

The Cosmopolitan First Amendment Protecting Transborder Expressive And Religious Liberties

In 1998 the author, a professional prankster, trademarked the phrase "freedom of expression" to show how the expression of ideas was being restricted. Now he uses intellectual property law as the focal point to show how economic concerns are seriously eroding creativity and free speech.

"The International Encyclopedia of Digital Communication and Society" offers critical assessments of theoretical and applied research on digitally-mediated communication, a central area of study in the 21st century. - Examines topics with unprecedented breadth and depth, with the aim of bringing together international and interdisciplinary perspectives - Organized in an accessible A-Z format with over 150 entries on key topics ranging from 2,000 to 10,000 words - Addresses a full range of topics including digitally-mediated social media, commercial applications and online gaming, to law and policy analysis and information and communication technologies for development - Published with a regularly updated online edition which will ensure readers are kept abreast of the latest developments in research- Part of "The Wiley Blackwell-ICA International Encyclopedias of Communication" series, published in conjunction with the "International Communication Association" Presents an alphabetical listing of Supreme Court Justices with a short biography on each person.

A commitment to free speech is a fundamental precept of all liberal democracies. However, democracies can differ significantly when addressing the constitutionality of laws regulating certain kinds of speech. In the United States, for instance, the commitment to free speech under the First Amendment has been held by the Supreme Court to protect the public expression of the most noxious racist ideology and hence to render unconstitutional even narrow restrictions on hate speech. In contrast, governments have been accorded considerable leeway to restrict racist and other extreme expression in almost every other democracy, including Canada, the United Kingdom, and other European countries. This book considers the legal responses of various liberal democracies towards hate speech and other forms of extreme expression, and examines the following questions? What accounts for the marked differences in attitude towards the constitutionality of hate speech regulation? Does hate speech regulation violate the core free speech principle constitutive of democracy? Has the traditional US position on extreme expression justifiably not found favour elsewhere? Do values such as the commitment to equality or dignity legitimately override the right to free speech in some circumstances? With contributions from experts in a range of disciplines, this book offers an in-depth examination of the tensions that arise between democracy's promises.

The Disappearing First Amendment

Extreme Speech and Democracy

Resistance and Repression in the Age of Intellectual Property

Banned Films

The Cosmopolitan First Amendment

A New Introduction to American Constitutionalism

Religion and American Law

Can the government stick us with privacy we don't want? It can, it does, and according to Anita L. Allen, it may need to do more of it. Privacy is a foundational good, Allen argues, a necessary tool in the liberty-lover's kit for a successful life. A nation committed to personal freedom must be prepared to mandate privacy protections for its people, whether they eagerly embrace them or not. This unique book draws attention to privacies of seclusion, concealment, confidentiality and data-protection undervalued by their intended beneficiaries and targets--and outlines the best reasons for imposing them. Allen looks at laws designed to keep website operators from collecting personal information, laws that force strippers to wear thongs, and the myriad employee and professional confidentiality rules--including insider trading laws--that require strict silence about matters whose disclosure could earn us small fortunes. She shows that such laws recognize the extraordinary importance of dignity, trust and reputation, helping to preserve social, economic and political options throughout a lifetime.

In Scrambling for Protection, Patrick Garry asserts that such dramatic developments in electronic communications will radically change the way society and communications. Already, computer networks and bulletin boards are creating, in essence, electronic editorial pages on which people can register their viewpoints. Indeed, the new and increasingly interactive media promise to more significantly involve the public in the process of social communication.

A history of the censorship of films in the United States describes the legal battles over the banning of movies from 1908 to the present

A New Introduction to American Constitutionalism is the first text to study the entirety of American constitutionalism, not just the topics that appear in Supreme Court decisions. Mark A. Graber both explores and offers original answers to such central questions as: What is a Constitution, ? What are fundamental constitutional purposes? How are constitutions interpreted? How is constitutional authority allocated? How to constitutions change? How is the Constitution of the United States influenced by international and comparative law? and, most important, How does the Constitution work? Relying on an historical/institutional perspective, the book illustrates how American constitutionalism is a distinct form of politics, rather than a means from separating politics from law. Constitutions work far more by constructing and constituting politics than by compelling people to do what they would otherwise do. People debate the proper meaning of the first amendment, but these debates are influenced by the rule that all states are equally represented in the Senate and a political culture that in which political dissenters do not fear for their lives. More than any other work on the market, A New Introduction to American Constitutionalism highlights and expands on what a generation for law professors, political scientists and historians have said about the American constitutionalism regime. As such, this is the first truly interdisciplinary study of constitutional politics in the United States.

