

FREE
SPEECH

Freedom Of Speech

Geoffrey R. Stone, Lee C. Bollinger



Freedom Of Speech:

Free Speech and Its Relation to Self-Government Alexander Meiklejohn, 2000 Reprint of sole edition Originally published New York Harper Brothers Publishers 1948 Dr Meiklejohn in a book which greatly needed writing has thought through anew the foundations and structure of our theory of free speech he rejects all compromise He reexamines the fundamental principles of Justice Holmes theory of free speech and finds it wanting because as he views it under the Holmes doctrine speech is not free enough In these few pages Holmes meets an adversary worthy of him Meiklejohn in his own way writes a prose as piercing as Holmes and as a foremost American philosopher the reach of his culture is as great this is the most dangerous assault which the Holmes position has ever borne JOHN P FRANK Texas Law Review 27 405 412 ALEXANDER MEIKLEJOHN 1872 1964 was dean of Brown University from 1901 1913 when he became president of Amherst College In 1923 Meiklejohn moved to the University of Wisconsin Madison where he set up an experimental college He was a longtime member of the National Committee of the American Civil Liberties Union In 1945 he was a United States delegate to the charter meeting of UNESCO in London Lectureships have been named for him at Brown University and at the University of Wisconsin He was awarded the Presidential Medal of Freedom in 1963 *The Free Speech Century* Geoffrey R. Stone, Lee C. Bollinger, 2018-11-02 The Supreme Court's 1919 decision in *Schenck vs the United States* is one of the most important free speech cases in American history Written by Oliver Wendell Holmes it is most famous for first invoking the phrase clear and present danger Although the decision upheld the conviction of an individual for criticizing the draft during World War I it also laid the foundation for our nation's robust protection of free speech Over time the standard Holmes devised made freedom of speech in America a reality rather than merely an ideal In *The Free Speech Century* two of America's leading First Amendment scholars Lee C Bollinger and Geoffrey R Stone have gathered a group of the nation's leading constitutional scholars Cass Sunstein Lawrence Lessig Laurence Tribe Kathleen Sullivan Catherine McKinnon among others to evaluate the evolution of free speech doctrine since *Schenk* and to assess where it might be headed in the future Since 1919 First Amendment jurisprudence in America has been a signal development in the history of constitutional democracies remarkable for its level of doctrinal refinement remarkable for its lateness in coming in relation to the adoption of the First Amendment and remarkable for the scope of protection it has afforded since the 1960s Over the course of *The First Amendment Century* judicial engagement with these fundamental rights has grown exponentially We now have an elaborate set of free speech laws and norms but as Stone and Bollinger stress the context is always shifting New societal threats like terrorism and new technologies of communication continually reshape our understanding of what speech should be allowed Publishing on the one hundredth anniversary of the decision that laid the foundation for America's free speech tradition *The Free Speech Century* will serve as an essential resource for anyone interested in how our understanding of the First Amendment transformed over time and why it is so critical both for the United States and for the world today **Freedom of Speech**

Eric Barendt, 2005-08-11 Fully revised and updated this title examines topical issues such as free speech and freedom of the press as well as considering other important developments and legislation **The Irony of Free Speech** Owen

Fiss, 2009-06-01 How free is the speech of someone who can't be heard Not very and this Owen Fiss suggests is where the First Amendment comes in In this book a marvel of conciseness and eloquence Fiss reframes the debate over free speech to reflect the First Amendment's role in ensuring public debate that is in Justice William Brennan's words truly uninhibited robust and wide open Hate speech pornography campaign spending funding for the arts the heated often overheated struggle over these issues generally pits liberty as embodied in the First Amendment against equality as in the Fourteenth Fiss presents a democratic view of the First Amendment that transcends this opposition If equal participation is a precondition of free and open public debate then the First Amendment encompasses the values of both equality and liberty By examining the silencing effects of speech its power to overwhelm and intimidate the underfunded underrepresented or disadvantaged voice Fiss shows how restrictions on political expenditures hate speech and pornography can be defended in terms of the First Amendment not despite it Similarly when the state requires the media to air voices of opposition or funds art that presents controversial or challenging points of view it is doing its constitutional part to protect democratic self rule from the aggregations of private power that threaten it Where most liberal accounts cast the state as the enemy of freedom and the First Amendment as a restraint this one reminds us that the state can also be the friend of freedom protecting and fostering speech that might otherwise die unheard depriving our democracy of the full range and richness of its expression

