

SPEECH, CRIME, & THE USES OF LANGUAGE

Kent Greenawalt

Speech Crime And The Uses Of Language

Michael Kent Curtis



Speech Crime And The Uses Of Language:

Speech, Crime, and the Uses of Language Kent Greenawalt, 1989 In this book Greenawalt explores the three way relationship between the idea of freedom of speech the law of crimes and the many uses of language He begins by considering free speech as a political principle and after a thorough and incisive analysis of the justifications commonly advanced for freedom of speech looks at the kinds of communications to which the principle of free speech applies He then turns to an examination of communications for which criminal liability is fixed Focusing on threats and solicitations to crime Greenawalt attempts to determine whether liability for such communications seriously conflicts with freedom of speech In the second half of the book he goes on to develop the significance of his conclusions for American constitutional law addressing such questions as what should be considered speech within the meaning of the First Amendment and what tests the courts should employ in deciding whether particular criminal statutes should be held constitutional He concludes that the issues are too complex to yield simple solutions and insists that the protection of the First Amendment can be reduced neither to one justification nor to one all purpose test of coverage

Interpreting the Constitution Kent Greenawalt, 2015-10-07 This third volume about legal interpretation focuses on the interpretation of a constitution most specifically that of the United States of America In what may be unique it combines a generalized account of various claims and possibilities with an examination of major domains of American constitutional law This demonstrates convincingly that the book s major themes not only can be supported by individual examples but are undeniably in accord with the continuing practice of the United States Supreme Court over time and cannot be dismissed as misguided The book s central thesis is that strategies of constitutional interpretation cannot be simple that judges must take account of multiple factors not systematically reducible to any clear ordering For any constitution that lasts over centuries and is hard to amend original understanding cannot be completely determinative To discern what that is both how informed readers grasped a provision and what were the enactors aims matter Indeed distinguishing these is usually extremely difficult and often neither is really discernible As time passes what modern citizens understand becomes important diminishing the significance of original understanding Simple versions of textualist originalism neither reflect what has taken place nor is really supportable The focus on specific provisions shows among other things the obstacles to discerning original understanding and why the original sense of proper interpretation should itself carry importance For applying the Bill of Rights to states conceptions conceived when the Fourteenth Amendment was adopted should take priority over those in 1791 But practically for courts to interpret provisions differently for the federal and state governments would be highly unwise The scope of various provisions such as those regarding free speech and cruel and unusual punishment have expanded hugely since both 1791 and 1865 And questions such as how much deference judges should accord the political branches depend greatly on what provisions and issues are involved Even with respect to single provisions such as the Free Speech Clause interpretive approaches have

sensibly varied greatly depending on the more particular subjects involved How much deference judges should accord political actors also depends critically on the kind of issue involved

Humanism and the Rhetoric of Toleration Gary Remer, 2010-11-01 Religious toleration is much discussed these days But where did the Western notion of toleration come from In this thought provoking book Gary Remer traces arguments for religious toleration back to the Renaissance demonstrating how humanist thinkers initiated an intellectual tradition that has persisted even to our present day Although toleration has long been recognized as an important theme in Renaissance humanist thinking many scholars have mistakenly portrayed the humanists as proto Enlightenment rationalists and nascent liberals Remer however offers the surprising conclusion that humanist thinking on toleration was actually founded on the classical tradition of rhetoric It was the rhetorician's commitment to decorum the ability to argue both sides of an issue and the search for an acceptable epistemological standard in probability and consensus that grounded humanist arguments for toleration Remer also finds that the primary humanist model for a full fledged theory of toleration was the Ciceronian rhetorical category of sermo conversation The historical scope of this book is wide ranging Remer begins by focusing on the works of four humanists Desiderius Erasmus Jacobus Acontius William Chillingworth and Jean Bodin Then he considers the challenge posed to the humanist defense of toleration by Thomas Hobbes and Pierre Bayle Finally he shows how humanist ideas have continued to influence arguments for toleration even after the passing of humanism from John Locke to contemporary American discussions of freedom of speech

The Constitution and the Flag: The flag salute cases Michael Kent Curtis, 1993 First Published in 1993 Routledge is an imprint of Taylor Francis an informa company

A Most Detestable Crime Keith Burgess-Jackson, 1999 This collection of original essays by leading philosophers probes the philosophical aspects of rape in all of its manifestations act crime practice and institution Among the issues examined are the nature of rape the wrongfulness and harmfulness of rape the relation of rape to racism sexism classism and other forms of oppression and the legitimacy of various rape law doctrines Each contributor advances a novel argument and seeks to disentangle the conceptual evaluative and empirical issues that arise in connection with the crime This essential reference work is among the first philosophical anthologies devoted exclusively to the subject of rape as complex and interesting intellectually as it is pervasive and disturbing socially

The Free Flow of Information: Media law and freedom of expression in the United States Michael Edward Lenert, 2014-07-23 The primary objectives of this casebook are 1 to outline the fundamental legal decisions that constitute the framework of media law 2 to develop the skills to apply this framework to contemporary controversies in media law and ethics 3 to give you practical guidance how to stay out of legal trouble in your career in the media The casebook requires the close reading of original legal texts and decisions concerning defamation privacy intellectual property and other selected topics

[A Test of Faith?](#) Dr Jogchum Vrielink, Ms Katayoun Alidadi, Professor Marie-Claire Foblets, 2012-09-01 Issues of religious diversity in the workplace have become very topical and have been raised before domestic courts and the