What Must We Hide?

The First Amendment and the Media in the Court of Public Opinion

The Essential Cases and Documents

Another Cosmopolitanism

The Ambiguous Legacy of Civil Libertarianism

Supreme Court Justices

How American Power and Free-Flow Policies Shaped Global Media

The First Amendment: Cases and Theory, Fourth Edition is a comprehensive and up to date First Amendment casebook that covers freedom of speech, freedom of association, and religious liberties. The First Amendment: Cases and Theory, Fourth Edition, uses the case method to elucidate theory and doctrine. In an area rife with multi-factor tests, mastery of First Amendment theory and doctrine requires more than rote memorization of three- and four-part tests; it requires a firm foundation in the underlying theories and purposes that animate the Supreme Court's decisions. No less important, the casebook also includes Theory Applied Problems found at the end of each major section. These Theory Applied Problems provide an easy and convenient means to assess students' mastery of the relevant theories and precedents. The editors also have included carefully targeted coverage of how other constitutional democracies, such as Canada and Germany, have reached very different conclusions regarding the scope and meaning of expressive freedom. All major contemporary free expression and religious liberty controversies receive coverage, with helpful notes to answer student questions and deepen their understanding of the subject areas. The First Amendment: Cases and Theory is a highly teachable casebook suitable for a standard three-hour survey of the First Amendment, but also for more focused courses on the Speech, Press, Assembly Clauses, and the Religion Clauses. New to the 4th Edition: Revised chapters on basic free speech doctrines including "low value" speech, content neutrality, symbolic conduct, and freedom of association Addition of recent major Supreme Court decisions on free expression, free exercise of religion, and the Establishment Clause Consideration of how social media affects freedom of expression Professors and students will benefit from: Completely revised and updated coverage -- including coverage of the Supreme Court's major First Amendment decisions since publication of the Third Edition Comprehensive coverage of contemporary major free speech and religious freedom controversies that are likely to generate future landmark Supreme Court precedents in the years to come Suitable for adoption in comprehensive First Amendment survey courses as well as more narrowly focused courses on the Speech, Press, and Assembly Clauses or the Religion Clauses The perspective of Tim Zick, a noted expert on freedom of expression, as a new casebook coauthor Covers cutting edge free speech controversies such as sexting, revenge porn, racist trademarks, government speech, and student speech rights in the age of the internet Places doctrinal developments into a coherent historical narrative that shows the evolving nature of First Amendment doctrine Includes targeted coverage of free speech rules in foreign jurisdictions that have been considered, but rejected, the U.S. approach in important areas such as libel, hate speech, national security, and sexually explicit speech Reorganized and updated coverage of foundational free speech and association doctrines Completely reorganized and updated coverage of the Religion Clauses Includes up-to-date coverage of the growing conflicts to anti-discrimination laws for individuals, churches, and businesses. Includes dedicated coverage of the Religious Freedom Restoration Act (RFRA) and state RFRA's Presents the "Lemon," "endorsement," "coercion," and "history and tradition" tests for Establishment Clause challenges Separation of church and state cases in multiple areas from vouchers to creationism in schools to government sponsored Latin crosses to legislative prayers. Provides comprehensive coverage of the First Amendment in a casebook that can still be taught cover-to-cover in a standard three-hour survey course format without requiring the instructor to make selective coverage decisions

Throughout American history, legal battles concerning the First Amendment's protection of religious liberty have been among the most contentious issue of the rights guaranteed by the United States Constitution. Religious Liberty and the American Supreme Court: The Essential Cases and Documents represents the most authoritative and up-to-date overview of the landmark cases that have defined religious freedom in America. Noted religious liberty expert Vincent Philip Munoz (Notre Dame) provides carefully edited excerpts from over fifty of the most important Supreme Court religious liberty cases. In addition, Munoz's substantive introduction offers an overview on the constitutional history of religious liberty in America. Introductory headnotes to each case provides the constitutional and historical context. Religious Liberty and the American Constitution is an indispensable resource for anyone interested matters of religious freedom from the Republic's earliest days to current debates.