Free Speech in Classical Antiquity Ineke Sluiter, Ralph Rosen, 2017-07-31 This book contains a collection of essays on the notion of Free Speech in classical antiquity The essays examine such concepts as freedom of speech self expression and censorship in ancient Greek and Roman culture from historical philosophical and literary perspectives Among the many questions addressed are what was the precise lexicographical valence of the ancient terms we routinely translate as Freedom of Speech e g Parrhesia in Greece Licentia in Rome What relationship do such terms have with concepts such as is goria d mokratia and eleutheria or libertas res publica and imperium What does ancient theorizing about free speech tell us about contemporary relationships between power and speech What are the philosophical foundations and ideological

underpinnings of free speech in specific historical contexts **Everything You Need to Know About Free Speech** Don Rauf, 2018-07-15 One of the great benefits of living in a free country is having the right to freely express yourself In the United States the Constitution guarantees free speech for everyone This freedom also applies to writing art music and other forms of expression Still there are limits Sometimes students face greater restrictions from their schools Knowing your rights of free speech can be empowering and encourage people to put forth their beliefs opinions and ideas This book explains issues of free speech in today's world and gives readers the knowledge they need to fully exercise this basic human right

Freedom of Speech and Its Limits Wojciech Sadurski, 2014-08-15 In authoritarian states the discourse on freedom of

speech conducted by those opposed to non democratic governments focuses on the core aspects of this freedom on a right to criticize the government a right to advocate theories and ideologies contrary to government imposed orthodoxy a right to demand institutional reforms changes in politics resignation of the incompetent and the corrupt from positions of authority The claims for freedom of speech focus on those exercises of freedom that are most fundamental and most beneficial to citizens and which are denied to them by the government But in a by and large democratic polity where these fundamental benefits of freedom of speech are generally enjoyed by the citizens the public and scholarly discourse on freedom of speech hovers about the peripheries of that freedom the focus is on its outer boundaries rather than at the central territory of freedom of speech Those borderline cases in which people who are otherwise genuinely committed to the core aspects of freedom of speech may sincerely disagree include pornography racist hate speech and religious bigoted expressions defamation of politicians and of private persons contempt of court incitement to violence disclosure of military or commercial secrets advertising of merchandise such as alcohol or cigarettes or of services and entertainment such as gambling and prostitution

Free Speech Jonathan Zimmerman, Signe Wilkinson, 2021-05-01 In America we like to think we live in a land of liberty where everyone can say whatever they want Throughout our history however we have also been quick to censor people who offend or frighten us We talk a good game about freedom of speech then we turn around and deny it to others In this brief but bracing book historian Jonathan Zimmerman and Pulitzer Prize winning cartoonist Signe Wilkinson tell the story of free speech in America who established it who has denounced it and who has risen to its defense They also make the case for why we should care about it today when free speech is once again under attack Across the political spectrum Americans have demanded the suppression of ideas and images that allegedly threaten our nation But the biggest danger to America comes not from speech but from censorship which prevents us from freely governing ourselves Free speech allows us to criticize our leaders It lets us consume the art film and literature we prefer And perhaps most importantly it allows minorities to challenge the oppression they suffer While any of us are censored none of us are free

Freedom of Speech in Practice Anthony Gray, 2019-10-17 This book considers the application of free speech principles in controversial contexts discussing United States law and equivalent law in Europe Canada and Australia Anthony Gray examines the extent to which speech of public sector employees is and should be protected He tackles the difficult question of hate speech and the degree to which regulation of it has been permitted and should be permitted The growing controversy of speech in a university setting is discussed along with the roles campuses play in fostering intellectual debate which democracies depend on Lastly Gray looks at free speech issues at stake in the exponential growth of online activity and analyzes questions of liability these tech companies have and their role as facilitators of mass communication to what extent does the first amendment even apply and the potential of the internet to support democratic traditions Overall Gray finds that in these several key areas free speech rights are not as strongly protected as they should be Courts have often bowed to decision makers

