

3.4: First Amendment: Freedom of Press

Explain the extent to which the Supreme Court's interpretation of the First and Second Amendments reflects a commitment to individual liberty.

1. According to our Founders, what is the origin story of our civil liberties?

- a. Found in nature
- b. Established by law
- c. Divine Right of Kings
- d. Consensus

2. Though this case permitted the controversial Pentagon Papers to be printed, the Court recognized that our freedom of the press could be limited by national security.

- a. *New York Times v. U.S.* (1971)
- b. *Tinker v. Des Moines* (1969)
- c. *Everson v. Board of Education* (1947)
- d. *Gibbons v. Ogden* (1824)

3. Prior restraint is another name for

- a. Sanction
- b. Censorship
- c. Encouragement
- d. Proof read

4. There is a heavy presumption against the government limiting a free press. Which of the following scenarios would likely meet that standard, allowing the government to limit the press?

- a. Vaccine test results during a pandemic
- b. Corruption inside the White House
- c. Embarrassing mistakes made by the president in a speech
- d. Troop positions during war

5. In the case *Hazelwood vs. Kuhlmeier* (1988) the Supreme Court ruled that

- a. School officials cannot censor student newspapers but they can stop underground papers
- b. School officials cannot censor student newspapers
- c. School officials can censor student papers if stories are critical of teachers and admin.
- d. School officials can censor student papers if stories endanger the learning environment

6. The best lesson taken from recent free press cases is that

- a. Provisions of the Bill of Rights are continually being interpreted
- b. Provisions of the Bill of Rights are untouchable, sacred and safe from limitations
- c. Free press is not nearly as important as free speech
- d. The Supreme Court invariably sides with the powerful to limit the voice of the vulnerable

7. Daniel Ellsberg, at the center of the case *New York Times v. U.S.* (1971), has recently argued that “the parallels are very strong” today. What was he talking about?

- a. State sponsored censorship is still a vital concern and our free press is always in danger
- b. State sponsored censorship has been eliminated due to the precedent in the NYTimes case
- c. Censorship around the world looks a lot like what happened here in American 50 years ago
- d. Censorship has lost its sting due to the Internet, just like the printing press ended tyranny

8. Freedom of the press, a fundamental First Amendment inalienable right, protects

- a. Newspapers, magazines and Internet content from government interference
- b. Newspapers, magazines but not Internet content from government interference
- c. TV news but not written news from government interference
- d. National print media but not state and local print media from government interference

9. Which of the following statements best describes the Supreme Court’s application of our fundamental rights and privileges to public school students?

- a. Students possess First Amendment freedoms but they can be limited more easily
- b. Students possess First Amendment freedoms just like anybody else
- c. Students do not possess First Amendment freedoms until they go to college
- d. Students do not possess First Amendment freedoms without parental consent

10. Alexander Hamilton wrote in Federalist 51:

If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions.

Which of the following statements best summarizes Hamilton’s argument?

- a. Both the citizens and the government need to be checked and limited
- b. Governments primary job is to check its citizens in order to secure order
- c. The object of government is to create angels
- d. People depend on the government but the government does not depend on the people