

50 Landmark Supreme Court Cases 50

# *Texas v. Johnson*

The Flag-Burning Case



J. Anthony Miller

# Texas Vs Johnson The Flagburning Case

**United States. Supreme Court**



## **Texas Vs Johnson The Flagburning Case:**

**Texas V. Johnson** J. Anthony Miller,1997 When a group of protesters assembled outside the Republican National Convention they were expressing their dissatisfaction with the American political system However when Joey Johnson set the American flag on fire it sparked a controversy that made its way to the Supreme Court Flag burning in this case was seen as a protected form of expression Flag Burning and Free Speech Robert Justin Goldstein,2000 When Gregory Lee Johnson burned an American flag as part of a political protest he was convicted for flag desecration under Texas law But the Supreme Court by a contentious 5 to 4 margin overturned that conviction claiming that Johnson's action constituted symbolic and thus protected speech Heated debate continues to swirl around that controversial decision both hailed as a victory for free speech advocates and reviled as an abomination that erodes the patriotic foundations of American democracy Such passionate yet contradictory views are at the heart of this landmark case Book jacket **Texas V. Johnson** David Babaian,2023 In 1989 the Supreme Court of the United States heard the landmark case Texas v Johnson The case centered around the constitutionality of flag burning as an act of protest The issue arose after Gregory Lee Johnson was arrested outside the Republican National Convention for burning an American flag in protest of the nomination of Ronald Reagan Johnson was arrested and charged under a Texas statute that prohibited the desecration of a venerated object In this highly emotional and nuanced case the Court considered whether flag burning is a form of expressive conduct protected under the First Amendment whether the likelihood of inciting violence outweighed the value of free expression and whether the American flag's history and symbolism afforded it special protection in the law and in society In a 5-4 vote the Court found that flag burning is a form of expressive conduct protected under the First Amendment Justifying the majority's decision Justice William Brennan asserted if there is a bedrock principle underlying the First Amendment it is that the Government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable This thesis analyzes the rhetoric of the case's oral arguments and opinions as well as the effect of the Court's decision in American culture First I discuss the background of the case and of the study of rhetoric within the context of law Then I analyze the oral arguments made by each side and three of the four written opinions Finally I discuss the broader effects on society and the rhetorical legacy of the decision *Supreme Court For Dummies* Lisa Paddock,2011-04-22 Gives you the scoop on how the Court reaches its decisions Get involved and track a case through the system This fun and easy guide demystifies the federal court system by describing what kinds of cases the justices hear outlining how cases reach the Supreme Court clarifying legal terms and explaining how the Court arrives at its decisions You'll discover how to get inside the Court yourself and investigate both the key issues and the players involved The Dummies Way Explanations in plain English Get in get out information Icons and other navigational aids Tear out cheat sheet Top ten lists A dash of humor and fun **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      **Routledge Revivals: Encyclopedia of American Civil Liberties (2006)** Paul Finkelman,2018-04-17 Originally published in 2006 the Encyclopedia of American Civil Liberties is a comprehensive 3 volume set covering a broad range of topics in the subject of civil liberties in America The book covers the topic from numerous different areas including freedom of speech press religion assembly and petition The Encyclopedia also addresses areas such as the Constitution the Bill of Rights slavery censorship crime and war The book s multidisciplinary approach will make it an ideal library reference resource for lawyers scholars and students      Reports of Cases Argued and Adjudged in the Supreme Court of the United States United States. Supreme Court,1993      **Encyclopedia of Constitutional Amendments, Proposed Amendments, and Amending Issues, 1789-2023** John R. Vile,2023-10-19 Written by a leading scholar of the constitutional amending process this two volume encyclopedia now in its fifth edition is an indispensable resource for students legal historians and high school and college librarians This authoritative reference resource provides a history and analysis of all 27 ratified amendments to the Constitution as well as insights and information on thousands of other amendments that have been proposed but never ratified from America s birth until the present day The set also includes a rich bibliography of informative books articles and other media related to constitutional amendments and the amending process      **Historic U.S. Court Cases** John W. Johnson,2001 This collection of essays looks at over 200 major court cases at both state and federal levels from the colonial period to the present Organized thematically the articles range from 1 000 to 5 000 words and include recent topics such as the Microsoft antitrust case the O J Simpson trials and the Clinton impeachment This new edition includes 43 new essays as well as updates throughout with end of essay bibliographies and indexes by case and subject name      **Introduction to Law and Criminal Justice** James R. Acker,JoAnne M. Malatesta,2012-09-26 Introduction to Law and Criminal Justice provides undergraduate students with a comprehensive overview of the foundational legal issues in criminal justice Written in an easy to understand format it examines the history and principles of law and will prepare students for further study of the criminal justice system By carefully explaining judicial decisions this text offers students an excellent introduction to legal analysis and the case method of study Key Features Provides a student friendly introduction to criminal justice Presents carefully edited judicial decisions with accompanying explanation to offer case material that is accessible to undergraduate introductory level students Includes comprehensive coverage of three areas of law relevant to criminal justice substantive criminal law constitutional issues evoking tensions between governmental authority and individual liberties that relate generally to criminal justice and constitutional criminal procedure Every new copy is packaged with full student access to the companion website featuring a variety of interactive study tools Instructor Resources PowerPoint Lecture Outlines Instructor s Manual Test Bank Sample Syllabi for an Introductory level Criminal Justice course Criminal Law and Criminal Procedure undergraduate courses      **Statutory and Constitutional Responses to the Supreme Court Decision in Texas V. Johnson** United States. Congress. House.