balancing away free speech rights in favor of other objectives and instead need to re assert the importance of free speech in these disparate contexts *Speech and Harm* Ishani Maitra, Mary Kathryn McGowan, 2012-05-31 Most liberal societies are deeply committed to free speech but there is evidence that some kinds of speech can be harmful in ways that are detrimental to important liberal values such as social inequality This volume draws on a range of approaches in order to explore the problem and determine what ought to be done about allegedly harmful speech *Free Speech in an Open Society* Rodney A. Smolla, 1992 Should we tolerate speech designed to spread intolerance As we grope for a response we find our constitutional and moral imperatives for tolerance and equality in conflict with the equally imperative value of free speech This is but one of the many such pressing issues dealt with in this timely important book Exploring the question What should freedom of speech mean in a democracy Rodney Smolla argues that it is a value of overarching significance Freedom of speech he says is not merely an aid to self governance but is uniquely connected to all that defines the human spirit to imagination creativity enterprise rationality love worship and wonder In a complex modern society freedom of speech is constantly threatened by other social interests and values which often seem more important in the short term national security personal reputation and privacy eliminating racism and sexism instilling values of decency and tolerance in children controlling the corrupting influences of money on the political process and bringing order to global electronic communications all worthy social interests Smolla shows how even seemingly reasonable regulation of speech tends to progress inexorably toward censorship He takes on the difficult issue of Who Decides and he analyzes symbolic and violent dissent and the clear and present danger doctrine He probes the disturbing issues of hate speech obscenity tolerating intolerance and truth and falsehood in political campaigns He looks at personal confidentiality ponders the possible criteria for creating an objective definition of newsworthiness and public speech especially with reference to governmental funding of the arts education and broadcasting and explores the implications of the Noriega case Persian Gulf censorship issues attempts to export the American concept of free speech and the challenge of new technologies Throughout the discussion of pros and cons is balanced yet Smolla helps us see clearly why we should defend vigorously our endangered First Amendment rights BOOK JACKET Title Summary field provided by Blackwell North America Inc All Rights Reserved The Free Speech Movement Robert Cohen, Reginald E. Zelnik, 2002-10 This is a superb book We are well launched into a new generation of 60s scholarship and The Free Speech Movement will be at the center of it The analysis and personal recollection mix well arguing persuasively for the never to be underestimated place of contingency in history Todd Gitlin author of Media Unlimited and The Sixties Years of Hope Days of Rage This powerful book not only will be the classic work on the Free Speech Movement but also will be combed as a basis for hypotheses and new research on the movements of the 60s It s absolutely thrilling full of large implications for history social movements and character The book contributed to my self knowledge personal political and professional and will do the same for others It combines humor and a firsthand I was there flavor with provocative analyses As a serious original work

of scholarship this gives edited volumes back their good name Jesse Lemisch Professor of History Emeritus John Jay College of Criminal Justice of the City University of New York and author of *The American Revolution Seen from the Bottom Up* This book gets the Free Speech Movement and its significance exactly right from the civil rights origins to refusing to idealize the moment at the expense of what came later And no two better editors could be doing it Michael Rogin author of *Ronald Reagan The Movie And Other Episodes in Political Demonology* As a journalist I was in Berkeley's Sproul Plaza to witness the mass arrests of the Free Speech Movement demonstrators in December 1964 As a citizen I've always known that this was one of the pivotal moments in the great political and moral awakening of the 1960s As a reader I found much to feast on in this splendid and thoughtful collection of essays about a movement whose effects and inspiration are with us still Adam Hochschild author of *King Leopold's Ghost A Story of Greed Terror and Heroism in Colonial Africa* The Free Speech Movement was a pivotal moment in the evolution of student rights and university responsibilities These splendid essays memorialize this period and offer competing perspectives on its meaning Though differing widely in conclusions collectively and individually they stand testament to the conviction that the price of freedom is eternal vigilance and that the critical test of freedom of expression is the right of others to speak out on behalf of what we believe to be wrong Geoffrey R Stone author of *Eternally Vigilant Freedom of Speech in the Modern Era* This rich and entertaining set of essays offers remarkable insight into the genesis development and consequences of the Free Speech Movement Written largely by participants and close observers these essays offer both personal and analytical assessments of the roles of students faculty and administrators Above all the chapters on Mario Savio demonstrate his unusual capacity for leadership charismatic without being dogmatic committed to the cause while retaining a capacity to think and deal openly with dissent This book should be read by anyone interested in understanding university and national politics in the 60s Chancellor Robert M Berdahl University of California Berkeley [Free Speech for Me--but Not for Thee](#) Nat Hentoff,1993 Hentoff's timely fact filled and illuminating book describes the current assault on free speech from all points of the political spectrum even from the traditionally liberal groups now intent on repressing opinions thought politically incorrect [Free Speech](#) Nadine Strossen,2024 An engaging guide to the most important free speech rules rationales and debates including the strongest arguments for and against protecting the most controversial speech such as hate speech and disinformation This concise but comprehensive book engagingly lays out specific answers to myriad topical questions about free speech law and also general explanations of how and why the law distinguishes between protected and punishable speech Free Speech provides the essential background for understanding and contributing to our burgeoning debates about whether to protect speech with various kinds of controversial content such as hate speech and disinformation the applicable legal tenets and the strongest arguments for and against them The book focuses on modern First Amendment law explaining the historic factors that propelled its evolution in a more speech protective direction in particular the Civil Rights Movement It highlights the many cases involving multiple

