

The  
LANAHAN  
READINGS  
in  
Civil  
RIGHTS  
*and* Civil  
LIBERTIES  
Third Edition

Edited by  
David M. O'Brien



# The Lanahan Readings In Civil Rights And Civil Liberties

**Thomas Richard Bendel**



## **The Lanahan Readings In Civil Rights And Civil Liberties:**

**The Lanahan Readings in Civil Rights and Civil Liberties** David M. O'Brien, 2010-01-01 This is the third edition of a broad collection of engaging readings that has been widely assigned in a variety of civil rights and law related courses New to this edition is a major section Part One on the Supreme Court and the construction of civil rights and liberties reflecting contrasting views of Constitutional interpretation For this third edition noted Constitutional law scholar David M O'Brien has selected nearly forty essays to represent diverse and rival views on major conflicts the First Amendment and hate speech commercial speech and pornography law and religion unreasonable searches and criminal procedure racial profiling and capital punishment civil liberties and national security affirmative action gender equality and others With selections written by justices of the Court legal scholars political scientists sociologists historians and journalists and drawn from a wide variety of sources both scholarly and popular this new edition remains the ideal reader to assign to students in courses on civil rights and civil liberties Constitutional law and any other course taking up the ongoing legal political and social issues that have such impact on American life Book cover *The Lanahan Readings in Civil Rights and Civil Liberties* David M. O'Brien, 1999

*Constitutional Law and Politics: Civil rights and civil liberties* David M. O'Brien, 2008 Now in its Seventh Edition Constitutional Law and Politics remains the authoritative casebook for the study of Supreme Court decisions in political science courses **The Lanahan Readings in the American Polity** Ann Gostyn Serow, Everett Carl Ladd, 2003

COLLECTION OF 98 ESSAYS ON AMERICAN GOVERNMENT FOR THE COLLEGE UNDERGRADUATE COURSE MARKET

**Public Spaces, Marketplaces, and the Constitution** Anthony Maniscalco, 2015-10-15 In spite of their public attractions and millions of visitors most shopping malls are now off limits to free speech and expressive activity The same may be said about many other public spaces and marketplaces in American cities and suburbs leaving scholars and other observers to wonder where civic engagement is lawfully permitted in the United States In *Public Spaces Marketplaces and the Constitution* Anthony Maniscalco draws on key legal decisions social theory and urban history to demonstrate that public spaces have been split apart from First Amendment protections while the expression of political ideas has been excluded from privately owned publicly accessible malls Today the traditional indoor suburban shopping mall that icon of modern American capitalism and culture is being replaced by outdoor retail centers Yet the law and courts have been slow to catch up Maniscalco argues that scholars students and the public must confront these innovations in commercial design and consumer practices as well as what they portend for contemporary metropolitan America and its civic spaces **We Must Not Be Afraid to Be Free** Ronald K.L. Collins, Sam Chaltain, 2011-02-25 In a stinging dissent to a 1961 Supreme Court decision that allowed the Illinois state bar to deny admission to prospective lawyers if they refused to answer political questions Justice Hugo Black closed with the memorable line We must not be afraid to be free Black saw the First Amendment as the foundation of American freedom the guarantor of all other Constitutional rights Yet since free speech is by

nature unruly people fear it Consequently the impulse to curb or limit it has been a constant danger throughout American history In *We Must Not Be Afraid to Be Free* two of America's leading free speech scholar activists Ron Collins and Sam Chaltain provide an authoritative history of free speech in modern America Each chapter is an engaging narrative account of a landmark First Amendment case that foregrounds the colorful people involved judges plaintiffs attorneys defendants and the issue at stake Cumulatively the chapters provide a definitive account of how the First Amendment evolved over the course of a century 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 up to the current post 9 11 era of heightened security concerns Collins and Chaltain not only cover the history of an ideal but explain in accessible language how the law surrounding the ideal transformed Essential for anyone interested in this most essential of rights *We Must Not Be Afraid to Be Free* will be a standard work on free speech for years to come