Committee on the Judiciary. Subcommittee on Civil and Constitutional Rights, 1989 Contemporary Supreme Court Cases Donald E. Lively, D. Scott Broyles, 2016-02-22 With its blend of accessible writing and actual excerpts from Court opinions this book serves to explain the legal and cultural underpinnings of landmark U S Supreme Court decisions of the past 35 years and to illuminate how these decisions have shaped the trajectory and character of modern American society As the nation's law defines society society defines the law As the nation's fundamental law the U S Constitution is the overarching statement of the people's will Interpreting the Constitution however is no simple task This book examines more than 100 landmark Supreme Court cases from 1973 to the present providing readers with insights into decisions that have had a profound impact on American politics commerce culture and life Organized categorically this book serves readers either as a comprehensive review of modern constitutional law or as a ready reference source It includes entries on Supreme Court decision making regarding high interest issues such as abortion *Roe v Wade* 1973 *Gonzales v Carhart* 2007 climate change *Massachusetts v EPA* 2007 voting rights *Bush v Gore* 2000 free speech *Texas v Johnson* 1989 the death penalty *Roper v Simmons* 2005 immigration *Arizona v United States* 2012 campaign financing *Citizens United v FEC* 2010 gun control *District of Columbia v Heller* 2008 the Affordable Care Act *National Federation of Independent Business v Sebelius* 2012 and gay marriage *United States v Windsor* 2013 The book not only interprets key Court decisions but also provides critical context and perspective that makes the subject matter easier to understand and more meaningful especially for readers without an extensive background in Constitutional law Bibliographies are provided at the end of each case to direct those seeking to delve more deeply into specific topics **Encyclopedia of American Civil Liberties** Paul Finkelman, 2021-02-25 Originally published in 2006 the Encyclopedia of American Civil Liberties is a comprehensive 3 volume set covering a broad range of topics in the subject of American Civil Liberties The book covers the topic from numerous different areas including freedom of speech press religion assembly and petition The Encyclopedia also addresses areas such as the Constitution the Bill of Rights slavery censorship crime and war The book's multidisciplinary approach will make it an ideal library reference resource for lawyers scholars and students *Civil Peace and the Quest for Truth* Murray Dry, 2004-01-01 Dry examines the U S Supreme Court's treatment of the First Amendment freedoms of religion and speech against the founding of the American Constitution and its philosophical underpinnings *Antonin Scalia's Jurisprudence* Ralph A. Rossum, 2006 This book is the first comprehensive reasoned and sympathetic analysis of how Scalia has decided cases during his entire nineteen year Supreme Court tenure Ralph Rossum focuses on Scalia's more than 600 Supreme Court opinions and dissents carefully wrought passionately argued and filled with well turned phrases which portray him as an eloquent defender of an original meaning jurisprudence He also includes analyses of Scalia's Court of Appeals opinions for the D C Circuit his major law review articles as a law professor and judge and his provocative book *A Matter of Interpretation* Jacket Encyclopedia of the United States Constitution David Andrew Schultz, 2010-05-18 Covers the people court cases historical events and terms