CQ Researcher's Global Issues offers an in-depth and nuanced look at a wide range of today's most pressing issues. The 2016 edition of this annual reader looks at topics such as the European migration crisis, terrorism in Africa, emerging infectious diseases, robotic warfare, and restoring ties with Cuba. And because it's CQ Researcher, the reports are expertly researched and written. Each chapter identifies the key players, explores what's at stake, and offers the background and analysis necessary to understand how past and current developments impact the future of each issue.

We live in an interconnected world in which expressive and religious cultures increasingly commingle and collide. In a globalized and digitized era, we need to better understand the relationship between the First Amendment to the United States Constitution and international borders. This book focuses on the exercise and protection of cross-border and beyond-border expressive and religious liberties, and on the First Amendment's relationship to the world beyond US shores. It reveals a cosmopolitan First Amendment that protects cross-border conversation, facilitates the global spread of democratic principles, recognizes expressive and religious liberties regardless of location, is influential across the world, and encourages respectful engagement with the liberty regimes of other nations. The Cosmopolitan First Amendment is the product of historical, social, political, technological and legal developments. It examines the First Amendment's relationship to foreign travel, immigration, cross-border communication and association, religious activities that traverse international borders, conflicts among foreign and US speech and religious liberty models, and the conduct of international affairs and diplomacy.

Global Legal Pluralism

Defending Democracies

Movies, Censors, and the First Amendment

A Jurisprudence of Law Beyond Borders

Privacy Revisited

Schools and Sexually Explicit Expression

Violence as Obscenity

This timely and accessible volume takes a fresh approach to a question of increasing public concern: whether or not the federal government should regulate media violence. In *Violence as Obscenity*, Kevin W. Saunders boldly calls into question the assumption that violent material is protected by the First Amendment. Citing a recognized exception to the First Amendment that allows for the regulation of obscene material, he seeks to expand the definition of obscenity to include explicit and offensive depictions of violence. Saunders examines the public debate on media violence, the arguments of professional and public interest groups urging governmental action, and the media and the ACLU's desire for self-regulation. Citing research that links violence in the media to actual violence, Saunders argues that a present danger to public safety may be reduced by invoking the existing law on obscenity. Reviewing the justifications of that law, he finds that not only is the legal history relied on by the Supreme Court inadequate to distinguish violence from sex, but also many of the justifications apply more forcefully to instances of violence than to sexually explicit material that has been ruled obscene. Saunders also examines the actions that Congress, states, and municipalities have taken to regulate media violence as well as the legal limitations imposed on such regulations by the First Amendment protections given to speech and the press. In discussing the current operation of the obscenity exception and confronting the issue of censorship, he advocates adapting to the regulation of violent material the doctrine of variable obscenity, which applies a different standard for material aimed at youth, and the doctrine of indecency, which allows for federal regulation of broadcast material. Cogently and passionately argued, *Violence as Obscenity* will attract scholars of American constitutional law and mass communication, and general readers moved by current debates about media violence, regulation, and censorship.

This is a print on demand book and is therefore non- returnable. Distinguished historian William Estep offers in this book a lively account of the persons and events that influenced the shaping of the First Amendment. Estep shows specifically how evangelical dissenters laid the groundwork necessary for the triumph of ideals freedom in America -- something that has often been ignored. Incidentally, says Estep, some Christians today appear determined to reinterpret if not eliminate the First Amendment and its historically revolutionary provision for the separation of church and state. But those who envision America as a church-state where Puritan ideals and concepts should rule misconstrue the amendment's original intent -- to "free citizens from the overweening power of a church-controlled state." The book includes an ample bibliography and an appendix of rarely seen documents pertaining to the struggle for religious liberty. A wide audience -- including students, ministers, and general readers across the religious spectrum -- will appreciate this absorbing historical account.

