

The Constitution, the Law, and Freedom of Expression, 1787-1987

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The Constitution The Law And Freedom Of Expression 1787 1987

Thelma Adams



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Freedom of Expression James Magee, 2002-11-30 Freedom of expression is enshrined in the Constitution as a sacred right of the American people The appeal is clear Congress shall make no law abridging the freedom of speech or of the press Yet the ink had barely dried on the Constitution before the first landmark freedom of expression issue exploded onto the scene This student resource traces 11 such issues that have polarized the nation These events show the variety complexity and intensity that freedom of speech and expression issues engender Magee illustrates how the United States has worked through these contentious periods with American citizens freedoms remaining intact if not enhanced An annotated bibliography follows each issue to provide avenues for further research and a timeline and general bibliography provide additional reference support

The Constitution, the Law, and Freedom of Expression, 1787-1987 Macalester College, 1987 Contributions to the 1st Wallace Conference on The Constitution Freedom of Expression and the Liberal Arts held in Sept 1986 at Macalester College sponsored by the college

The Jurisprudential Vision of Justice Antonin Scalia David Andrew Schultz, Christopher E. Smith, 1996 That Scalia has most profoundly affected particularly constitutional protections for property rights Citing Scalia s use of judicial review to check legislative power and his attempts to limit several types of individual rights developed during the Warren and Burger courts the authors conclude that Scalia s decisions reflect an effort to create a post *Carolene Products* jurisprudence and to form a new pattern of assumptions regarding the role of the Supreme Court in

The Political Thought of Justice Antonin Scalia James B. Staab, 2006-05-04 The Political Thought of Antonin Scalia A Hamiltonian on the Supreme Court traces Justice Antonin Scalia s jurisprudence back to the political and constitutional thought of Alexander Hamilton Not only is there substantial agreement between these two men in the areas of constitutional interpretation federalism separation of powers executive and judicial power but the two men also have similar temperaments bold decisive and principled By examining the congruence in thought between Hamilton and Scalia it is hoped that a better and deeper understanding of Justice Scalia s jurisprudence will be achieved While an abundance of scholarship has been written on Justice Scalia no one has systematically examined his political philosophy This book also draws out the important differences between Justice Scalia s jurisprudence and that of the other conservative members of the Court the late Chief Justice William Rehnquist and Justices Sandra Day O Connor Anthony Kennedy and Clarence Thomas

Justice Antonin Scalia and the Conservative Revival Richard A. Brisbin, 1998-09-25 The most comprehensive study of Justice Scalia s politics and jurisprudence yet published Justice Antonin Scalia and the Conservative Revival joins a vital discussion on contemporary American conservatism and the use of the law to restrain or undermine the New Deal state

Constitutionalism and American Culture Sandra F. VanBurkleo, Kermit L. Hall, Robert J. Kaczorowski, 2002 Cultural history and themendment New York Times v Sullivan and its times Kermit L Hall New directions in American constitutional history Words as hard as cannon balls women s rights agitation And liberty of speech in

