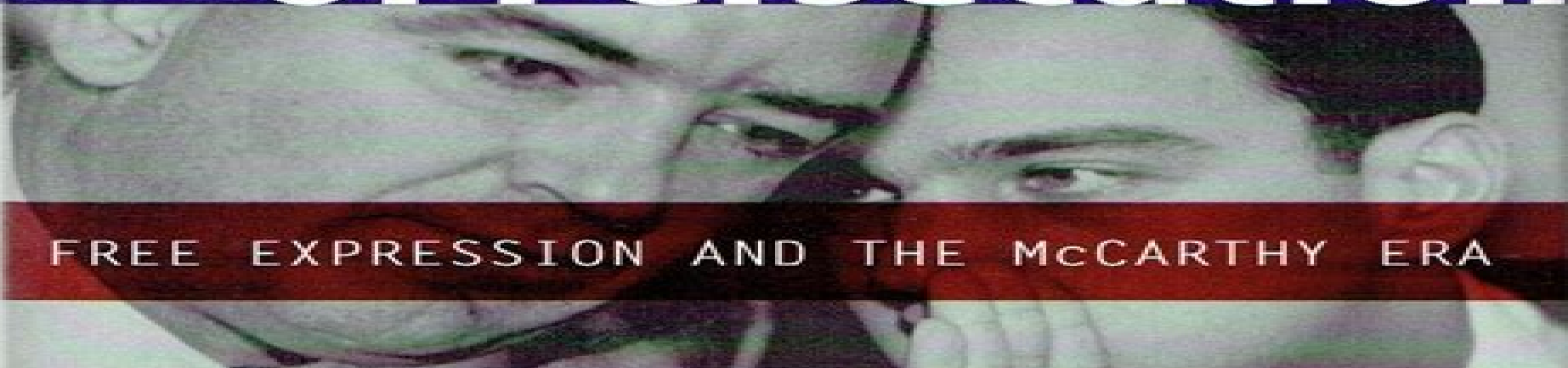


# The Logic of Persecution



FREE EXPRESSION AND THE McCARTHY ERA

Martin H. Redish

# The Logic Of Persecution Free Expression And The Mccarthy Era

**Chao Zhang**



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*Commercial Speech as Free Expression* Martin H. Redish, 2021-06-10 A bold controversial advance in the theory of free expression grounded in a new underlying theoretical perspective for a dramatic extension of commercial speech protection

**We Must Not Be Afraid to Be Free** Ronald K.L. Collins, Sam Chaltain, 2011-02-25 In *We Must Not Be Afraid to Be Free* Ron Collins and Sam Chaltain two noted free speech scholars and activists provide authoritative and vivid portraits of free speech in modern America The authors offer a series of engaging accounts of landmark First Amendment cases including bitterly contested cases concerning loyalty oaths hate speech flag burning student anti war protests and McCarthy era prosecutions The book also describes the colorful people involved in each case the judges attorneys and defendants and the issues at stake Tracing the development of free speech rights from a more restrictive era the early twentieth century through the Warren Court revolution of the 1960s and beyond Collins and Chaltain not only cover the history of a cherished ideal but also explain in accessible language how the law surrounding this ideal has changed over time

**Modern Power and Free Speech** Chris Demaske, 2011-01-01 *Modern Power and Free Speech* takes a socio political approach to question the application of the First Amendment in cases dealing with the speech rights of disempowered groups Combining legal analysis First Amendment theory feminist theory and political theory Chris Demaske addresses the inadequacies of current free speech doctrine

The Adversary First Amendment Martin H. Redish, 2013-06-12 *The Adversary First Amendment* presents a unique and controversial rethinking of modern American democratic theory and free speech Most free speech scholars understand the First Amendment as a vehicle for or protection of democracy itself relying upon cooperative or collectivist theories of democracy Martin Redish reconsiders free speech in the context of adversary democracy arguing that individuals should have the opportunity to affect the outcomes of collective decision making according to their own values and interests Adversary democracy recognizes the inevitability of conflict within a democratic society as well as the need for regulation of that conflict to prevent the onset of tyranny In doing so it embraces pluralism diversity and the individual growth and development deriving from the promotion of individual interests Drawing on previous free speech scholarship and case studies of controversial speech Redish advances a theory of free expression grounded in democratic notions of self promotion and controlled adversary conflict making a strong case for its application across such areas as commercial speech campaign spending and anonymous speech