Justice Robert H. Jackson's Unpublished Opinion in *Brown v. Board*  
David M. O'Brien, 2017-11-17 *Brown v Board of Education* is widely recognized as one of the US Supreme Court's most important decisions in the twentieth century Robert H Jackson an associate justice on the case is generally considered one of the Court's most gifted writers Though much has been written about *Brown* citing the writing and remarks of the justices who participated in the 1954 decision comparatively little has been said about Jackson or his unpublished opinion which is sometimes even mistakenly taken as a dissenting opinion This book visits *Brown v Board of Education* from Jackson's perspective and in doing so offers a reinterpretation of the justice's thinking and of the Supreme Court's decision making in a ruling that continues to reverberate through the nation's politics and public life Weaving together judicial biography legal history and judicial politics Justice Robert H Jackson's Unpublished Opinion in *Brown v Board* provides a nuanced look at constitutional interpretation and the intersection of law and politics from inside the mind of a justice within the context of a Court deciding a seminal case Through an analysis of six drafts of Jackson's unpublished concurring opinion David M O'Brien explores the justice's evolving thoughts on relevant issues at critical moments in the case His retelling of *Brown* presents a new view of longstanding arguments confronted by Jackson and the other justices over original intent versus a living Constitution the role of the Court and social change and justice in American political life The book includes the final draft of Jackson's unpublished opinion as well as the Warren Court's opinions in *Brown* and in *Bolling v Sharpe* for comparison along with a timeline of developments and decision making leading to the Court's landmark ruling

*America's Challenges in an Unstable World* Frances K. Scott, 2002

**Defending Pornography** Nadine Strossen, 2024-03-05 A new edition of a groundbreaking feminist defense of pornography as free speech Named a Notable Book by The New York Times Book Review in 1995 *Defending Pornography* examines a key question that has divided feminists for decades is censoring pornography good or bad for women Nadine Strossen makes a powerful case that increasing government power to censor sexual expression beyond the limits that the First Amendment sensibly permits for example outlawing child pornography would do

more harm than good for women and others who have traditionally been marginalized due to sex or gender She explains how the very anti porn laws pushed by some feminists have led to the censorship of LGBTQ and feminist works and she examines the startling connections between anti porn feminists and right wing fundamentalists In an illuminating new Preface Strossen lays out the multiple current assaults on sexual expression which continue to come from across the ideological spectrum She shows that freedom for such expression remains an essential prerequisite for the equality safety and dignity of women and sexual gender minorities

**The Third Net** Lisa Sun-Hee Park, Erin Hoekstra, Anthony M. Jimenez, 2024-05-14 Reveals the presence of an informal system of valuable support and care for marginalized migrants The United States health care system not only consists of a formal safety net but also an informal and disjointed network of organizations that offer basic care to millions of migrants This Third Net provides free or low cost health care for the undocumented low income and uninsured migrants who are excluded from the formal system This groundbreaking study sheds light on the existence of the Third Net and its implications for the overall inequalities in the US health care system The Third Net is made up of diverse providers with varying levels of service organizational culture and mission These providers operate in unconventional settings such as mobile clinics on wheels pop up clinics in repurposed spaces and unlicensed makeshift clinics run by health activists Despite their unassuming appearances these clinics are vital resources for marginalized populations that often go unnoticed by the general public revealing the shortcomings of our formal health care system By examining these alternative health care spaces the authors expose the inequities entrenched in the broader health care system and urge a reevaluation of it entirely in order to address these injustices

**Special Bibliography Series** ,1957 **Law, Courts, and Justice in America** Howard Abadinsky, 2020-08-17 The eighth edition offers an updated and streamlined examination of the American system of law courts and justice Part I Law reviews the history of courts and justice common law and civil law systems as well as law schools and legal education Part II Courts discusses lawyers and the practice of law unravels the structure and administration of federal and state court systems delineates the appellate process the Supreme Court and judicial review and describes the roles of judges prosecutors and criminal defense attorneys Part III Justice demystifies the criminal justice process negotiated justice civil justice juvenile justice and alternative forms of justice Throughout the book landmark cases important historical events illustrative examples and boxed items highlight or expand chapter content Each of the twelve chapters concludes with an extensive summary a list of key terms and review questions There is also a glossary that provides a summary of important terms

