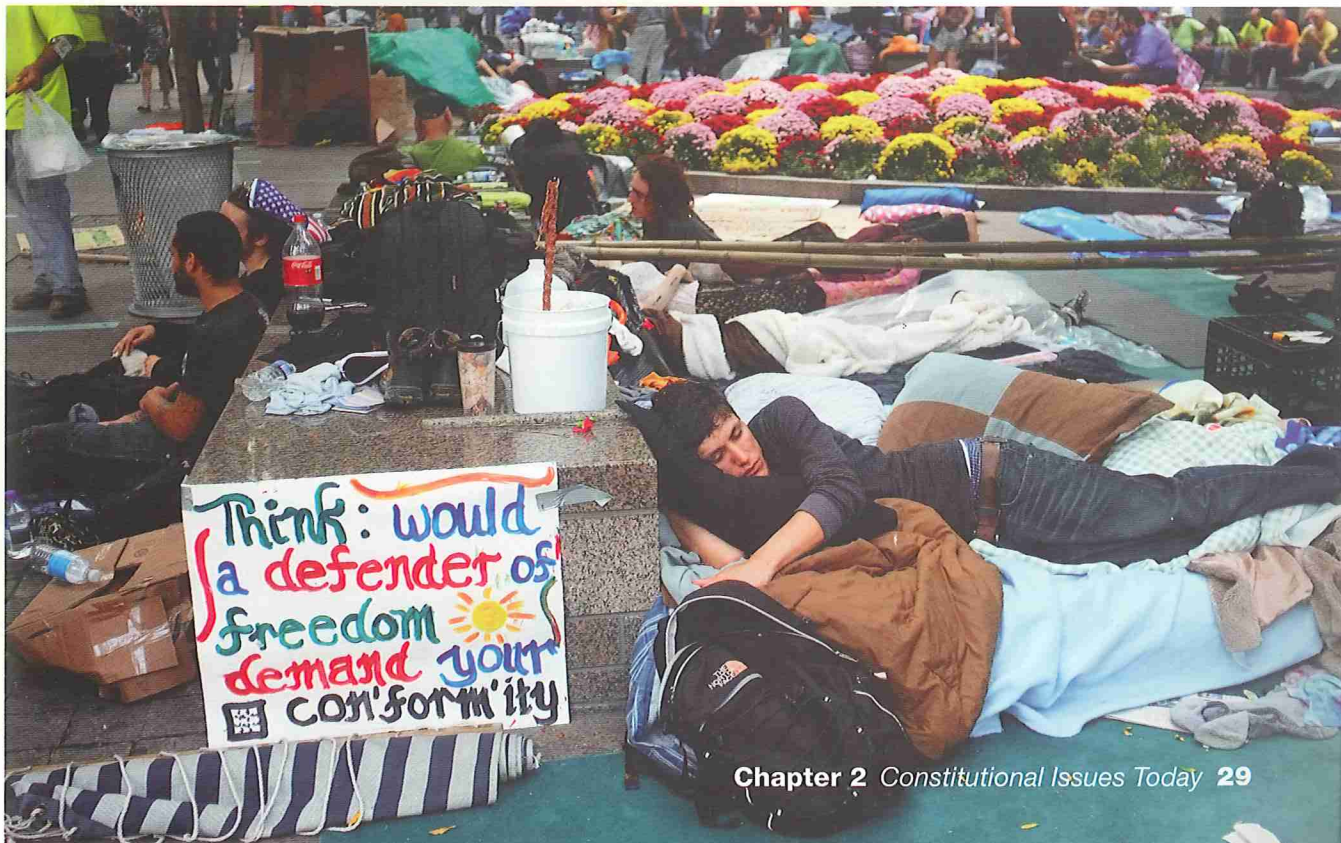
The First Amendment also protects actions that are similar to hate speech. Some groups in the United States have used burning crosses as a symbol of hatred of nonwhites and non-Christians. The Supreme Court decided the First Amendment also protects people's rights to use symbols, even burning crosses, to express their ideas. However, the use of symbols, such as burning crosses, to encourage violence is illegal.

Protests against the government are also often controversial. In 2011–2012, many Americans participated in the **Occupy movement**. They were protesting against social and economic inequality and, especially, against the government's role in it. They lived in public parks for days as part of their protest. They could do this because they were expressing their opinions. Like symbols, protest is considered a form of speech. However, as with other forms of speech, there are limits on political protest. Protestors cannot stop other people from doing what they want to do, such as going to work or to school. They cannot block public streets or buildings. They cannot prevent businesses and offices from operating. They may not cause harm to the health and safety of others. The police ended some of the Occupy protests for these reasons.

