

COAS E104, Section 0107  
**FREEDOM OF SPEECH IN THE UNITED STATES**  
Spring 2003–2004  
MW 9:05 – 9:55  
WH 004

Discussion sessions: section 0108 Thursday 3:35-4:25pm OP 107  
section 0109 Friday 11:15-12:05pm BH 235

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### **Textbook and Readings**

1. Thomas L. Tedford and Dale A. Herbeck, *Freedom of Speech in the United States*, 4rd ed., State College, PA, Strata Publishing, 1997. [T&H]

2. Decisions of actual court cases: :

(a) textbook web page:

[http://www.bc.edu/bc\\_org/avp/cas/comm/free\\_speech/decisions.html](http://www.bc.edu/bc_org/avp/cas/comm/free_speech/decisions.html)

(b) Lexis-Nexis via IU library:

<http://web.lexis-nexis.com/universe/>

(c) Findlaw:

<http://www.findlaw.com>

## Conduct of the Course

*Attendance.* Class attendance is compulsory. Unexcused absences will result in a lowered grade. Excessive absences will be grounds for an F in the course. Students are expected to arrive on time. Class will begin promptly at 9:05 a.m. (and will end promptly at 9:55 a.m.). Readings for the day's topic should be completed before the class period for which they are assigned.

*Mid-term examination.* A Mid-term examination is scheduled for Monday, March 1st during the normal class period. Plan to be in class and healthy that day.

*Final examination.* A comprehensive final examination covering material from the entire course will be given on Monday, May 3rd, 12:30 – 2:30 p.m. Barring catastrophic circumstances, no alternative time for the final examination will be scheduled. You should thus make your end-of-semester travel plans accordingly. The final examination will probably be “closed-book / open-note”, that is, you will not be allowed to use the textbook, but you will be allowed to use any notes that you personally created for the course.

*Writing assignment.* One written paper will be required. This will be a critical content analysis of news media coverage of free speech issues. The assignment will involve monitoring a news source daily for three weeks and writing a report describing what free speech issues have been covered. The papers must be handed in on time.

The paper must be typed double-spaced on 8 1/2 x 11 inch paper with one-inch margins on all four sides. Font size must be 12 point. Papers of more than one page must be numbered and stapled. Do not put your paper in a folder, cover, or binder.

Your paper must be original work prepared for this class. Plagiarism will result in an “F” in the course.

*Class participation.* Students will be expected to participate actively in class and especially in the discussion sections.

## Grading Policy

The following represents the approximate relative contribution of the various assignments to the calculation of the grade in the course based on a 100 point scale. The final letter grade will be determined using a flexible curve, taking into account class participation (+ points) and absences (- points).

Paper	16
Mid-term examination	30
Final examination	<u>54</u>
Total	<u>100</u>

(Note: If quizzes are given or oral presentations are assigned, these will be included in the calculation of the course grade.)

## Weekly Class Schedule and Reading Assignments

(Note: T&H = the course textbook.)

1. (Jan. 12 – 14) Introduction to the course and legal process; the Supreme Court  
Readings: [a] T&H, pp. 440–41.  
[b] The Bill of Rights, esp. the First Amendment
2. (Jan. 19 – 21) Jan. 19th: Martin Luther King holiday — No class.  
Jan. 21st: History of free speech (Why free speech?)  
Readings: T&H, Ch. 1–2
3. (Jan. 26 – 28) Why free speech? (cont.)  
Readings: T&H, Ch. 1–2
4. (Feb. 2–4) Sedition, clear and present danger doctrine  
Readings: T&H, Ch. 3
5. (Feb. 9–11) Obscenity  
Readings: [a] T&H, Ch. 5  
[b] *Roth v. United States*, 354 U.S. 476 (1957)
6. (Feb. 16–18) Fighting words, hate speech, offensive speech  
Readings: T&H, Ch. 6
7. (Feb. 23–25) Offensive speech (cont.)  
Readings: To be assigned
8. (Mar. 1–3) Mar. 1st: MID-TERM EXAM / Mar. 3rd: Plagiarism
9. (Mar. 8–10) Defamation  
Readings: [a] T&H, Ch. 4, pp. 77–104  
[b] *New York Times Co. v. Sullivan*, 376 U.S. 254 (1964)
10. (Mar. 22–24) Defamation (cont.)  
Readings: [a] T&H, Ch. 4, pp. 77–104  
[b] *New York Times Co. v. Sullivan*, 376 U.S. 254 (1964)
11. (Mar. 29–31) Freedom of speech in the schools  
Readings: T&H, Ch. 11, pp. 297-318.
12. Apr. 5-7) Symbolic speech (action vs. speech)  
Readings: [a] T&H, Ch. 10, pp. 280–88)  
[b] *Texas v. Johnson*, 491 U.S. 397 (1989)
13. Apr. 12–14) Symbolic speech (cont.)  
Readings: [a] T&H, Ch. 10, pp. 280–88)  
[a] *Barnes v. Glen Theatre*, 501 U.S. 560 (1989)
14. (Apr. 19-21) Commercial speech  
Readings: T&H, Ch. 7
15. (Apr. 26-28) Free speech vis-à-vis other rights; Wrap-up and review  
Readings: T&H, Ch. 9, pp. 235-46.

May 3rd (Monday) 12:30 – 2:30 p.m. **Final Examination**