*The Lanahan Readings in Government, Ethics and the Military* Thomas Richard Bendel, 2005-08 **Judges on Judging** David M. O'Brien, 2016-05-20 Thoroughly revised and updated for this Fifth Edition Judges on Judging offers insights into the judicial philosophies and political views of those on the bench Broad in scope this one of a kind book features off the bench writings and speeches in which Supreme Court justices as well as lower federal and state court judges discuss the judicial process constitutional interpretation judicial federalism and the role of the judiciary

Engaging introductory material provides students with necessary thematic and historical context making this book the perfect supplement to present a nuanced view of the judiciary Judges on Judging is consistently rated by my students as their favorite book in my class No other single volume provides them with such a clear and accessible sense of what judges do what courts do and the way judges think about their roles and their courts Douglas Edlin Dickinson College

**Congress Shall Make No Law** David M. O'Brien, 2010-09-16 The First Amendment declares that Congress shall make no law abridging the freedom of speech or of the press Yet in the following two hundred years Congress and the states have sought repeatedly to curb these freedoms The Supreme Court of the United States in turn gradually expanded First Amendment protection for freedom of expression but also defined certain categories of expression obscenity defamation commercial speech and fighting words or disruptive expression as constitutionally unprotected From the Alien and Sedition Act of 1798 to the most recent cases to come before the Supreme Court noted legal scholar David M O'Brien provides the first comprehensive examination of these exceptions to the absolute command of the First Amendment providing a history of each category of unprotected speech and putting into bold relief the larger questions of what kinds of expression should and should not receive First Amendment protection O'Brien provides readers interested in civil liberties constitutional history and law and the U.S. Supreme Court a treasure trove of information and ideas about how to think about the First Amendment

*The U.S. Legal System* Timothy L. Hall, 2004 Presents more than ninety alphabetized articles on aspects of the American legal system from jury duty to witnesses expert and includes a glossary bibliography directories to legal assistance organizations legal resources and state bar associations and three indexes

*The Lanahan Readings in State & Local Government* John R. Baker, 2001

**Porn 101** James E. Elias, Veronica Diehl Elias, Vern L. Bullough, 1999-10-01 Is the sex depicted in pornographic movies a reflection of what happens in real life Do such movies exploit their female and male actors Should pornography be held responsible for misconceptions about women and sex or for violent behaviour in men What is obscenity What is the difference between the erotic the pornographic and the artistic Should society heed the constant calls for censorship or is pornography a form of speech that though objectionable to some is deserving of Constitutional protection These questions and more in the controversial pornography debate are pondered in this wide ranging collection of essays by both scholars and those who work within the porn industry from actors and actresses to directors and writers including even top First Amendment attorneys The effects of pornography on its audience one of the most heated topics are examined in depth with all available international data while tell all stories from behind the scenes of the industry provide unique insight into porn's production An all inclusive volume Porn 101 ranges from gay to straight pornography from sadomasochism to phone sex and includes discussion of the special issues raised by child pornography

**Forthcoming Books** Rose Army, 2003

*Law and Justice* Howard Abadinsky, 2008 Law and Justice An Introduction to the American Legal System Sixth Edition offers a thorough examination of the system of justice used in the United States civil and criminal juvenile and

therapeutic This new edition continues its critical review of the legal system and examines issues such as the conflict between the legal system's need for predictability and the desire for flexibility the pros and cons of therapeutic jurisprudence and restorative justice the issues involved with medical malpractice and more Provides a comprehensive look at the justice system from various perspectives Discusses many aspects of law and judicial process such as the role of natural law statutory law legal reasoning case law legal education the legal profession the court systems the appellate court process the constitution judges prosecutors criminal defense attorneys etc Ideal for anyone interested in the American Legal System

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