

THE

Fourth Estate

AND THE

Constitution

*Freedom of the Press
in America*

Lucas A. Powe, Jr.

The Fourth Estate And The Constitution Freedom Of The Press In America

Lucas A. Powe



The Fourth Estate And The Constitution Freedom Of The Press In America:

The Fourth Estate and the Constitution Lucas A. Powe, 1992-10-02 In 1964 the Supreme Court handed down a landmark decision in *New York Times v. Sullivan* guaranteeing constitutional protection for caustic criticism of public officials thus forging the modern law of freedom of the press Since then the Court has decided case after case affecting the rights and restrictions of the press yet little has been written about these developments as they pertain to the Fourth Estate Lucas Powe's essential book now fills this gap Lucas A. Powe Jr a legal scholar specializing in media and the law goes back to the framing of the First Amendment and chronicles the two main traditions of interpreting freedom of the press to illuminate the issues that today ignite controversy How can a balance be achieved among reputation uninhibited discussion and media power Under what circumstance can the government seek to protect national security by enjoining the press rather than attempting the difficult task of convincing a jury that publication was a criminal offense What rights can the press properly claim to protect confidential sources or to demand access to information otherwise barred to the public And as the media grow larger and larger can the government attempt to limit their power by limiting their size Writing for the concerned layperson and student of both journalism and jurisprudence Powe synthesizes law history and theory to explain and justify full protection of the editorial choices of the press *The Fourth Estate and the Constitution* not only captures the sweep of history of Supreme Court decisions on the press but also provides a timely restatement of the traditional view of freedom of the press at a time when liberty is increasingly called into question *The Fourth Estate and the Constitution* L. A. Scot Powe, 1991 Contents

A Companion to the United States Constitution and Its Amendments John R. Vile, 2021-10-11 The U S Constitution and its 27 amendments including the Bill of Rights is a living document as evidenced by new laws and Supreme Court rulings that with each passing year change how the Constitution's guidelines are interpreted and implemented *A Companion to the United States Constitution and Its Amendments* is designed to show students just how revolutionary the Constitution was and how relevant it remains today This seventh revised edition of the Companion begins by revisiting the key events leading to the Constitution's ratification including the writing of the Declaration of Independence and the proceedings of the Constitutional Convention then explores the document article by article amendment by amendment to help readers better understand how each section of the document shapes the world we live in today In addition the Companion illuminates how new laws political debates and Supreme Court decisions are continually reshaping our understanding of the Constitution and its role in American life and society including such essential and foundational elements of democracy as voting elections the peaceful transfer of power equality before the law civil rights and liberties and the duties responsibilities and obligations of the nation's three branches of government *The First Amendment and the Media in the Court of Public Opinion* David A. Yalof, Kenneth Dautrich, 2002-01-14 No liberty is more vulnerable to the vagaries of the current political climate than freedom of the press *History of the Mass Media in the United States* Margaret A. Blanchard, 2013-12-19 The influence of the mass

media on American history has been overwhelming History of the Mass Media in the United States examines the ways in which the media both affects and is affected by U S society From 1690 when the first American newspaper was founded to 1995 this encyclopedia covers more than 300 years of mass media history History of Mass Media in the United States contains more than 475 alphabetically arranged entries covering subjects ranging from key areas of newspaper history to broader topics such as media coverage of wars major conflicts over press freedom court cases and legislation and the concerns and representation of ethnic and special interest groups The editor and the 200 scholarly contributors to this work have taken particular care to examine the technological legal legislative economic and political developments that have affected the American media The Handbook of Global Media and Communication Policy Robin Mansell, Marc Raboy, 2014-03-03 The Handbook of Global Media and Communication Policy offers insights into the boundaries of this field of study assesses why it is important who is affected and with what political economic social and cultural consequences Provides the most up to date and comprehensive collection of essays from top scholars in the field Includes contributions from western and eastern Europe North and Central America Africa and Asia Offers new conceptual frameworks and new methodologies for mapping the contours of emergent global media and communication policy Draws on theory and empirical research to offer multiple perspectives on the local national regional and global forums in which policy debate occurs *The ^ARevolutionary Constitution* David J. Bodenhamer, 2012-02-01 The Revolutionary Constitution examines how the Constitution has served as a dynamic and contested framework for legitimating power and advancing liberty in which our past concerns and experiences influence our present understanding Informed by the latest scholarship the book is an interpretive synthesis linking constitutional history with American political and social history *The Democratic Constitution* Neal Devins, Louis Fisher, 2004-08-26 Constitutional law is clearly shaped by judicial actors But who else contributes Scholars in the past have recognized that the legislative branch plays a significant role in determining structural issues such as separation of powers and federalism but stopped there claiming that only courts had the independence and expertise to safeguard individual and minority rights In this readable and engaging narrative the authors identify the nuts and bolts of the national dialogue and relate succinct examples of how elected officials and the general public often dominate the Supreme Court in defining the Constitution s meaning Making use of case studies on race privacy federalism war powers speech and religion Devins and Fisher demonstrate how elected officials uphold individual rights in such areas as religious liberty and free speech as well as and often better than the courts This fascinating debunking of judicial supremacy argues that nonjudicial contributions to constitutional interpretation make the Constitution more stable more consistent with constitutional principles and more protective of individual and minority rights *Crucible of Liberty* Raymond Arsenault, 2010-05-11 The adoption of the Bill of Rights in 1791 marked the creation of a uniquely innovative mechanism for constitutional change by which Americans have continued to renew and redefine their governance over a two hundred year

period Now in time for the bicentennial celebration of this great document seven distinguished scholars combine their expertise to explore the history and contemporary meaning of these first ten amendments to the Constitution *Top Secret* Geoffrey R. Stone, 2007-08-24 Since September 11 2001 the United States has investigated and prosecuted public employees journalists and the press for the dissemination of classified information relating to the national security What is the cause of the recent tension between the government and the press Perhaps the media are pressing more aggressively to pierce the government's shield of secrecy Perhaps the government is pressing more aggressively to expand its shield of secrecy Perhaps both factors are at work *Top Secret* explores not why this is happening but whether the measures taken and suggested by the executive branch to prevent and punish the public disclosure of classified information are consistent with the First Amendment This book the first in the *Free Expression in America* series addresses four critical issues a public employee's right to disclose classified information to a journalist the government's right to punish the press for publishing classified information the government's right to punish a journalist for soliciting such information and a journalist's right to keep his sources anonymous

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