A more extreme form of political protest is the burning of the American flag. People who want to protest against the government sometimes burn the flag to express their opinion. This action angers and offends many Americans. However, the Supreme Court has ruled that flag burning is a legal form of political protest.

Occupy movement a protest movement against social and economic inequality focusing on banks and financial systems

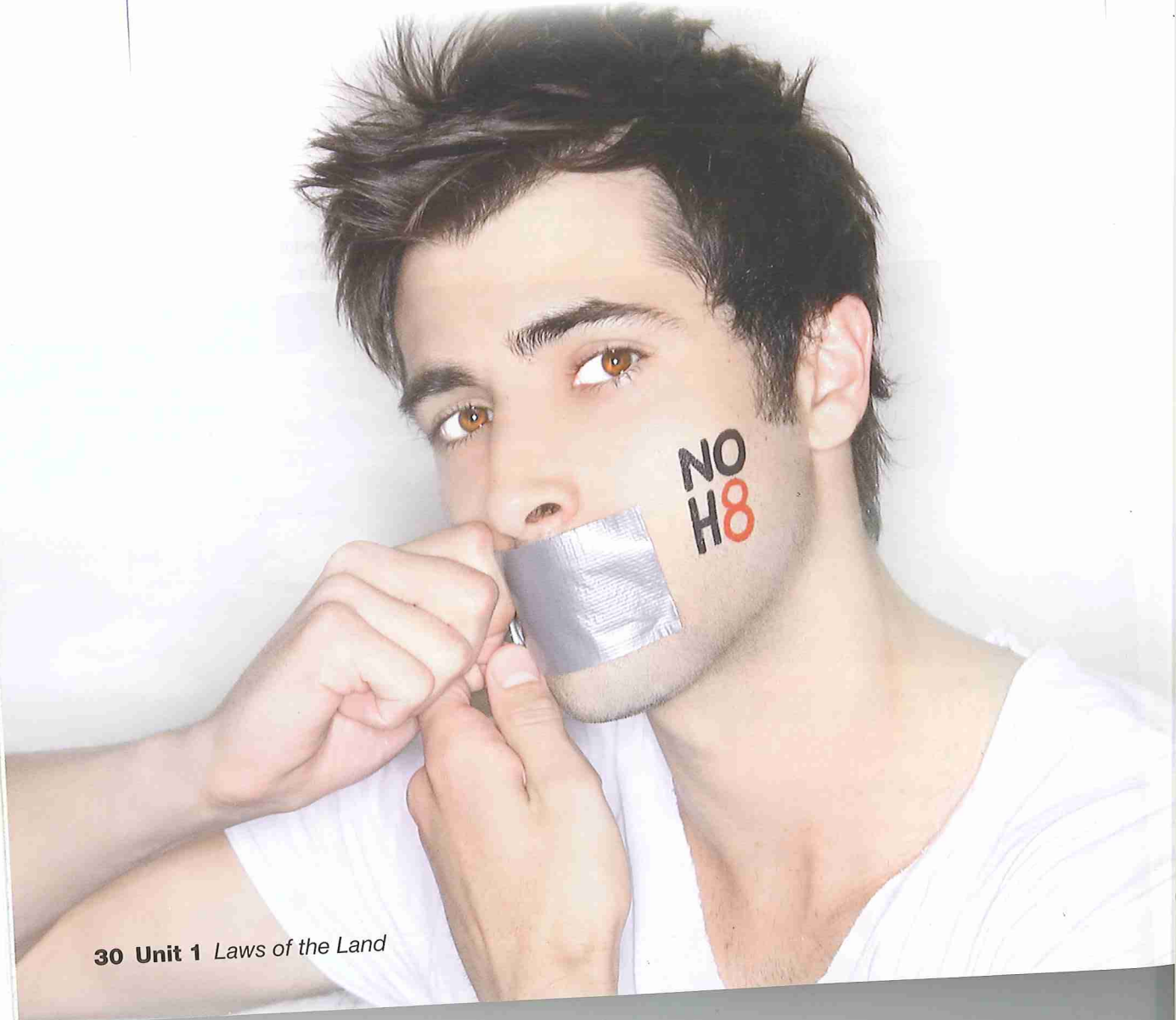
Protestors in the Occupy movement



Global hate speech

The very strong protection of free speech, even hate speech, in the United States is somewhat unusual. Many other countries have laws that prohibit this kind of speech and behavior. Australia, Canada, France, Germany, Great Britain, India, the Netherlands, Singapore, South Africa, and Sweden all prohibit hate speech.

