Document C: The Sedition Act of 1918 (Modified)

*This is an excerpt from the Sedition Act, signed into law by President Woodrow Wilson in 1918. Along with the Espionage Act, the law shrunk the rights of Americans. Wilson and the United States Congress claimed dissent would harm America's effort to win the war. Congress repealed the act in December 1920, two years after the end of WWI.*

Whoever, when the United States is at war, shall willfully utter, print, write or publish any disloyal, profane, scurrilous, or abusive language about the form of government of the United States or the Constitution of the United States, or the military or naval forces of the United States, or the flag of the United States, or the uniform of the Army or Navy of the United States . . . or shall willfully utter, print, write, or publish any language intended to incite, provoke, or encourage resistance to the United States . . . shall be punished by a fine of not more than $10,000 or the imprisonment for not more than twenty years, or both.

Source: The Sedition Act of 1918 was passed by the United States Congress on May 16, 1918.

Vocabulary

utter: say

profane: disrespectful

scurrilous: insulting

incite: stir up

Document D: Schenck v. United States (Modified)

*The excerpt below comes from the Supreme Court’s unanimous opinion in Schenck v. United States, 1919.*

OPINION BY JUSTICE OLIVER WENDELL HOLMES, JR.

The character of every act depends upon the circumstances in which it is done. The most stringent protection of free speech would not protect a man in falsely shouting “Fire!” in a theatre and causing a panic. . . .The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent. . . .When a nation is at war many things that might be said in time of peace are such a hindrance to its effort that their utterance will not be endured so long as men fight and that no Court could regard them as protected by any constitutional right.

Source: Supreme Court opinion by Justice Oliver Wendell Holmes, Jr., March 3, 1919.