nineteenth century America Sandra F VanBurkleo Race state market and civil society in constitutional history Mark Tushnet Constitutional history and the cultural turn cross Examining the legal reelist narratives of Henry Fonda Norman L Rosenberg Contributors **Journal of Legal Studies** ,1993 **Limits of Constraint** James B. Staab,2022-08-19 Adherents of originalism often present it as a theory that constrains legal decision making in a clear and objective manner that is based on the text and original meaning of the Constitution in contrast to the supposedly subjective and activist jurisprudence of those who promote a living Constitution But originalists have not had the same views on constitutional issues calling into question the theory of originalism Limits of Constraint examines the originalist jurisprudence of Hugo Black Antonin Scalia and Clarence Thomas showing that three of the Court s originalists have arrived at different conclusions in many constitutional areas While the starkest contrast is between Justice Black and Justices Scalia and Thomas even the latter two justices have disagreed on several key issues including executive power and the administrative state James Staab shows that originalism in actual practice does not deliver on its promise of an objective jurisprudence free of personal philosophy and discretion Rather than rehash theoretical debates about the merits of originalism Limits of Constraint examines originalism in operation by focusing on the judicial opinions of three prominent Supreme Court originalists Hugo Black Antonin Scalia and Clarence Thomas If the analysis of this book is correct that is the results reached by Justices Black Scalia and Thomas are divergent across a wide array of constitutional areas then originalism promises more than it can deliver One of the fundamental claims made by originalists is that their theory of constitutional interpretation limits judicial discretion but originalism does not constrain judicial behavior as much as its defenders claim *Judicial Independence* United States. Congress. House. Committee on the Judiciary. Subcommittee on Courts, Intellectual Property, and the Administration of Justice,1990 *The American Constitution* Robert Joseph Janosik,1991 Serves as a starting point for the nonspecialist Law Books Published ,1988 **Michigan Law Review** ,1989-05 **Prologue** ,1988 **We the People** Commission on the Bicentennial of the United States Constitution,1985 *The Oxford Handbook of the U.S. Constitution* Mark Tushnet,Mark A. Graber,Sanford Levinson,2015-07-31 The Oxford Handbook of the U S Constitution offers a comprehensive overview and introduction to the U S Constitution from the perspectives of history political science law rights and constitutional themes while focusing on its development structures rights and role in the U S political system and culture This Handbook enables readers within and beyond the U S to develop a critical comprehension of the literature on the Constitution along with accessible and up to date analysis The historical essays included in this Handbook cover the Constitution from 1620 right through the Reagan Revolution to the present Essays on political science detail how contemporary citizens in the United States rely extensively on political parties interest groups and bureaucrats to operate a constitution designed to prevent the rise of parties interest group politics and an entrenched bureaucracy The essays on law explore how contemporary citizens appear to expect and accept the exertions of power by a Supreme Court whose members are increasingly disconnected from the world of practical

politics Essays on rights discuss how contemporary citizens living in a diverse multi racial society seek guidance on the meaning of liberty and equality from a Constitution designed for a society in which all politically relevant persons shared the same race gender religion and ethnicity Lastly the essays on themes explain how in a globalized world people living in the United States can continue to be governed by a constitution originally meant for a society geographically separated from the rest of the civilized world Whether a return to the pristine constitutional institutions of the founding or a translation of these constitutional norms in the present is possible remains the central challenge of U S constitutionalism today Freedom of Expression in a Diverse World Deirdre Golash,2010-07-01 The essays in this volume consider issues at the intersection of freedom of expression and racial cultural and gender diversity The claims of those whose cultures and beliefs differ from our own are no longer the exclusive province of diplomats as the Danish newspaper that published cartoons ridiculing Mohammed quickly learned Negotiating the claims of freedom of expression as they come into open conflict with a wide diversity of viewpoints both domestically and internationally has become an increasingly complex task The present volume seeks both to provide fresh insight into the philosophical grounds for limiting government restriction of expression and to address current tensions between freedom of expression and pluralism The suppression of ideas by government is no doubt as old as government itself Ideas help to keep governments in power and opposing ideas can help them to lose it As well through most of the history of the world the belief that some know better than others what is true what is right and what is valuable has been sufficiently widespread to make it seem natural for those betters to dictate for the rest what they should believe Just as clerics did not hesitate to dictate to their congregations Christians did not hesitate to impose their beliefs on non Christians in order to save their souls *Censorship and First Amendment Rights* Thelma Adams,1992 *Free Speech Yearbook* ,1998 **Selected Bibliography on the Constitution and the Bill of Rights** ,1991 **The Boundaries of Freedom of Expression & Order in American Democracy** Thomas R. Hensley,2001 On Monday May 4th 1970 members of the Ohio National Guard fired 61 rounds of bullets into the Kent State University students protesting about the invasion of Cambodia This work develops the ideas of the first symposium on American democracy established to commemorate the tragedy

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