However, hate speech cannot always be kept within national borders, and the Internet has made the issue more complicated. First, people all over the world can read material on the Internet; it does not matter if the Web site is in the United States, Japan, or any other country. It is not clear which country's laws these Web sites must follow. Second, the Internet allows people to hear speech that, in the past, they would never have heard. One example comes from South Africa. A young black leader there sang a song about freedom for the black population in that country. Unfortunately, the song also contained words about violence toward the white population. Someone filmed the performance and put the video on YouTube. The video frightened white people in South Africa. The young man said he did not intend the public to hear it, but he was charged with hate speech and brought to trial anyway.



AFTER YOU READ

1 Reading for main ideas **R**

Understanding how to identify main ideas is an essential reading skill. You must be able to quickly identify the main topic of a paragraph. You also have to be able to identify the main idea of the whole text – the point that the writer is trying to make.

A Read this list of topics in the reading. Find the location of each topic. Look quickly. Write the number of the paragraph (2–6) in the blank.

1. The limits on hate speech Par. ____
2. An extreme form of protest against the government Par. ____
3. What hate speech means Par. ____
4. The use of symbols as a form of free speech Par. ____
5. Political protest as a form of free speech Par. ____

B Check (✓) the statement that expresses the main idea of the whole text.

- ____ 1. Free speech does not include speech that encourages violence.
- ____ 2. Freedom of speech is broad enough to protect unpopular and offensive ideas.
- ____ 3. Freedom of speech has always been the law in the United States.
- ____ 4. Freedom of speech includes protests.

C Compare your answer with a partner. Then underline the sentence in the text that states the main idea you chose in Step B.

2 Taking notes with a chart **A**

It can be useful to make a chart when you take notes on a reading. You can use these charts to help you study for a test. You do not need to write full sentences in a chart.

A Review the reading for examples of expressions that are protected or prohibited. Then work with a partner to complete the chart. Include two situations in which speech or symbols are prohibited and two in which they are protected.

	Protected	Prohibited
Hate speech and symbols		
Political protest		

B Write two sentences that explain the kind of speech that is not protected by the First Amendment. You can use language such as:

The First Amendment does not protect hate speech that is/if it . . .
There is no protection for political protests that . . .

3 Word families **V** **W**

Academic texts often contain several forms of the same term in a discussion of a subject. These related forms are frequently nouns and adjectives. There are several common suffixes that can change a noun into an adjective. Recognizing these suffixes can help you understand academic texts and extend your vocabulary when you write. Sometimes there are spelling changes in the noun before these common suffixes:

-(i)al -ful -ous

Notes

The suffix *-ial* is a variant of the suffix *-al*.
Always check spelling in a dictionary.

A Read the noun and adjective forms of words from the reading in the box below. Then choose the correct form to complete the sentences that follow.

Noun	Adjective
race	racial
controversy	controversial
globe	global
politics	political
religion	religious
hurt	hurtful

1. Microsoft is a _____ company with offices in many countries.
2. In the United States, all _____ groups are free to practice their own beliefs.
3. Hate speech is often directed against African Americans because of their _____.
4. Friends sometimes say _____ things to each other in arguments, but later they say they are sorry.
5. Flag burning is always a powerful form of protest and usually causes a _____.
6. Most forms of _____ protest are protected by the Constitution.

B Write the adjective form for the nouns below. Be sure to make the appropriate spelling changes in the noun before adding the suffix.

1. harm _____
2. danger _____
3. president _____
4. center _____
5. pain _____
6. courage _____

4 Collocations **V**

When you read in English, you will notice that some words often appear together. For example, some verbs almost always appear with the same prepositions. It is important to learn these word combinations. They will help you read more quickly and write more naturally.

A Find the verbs below in the text. Underline the preposition that is used with each of them.

- agree (Line 5)
- participated (Line 34)
- protesting (Line 35)

B Write a new sentence for each verb + preposition combination.

5 Applying what you have read **R**

Discuss these questions in a small group.

A Do you think citizens should be able to do the following things? Why or why not?

- a. Join an Internet discussion group that favors the violent defeat of the government
- b. Display a sign that expresses racial hatred
- c. Publish pictures of people in private situations
- d. Insult government officials in public
- e. Publish private (but true) information about government officials that would make them feel uncomfortable
- f. Publish instructions on the Internet for building a bomb
- g. Publish government secrets

B At the beginning of the chapter, you discussed what the limits of freedom of expression should be. Continue your discussion with your group.

- a. Have you changed your mind? Explain your answer.
- b. How does the Internet complicate the answer? Think about how social media sites such as Facebook and Twitter may affect your answer.