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## *Schenck v. United States (1919)*

### **Answer Key**

#### ***Elements of the Case***

1. **Issue:** Does the Espionage Act of 1917 violate the First Amendment with respect to Schenck's freedom of speech?
2. Schenck was accused of mailing circulars to approximately 15,000 U.S. Army draftees, encouraging them to resist the draft. The action was prohibited by one section of the Espionage Act of 1917. Schenck was convicted in district court. He asked the Supreme Court to overturn his conviction and declare the Espionage Act unconstitutional because it abridged the First Amendment guarantee of free speech.
3. The Supreme Court's decision upheld the lower court's conviction and declared that the Espionage Act was allowable in a wartime context. The Court acknowledged that Schenck might have been within his rights under other circumstances. But the effect of his speech presented a "clear and present danger" to army discipline and to the nation's ability to conduct the war. For these reasons, the Court declared Schenck's right to free speech could be limited.
4. It allowed for limitations on the individual's freedom of speech when balanced against wartime needs and public welfare. Justice Holmes created the "clear and present danger" test, which is still a guide-

line for balancing the needs of society with the rights of the individual.

#### ***Evaluation of the Case***

1. Answers will vary, but students should give reasonable reasons for their opinions.
2. Answers will vary, but examples should show that students understand the meaning of the term.
3. Answers will vary. Some students may think that freedom of speech should never be limited; others will agree with the "clear and present danger" test.

#### ***Extending the Lesson***

1. Have students research the Espionage Act and the other restrictive acts passed just before World War I and read excerpts from them in class. What do students think of the limits they place on free speech? Why did these acts seem necessary at the time?
2. Have students research the reasons why Congress established the draft (Selective Service) before the United States entered World War I. Be sure they are clear about the differences between volunteer armies and those based on a draft.
3. Have students compare the situation in this case with that of the *Pentagon Papers* case (Decision 19). Would the *Pentagon Papers* have been suppressed under the Espionage Act? Why or why not?

# Mcgraw Hill Networks Schenckv United States 1919

## Answers

**Wolfgang Guggemos**



**Mcgraw Hill Networks Schenckv United States 1919 Answers:**

## Unveiling the Energy of Verbal Artistry: An Mental Sojourn through **Mcgraw Hill Networks Schenckv United States 1919 Answers**

In a global inundated with screens and the cacophony of instantaneous transmission, the profound power and emotional resonance of verbal art frequently diminish into obscurity, eclipsed by the continuous assault of sound and distractions. However, situated within the lyrical pages of **Mcgraw Hill Networks Schenckv United States 1919 Answers**, a charming work of fictional elegance that pulses with natural thoughts, lies an unique journey waiting to be embarked upon. Published by way of a virtuoso wordsmith, that magical opus courses visitors on a mental odyssey, softly revealing the latent possible and profound impact stuck within the elaborate web of language. Within the heart-wrenching expanse of this evocative evaluation, we will embark upon an introspective exploration of the book is central subjects, dissect their interesting writing type, and immerse ourselves in the indelible impression it leaves upon the depths of readers souls.

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web category hvac method statements procedure for installation of chilled water pumps the purpose of generating this method statement is to define the procedure step by step to implement the correct practices of installation of chilled water pumps through the guide line contained herein so as to ensure that the job execution complies with

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web method statement of hvac duct accessories installation scope of work all workers shall attend safety induction training conducted by the contractor and be given specific materials tools and equipment health safety and environment all employees shall undergo safety induction from the