relating to one of the most studied political documents in schools across the country the United States Constitution

Rehnquist Justice Earl M. Maltz, 2003 With seven of its justices appointed by Republican presidents today's Supreme Court has significantly altered America's legal landscape since 1986 by tilting constitutional jurisprudence to the right That was the goal of Presidents Reagan and Bush in filling court vacancies and has been felt in cases related to federalism economic rights and affirmative action However liberal issues such as abortion have moved only marginally to the right while rulings by the Court on school prayer and gay rights have moved constitutional doctrine slightly to the left In this collection of original articles prominent constitutional scholars are joined by new voices from the cutting edge of academia to subject the Rehnquist Court to closer scrutiny and to show that its brand of conservatism is less extreme than many have supposed Reflecting views across the political spectrum the contributors help readers understand the Court dynamic its constrained conservatism and the forces that shape constitutional law in general As these authors show the overall pattern of decision making in the Rehnquist era cannot be attributed to any single unified approach to constitutional analysis Instead today's Court can only be understood as the product of a complex interaction among individual justices each with an idiosyncratic view of the proper interpretation of the Constitution and the role of the Court in the American political system These provocative essays are designed to provide readers with insight into this interaction by focusing on each member of the bench From the staunch conservatism of Clarence Thomas to the accommodationism of Sandra Day O'Connor to the liberal constitutionalism of David Souter the essays analyze the unique approach of each justice to interpreting the Constitution They also show that the current justices are the product of a nomination and confirmation process that has undergone a major transformation in recent decades one which favors experienced often unknown jurists over high profile public servants By concentrating attention on its members Rehnquist Justice allows us to better understand the Supreme Court as a whole And by assessing today's judiciary in light of a public philosophy that looks askance at government it shows us that the Supreme Court has truly become a mirror of its times 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 On Law, Politics, and Judicialization Martin Shapiro,Alec Stone Sweet,2002-08-22 Across the globe the domain of the litigator and the judge has radically expanded making it increasingly difficult for those who study comparative and international politics public policy and regulation or the evolution of new modes of governance to avoid encountering a great deal of law and courts In On Law Politics and Judicialization two of the world s leading political scientists present the best of their research focusing on how to build and test a social science of law and courts The opening chapter features Shapiro s classic Political Jurisprudence and Stone Sweet s Judicialization and the Construction of Governance pieces that critically redefined research agendas on the politics of law and judging Subsequent chapters take up diverse themes the strategic contexts of litigation and judging the discursive foundations of judicial power the social logic of precedent and appeal the networking of legal elites the lawmaking dynamics of rights adjudication the success and diffusion of constitutional review the reciprocal impact of courts and legislatures the globalization of private law methods hypothesis testing and prediction in comparative law and the sources and consequences of the creeping judicialization of politics around the world Chosen empirical settings include the United States the GATT WTO France and Germany Imperial China and Islam the European Union and the transnational world of the Lex Mercatoria Written for a broad scholarly audience the book is also recommended for use in graduate and advanced undergraduate courses in law and the social sciences **Speaking Our Minds** Joseph Russomanno,2005-04-11 This oral history introduces the people involved with some of the most important 1st Amendment law cases in recent times It is aimed at students and scholars of media law and 1st Amendment issues

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