issues in which robust speech protective principles aided advocates of racial justice and other human rights causes The book also shows how these holdings reflect universal timeless values which have been incorporated in many other legal systems and have inspired countless thinkers and activists alike Without oversimplifying the complexities of free speech law the book s lively question and answer format summarizes this law in an understandable interesting and memorable fashion It addresses the issues in a logical sequence presenting colorful facts and eloquent language from landmark Supreme Court opinions It will be illuminating to a wide range of readers from those who know nothing about free speech law to those who have studied it but seek a well organized summary of major doctrinal rules as well as insights into their background rationales and interconnections

Free Speech and Censorship H. L. Pohlman, 2019-05-03 This book provides a comprehensive and impartial overview of laws and norms regarding free speech and censorship in the United States with a particular focus on free speech rights and restrictions for individuals politicians corporations and news organizations **Free Speech and Censorship Examining the Facts** is part of a series that uses evidence based documentation to examine the veracity of claims and beliefs about high profile issues in American culture and politics This volume examines beliefs claims and myths about free speech and censorship issues in American society including landmark court decisions and evolving cultural values that have shaped our understanding of the First Amendment and the liberties it enshrines and protects Specific chapters in the volume explore basic principles of free speech unprotected types of speech conditionally protected speech restrictions and regulations governing protected speech free speech limitations in school settings the corrosive impact of politicians and social media platforms that spread distortions and falsehoods under free speech pretexts and free speech as a general cultural ideal Together these chapters will provide readers with a thorough and accurate grounding in their First Amendment rights and responsibilities

Democracy and the Problem of Free Speech Cass R. Sunstein, 1995-02-01 Freedom of speech is one of our greatest legal rights and Cass Sunstein is one of our greatest legal theorists This book is a must read for anyone who wants to think seriously about the free speech issues facing this generation Akhil Amar Southmayd Professor Yale Law School This is an important book Beautifully clear and carefully argued Sunstein s contribution reaches well beyond the confines of academic debate It will be of interest to any citizen concerned about freedom of speech and the current state of American democracy Joshua Cohen Massachusetts Institute of Technology How can our constitutional protection of free speech serve to strengthen democracy Cass Sunstein challenges conventional answers with a remarkable array of lucid arguments and legal examples There is no better book on the subject Amy Gutmann Laurance S Rockefeller University Professor Princeton University

The Rise and Fall of Free Speech in America David Wark Griffith, 1916

Free Speech and Expression Noël Merino, 2011-12-02 One of the deepest veins of debate over freedom of expression and speech is that of age should a child or teen who is still learning about what is appropriate to express and what is not be granted the same free speech rights as adults This compilation of essays debate the various sides

of a teenager's rights to free speech and expression Readers will evaluate just what areas free speech should protect including free speech that impacts the safety privacy and rights of others This book analyzes the impact of this right on our clothing choices and the controversial causes we might wish to support *Freedom of Speech in the United States* Thomas L. Tedford, Dale A. Herbeck, 2017-01-01 Free Speech Timothy Garton Ash, 2016-05-24 Never in human history was there such a chance for freedom of expression If we have Internet access any one of us can publish almost anything we like and potentially reach an audience of millions Never was there a time when the evils of unlimited speech flowed so easily across frontiers violent intimidation gross violations of privacy tidal waves of abuse A pastor burns a Koran in Florida and UN officials die in Afghanistan Drawing on a lifetime of writing about dictatorships and dissidents Timothy Garton Ash argues that in this connected world that he calls cosmopolis the way to combine freedom and diversity is to have more but also better free speech Across all cultural divides we must strive to agree on how we disagree He draws on a thirteen language global online project freespeechdebate.com conducted out of Oxford University and devoted to doing just that With vivid examples from his personal experience of China's Orwellian censorship apparatus to the controversy around Charlie Hebdo to a very English court case involving food writer Nigella Lawson he proposes a framework for civilized conflict in a world where we are all becoming neighbors

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