

WORLD WAR I AND BEYOND

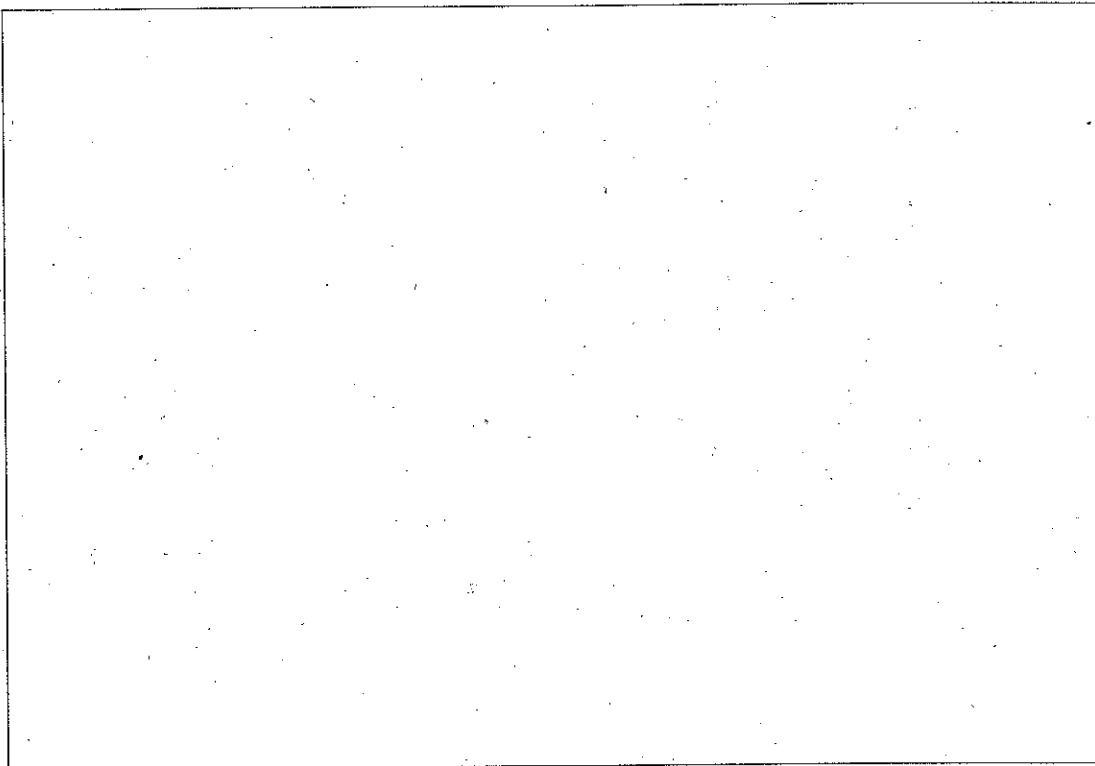
**Landmark Decisions of the Supreme Court:
What Are the Limits of Free Speech?**

Charles Schenck was a leader of the Socialist Party at the time of his conviction under the Espionage Act. Socialists were among the strongest opponents of American involvement in World War I. At its convention in April 1917, the party issued an official statement opposing the war.

A person could be imprisoned for up to 20 years for violating the Espionage Act, and nearly 2,000 Americans were eventually tried under the law. Although this act was challenged before the Supreme Court several times, the Court upheld the law in all cases.

The “clear and present danger” test outlined by Justice Holmes in *Schenck v. United States* continues to guide judges and justices as they consider freedom of speech cases today. ♦ *In the box below, draw an editorial cartoon that comments on Schenck v. United States. Use symbols and exaggeration in your drawing to help you express your view clearly. You may also use labels and captions.*

Schenck v. United States



Questions to Think About

1. On a separate sheet of paper, write an example of when or how the “clear and present danger” test could be applied today.