

The Origins of the First Amendment

CRITICAL THINKING AND DISCUSSION QUESTIONS

- Consider this statement by John Milton: “Give me the liberty to know, to utter, and to argue freely according to conscience, above all liberties.” Why would he consider this the most important liberty?
- What is meant by the following statement from John Milton: “He who destroys a good book, kills reason itself”?
- Compare these two statements:
 - “And though all the winds of doctrine were let loose to play upon the earth, so Truth be in the field, we do injuriously by licensing and prohibiting to misdoubt her strength. Let her and Falsehood grapple; who ever knew Truth put to the worse, in a free and open encounter.” (John Milton)
 - “We are not afraid to follow truth wherever it may lead, nor to tolerate any error so long as reason is left free to combat it.” (Thomas Jefferson)

What do they have in common? Is there any difference between them?

- Do you agree with the statement from Cato’s Letters: “Let people alone, and they will take care of themselves, and do it best; and if they do not, a sufficient punishment will follow their neglect, without the magistrate’s interposition and penalties.” Why or why not?
- Consider the following statement from Cato’s Letters: “Freedom of speech is the great bulwark of liberty; they prosper and die together: And it is the terror of traitors and oppressors, and a barrier against them.” Why would freedom of speech be the “terror of traitors and oppressors, and a barrier against them?”
- Are freedom of thought and freedom of speech the same thing?
- Consider the following statement from Cato’s Letters: “Whoever would overthrow the liberty of the nation, must begin by subduing the freedom of speech.” Why do the authors consider freedom of speech so essential to liberty? You may refer to other quotations in your answer.
- Consider the following statement from Cato’s Letters: “Guilt only dreads liberty of speech, which drags it out of its lurking holes, and exposes its deformity and horror to day-light.” What did the authors mean by this? Can you give an example?
- Consider the following statement from Cato’s Letters: “Freedom of speech is ever the symptom, as well as the effect, of good government.” Do you agree? Why or why not? You may refer to other quotations in your answer.
- In this statement, John Stuart Mill (in On Liberty) refers to the problem of holding minority or unpopular opinions: “The will of the people, moreover, practically means the will of the most

numerous or the most active part of the people; the majority, or those who succeed in making themselves accepted as the majority; type people, consequently, may desire to oppress a part of their number; and precautions are as much needed against this as against any other abuse of power.” Should people with minority or unpopular opinions be silent or be silenced? What would happen if they were?

- What does John Stuart Mill mean in *On Liberty* by the following statement: “There is no parity between the feeling of a person for his own opinion, and the feeling of another who is offended at his holding it”?
- Explain the following quotation by John Stuart Mill in *On Liberty*: “He who knows only his own side of the case knows little of that.” Why is this so?
- Consider the following statement by John Stuart Mill: “Every man who says frankly and fully what he thinks is so far doing a public service. We should be grateful to him for attacking most unsparingly our most cherished opinions.” Why does Mill think we should be grateful when someone “attacks” our opinions?
- Do you agree with the following statement by John Locke: “New opinions are always suspected, and usually opposed, without any other reason but because they are not already common.” If so, how can new opinions ever become commonly accepted?
- Do people ever write anonymously today, for fear of being punished for their views? What sort of views would get a person punished today?
- Do any views face censorship by the government today?
- Should people be able to write whatever they want?
- What is meant by the phrase “tyranny of the majority?”
- What is meant by the phrase “battlefield of ideas,” as referenced by President Barack Obama in a speech given at Howard University in 2016? What do you think of this term?