**Silencing the Opposition** Craig R. Smith, 2011-01-01 *The first edition of Silencing the Opposition* examined major challenges to the First Amendment using illustrative case studies of the various forms of governmental suppression in our history The essays showed that governmental forces have used rhetorical strategies in simple and sophisticated ways to silence opponents By studying which

strategies are effective how they evolve and how they are unmasked the authors offered a better understanding to combat the strategies in the future This second edition of *Silencing the Opposition* includes a revised introduction and conclusion updated chapters and two new chapters one on the Patriot Act and one on habeas corpus of enemy combatants In these revisions and additions Smith has arranged a valuable timely collection appropriate for its focus on the last eight years of civil liberty reforms in the United States

**Terror and the War on Dissent** Ian Cram,2009-06-29 Located within wider debates about security versus liberty in our post 9 11 world the book analyses the new landscape of UK counter terrorism powers and offences and focuses upon the deleterious consequences of the so called war on terror on freedom of political expression and association Questioning the compatibility of recent speech limiting measures with liberalism s established commitment to free speech and international human rights norms the book takes a critical look at new powers to proscribe extremist political parties possession offences and other criminal controls eg Official Secrets Act prosecutions as well as new offences such as glorification of terrorism Less visible extra legal forms of censorship are also evaluated The monograph concludes by asking how a more vigorous defence of unorthodox and unpopular forms of expression might be safeguarded in the UK

**Threat of Dissent** Julia Rose Kraut,2020-07-21 In this first comprehensive overview of the intersection of immigration law and the First Amendment a lawyer and historian traces ideological exclusion and deportation in the United States from the Alien Friends Act of 1798 to the evolving policies of the Trump administration Beginning with the Alien Friends Act of 1798 the United States passed laws in the name of national security to bar or expel foreigners based on their beliefs and associations although these laws sometimes conflict with First Amendment protections of freedom of speech and association or contradict America s self image as a nation of immigrants The government has continually used ideological exclusions and deportations of noncitizens to suppress dissent and radicalism throughout the twentieth and twenty first centuries from the War on Anarchy to the Cold War to the War on Terror In *Threat of Dissent* the first social political and legal history of ideological exclusion and deportation in the United States Julia Rose Kraut delves into the intricacies of major court decisions and legislation without losing sight of the people involved We follow the cases of immigrants and foreign born visitors including activists scholars and artists such as Emma Goldman Ernest Mandel Carlos Fuentes Charlie Chaplin and John Lennon Kraut also highlights lawyers including Clarence Darrow and Carol Weiss King as well as organizations like the ACLU and PEN America who challenged the constitutionality of ideological exclusions and deportations under the First Amendment The Supreme Court however frequently interpreted restrictions under immigration law and upheld the government s authority By reminding us of the legal vulnerability foreigners face on the basis of their beliefs expressions and associations Kraut calls our attention to the ways that ideological exclusion and deportation reflect fears of subversion and serve as tools of political repression in the United States

**Liberty's Refuge** John D. Inazu,2012-01-24 This original and provocative book looks at an important constitutional freedom that today is largely forgotten the right of assembly While this

right lay at the heart of some of the most important social movements in American history abolitionism women s suffrage the labor and civil rights movements courts now prefer to speak about the freedoms of association and speech But the right of expressive association undermines protections for groups whose purposes are demonstrable not by speech or expression but through ways of being John D Inazu demonstrates that the forgetting of assembly and the embrace of association lose sight of important dimensions of our constitutional tradition     Executing the Rosenbergs Lori Clune,2016-04-08 An original study based on never before seen State Department documents this book examines reactions around the world to the execution of Ethel and Julius Rosenberg

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