European Court of Human Rights Examining the controversial and constantly evolving position of religion in the workplace this collection brings together chapters by legal and social science scholars and provides a wealth of information on legal responses across Europe Turkey and the United States to conflicts between professional and religious obligations involving employees and employers The contributors examine how case law from the European Court of Human Rights domestic experiences and comparative analyses can indicate trends and reveal established and innovative approaches This multi perspective volume will be relevant for legal practitioners researchers academics and policy makers interested in human rights law discrimination law labour law and the intersection of law and religion

Constitutionalism and American Culture Sandra F. VanBurkleo, Kermit L. Hall, Robert J. Kaczorowski, 2002 Cultural history and the amendment 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 *Criminal Law Perspectives* John Anderson, Brendon Murphy, Ben Livings, Wendy Kukulies-Smith, Natalia Antolak-Saper, Shireen Daft, 2020-12-03 Criminal Law Perspectives From Principles to Practice is an engaging introduction to the criminal law in New South Wales Victoria the Australian Capital Territory and the Commonwealth Criminal Code It takes a comparative approach to the law in these jurisdictions focusing on prevalent summary offences substantive federal offences and criminal procedure Complex concepts are explained and contextualised by linking them to practical applications Each chapter is supported by tools for self assessment review questions case boxes summarising and extracting key historical and contemporary cases and longer narrative end of chapter problems that promote student engagement and help students develop problem solving skills and independent thinking Criminal Law Perspectives explores the development of criminal law principles in Australia and provides a comprehensive and accessible overview of criminal law for students studying in the area for the first time

Deference in International Courts and Tribunals Lukasz Gruszczynski, Wouter G. Werner, 2014 International courts use two key methodologies to determine the degree of deference granted to states in their implementation of international obligations the standard of review and margin of appreciation This book investigates how these doctrines are applied in international courts analysing where their approaches converge and diverge

Privacy in the Commercial World United States. Congress. House. Committee on Energy and Commerce. Subcommittee on Commerce, Trade, and Consumer Protection, 2001

Propaganda and International Criminal Law Predrag Dojčinović, 2019-10-16 This book addresses the conceptual and evidentiary issues relating to the treatment of propaganda in international criminal law Bringing together an interdisciplinary range of scholars researchers and legal practitioners from Africa Australia Europe and the United States the book provides an in depth analysis of the nature position and role of the concept of propaganda in mass atrocity crimes trials A sequel to the earlier Propaganda

War Crimes Trials and International Law From Speakers Corner to War Crimes Routledge 2011 this book is the first to synthesize the knowledge procedures and methods of international criminal law with the social cognitive sciences Including a comprehensive overview of the most relevant case law jurisprudence and scientific studies the book also offers a series of practical insights and strategies for both academics and legal professionals An invaluable resource for those working in the area of international criminal law this book will also be of interest to academics practitioners and students with relevant interests in legal theory politics linguistics and psychology **Library of Congress Subject Headings** Library of Congress, Library of Congress. Subject Cataloging Division, Library of Congress. Office for Subject Cataloging Policy, 2013

Constitutional Commentary ,2002 **Crimes against the State** James A. Beckman, Eric Merriam, 2024-08-08 This work provides an authoritative survey of America's long and turbulent history of rebellions against laws and institutions of the state ranging from violent acts of sedition and terrorism to acts of nonviolent civil disobedience against discriminatory or unjust laws Crimes against the State is an even handed and illuminating one stop resource for understanding acts of rebellion against legal authorities and institutions and the motivations driving them Special care is taken to differentiate between hostile acts and actors that seek to overthrow or otherwise damage the state and or targeted demographic groups through violence such bad actors as the January 6 Capitol mob and bombers of abortion clinics and acts and actors that seek to defy reform or improve laws and institutions of the state through nonviolent action such good actors as activists in the civil rights movement Within these pages readers will 1 learn how to differentiate between sedition insurrection treason domestic terrorism espionage and other acts meant to injure or overthrow the government 2 gain a deeper understanding of laws policies and events that have aroused violent or nonviolent opposition 3 gain insights into perspectives and motivations of individuals and organizations and 4 learn about state responses to these challenges and threats from martial law to criminal prosecutions to new laws and reforms Library of Congress Subject Headings Library of Congress. Cataloging Policy and Support Office, 2004

Columbia Law Review ,1989 Philosophy of Law Conrad D. Johnson, 1993 Organized around seven main headings this book includes excerpts from 13 cases as well as numerous readings on legal theory drawn from classical and contemporary sources **Food Tech and Processing Solutions** Ambar Achari, 2025-01-07 Food Tech and Processing Solutions delves into the integration of food science and engineering to enhance food selection preservation packaging and utilization This comprehensive guide emphasizes the importance of modern technology in the food processing industry We provide a rigorous scientific explanation of various food processing methods while highlighting the role of the industry in society Our book covers the physical properties of food materials fluid flow heat and mass transfer principles reaction kinetics centrifugation thermal processing spoilage prevention crystallization dissolution and refrigeration Primarily intended as a textbook for college and university courses the latest edition includes current trends and advancements in the field We begin with an introduction to the properties of food materials and explore fundamental scientific processes like

centrifugation freezing and evaporation Additionally we focus on food packaging cleaning disinfection and sanitation This book serves as a detailed guide for students and professionals offering insights into food processing technology and its applications The Philosophical Review ,1993

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