This book catalogues and examines the various First Amendment free speech and press controversies that have roiled the Trump presidency. It highlights both what is unique about those controversies, and what is consistent with historical patterns. From past conflicts and eras, the book draws various First Amendment lessons that will help guide readers through the Trump Era.

"Excellent balance of case excerpts and author explanation, highly appropriate for undergraduate students." —Dr. Wendy Brame, Briar Cliff University Political factors influence judicial decisions. Arguments and input from lawyers and interest groups, the ebb and flow of public opinion, and especially the ideological and behavioral inclinations of the justices all combine to shape the development of constitutional doctrine. Drawing on political science as much as from legal studies, *Constitutional Law for a Changing America: A Short Course* helps students realize that Supreme Court cases are more than just legal names and citations. With meticulous revising, the authors streamline material while accounting for recent landmark cases and new scholarship. Ideal for a one semester course, the Eighth Edition of *A Short Course* offers all the hallmarks of the Rights and Powers volumes in a more condensed format. Students and instructors benefit from the online *Con Law Resource Center* which houses the supplemental case archive, links to CQ Press reference materials, a moot court simulation, instructor resources, and more. Attention Instructors! Use the following bundle ISBN to ensure your students have FREE access to the regularly updated resource center featuring over 100 excerpted cases. Get FREE access to online resources—use bundle ISBN: 978-1-0718-3225-7 Included with this title: The password-protected Instructor Resource Site (formally known as SAGE Edge) offers access to all text-specific resources, including a test bank and editable, chapter-specific PowerPoint® slides. Learn more.

Cases and Theory

A Global Perspective on the Right to Be Left Alone

Constitutional Debate in Action

Reflections on Freedom of Speech and the First Amendment

The First Amendment in Historical Context, 1612-1789

Iranian Identity and Cosmopolitanism

Constitutional Law for a Changing America

Election interference is one of the most widely discussed international phenomena of the last five years. Russian covert interference in the 2016 U.S. Presidential Election elevated the topic into a national priority, but that experience was far from an isolated one. Evidence of election interference by foreign states or their proxies has become a regular feature of national elections and is likely to get worse in the near future. Information and communication technologies afford those who would interfere with new tools that can operate in ways previously unimaginable: Twitter bots, Facebook advertisements, closed social media platforms, algorithms that prioritize extreme views, disinformation, misinformation, and malware that steals secret campaign communications. *Defending Democracies* examines the problem through an interdisciplinary lens and focuses on: (i) defining the problem of foreign election interference, (ii) exploring the solutions that international law might bring to bear, and (iii) considering alternative regulatory frameworks for understanding and addressing the problem. The result is a deeply urgent examination of an old problem on social media steroids, one that implicates the most central institution of liberal democracy: elections. The volume seeks to bring domestic and international perspectives on elections and election law into conversation with other disciplinary frameworks, escaping the typical biases of lawyers who prefer international legal solutions for issues of international relations. Taken together, the chapters in this volume represent a more faithful representation of the broad array of solutions that might be deployed, including international and domestic, legal and extra-legal, ambitious and cautious.

Freedom of information is a principle commonly associated with the United States' First Amendment traditions or digital-era technology boosters. Barriers Down reveals its unexpected origins in political, economic, and cultural battles over analog media in the mid-twentieth century. Effia Lemberg traces how the United States shaped media around the world after 1945 under the banner of the "free flow of information," showing how the push for global media access acted as a vehicle for American power. Barriers Down considers debates over civil liberties and censorship in Nazi Germany, the Soviet Union, and elsewhere alongside Americans' efforts to circumvent foreign regulatory systems in the quest to expand markets and bring their ideas to new publics. Lemberg shows how in the decades following the Second World War American free-flow policies reshaped the world's information landscape, though not always as intended. Through burgeoning information diplomacy and development aid, Washington diffused new media ranging from television and satellite broadcasting to global English. But these actions also spurred overseas actors to articulate alternative understandings of information freedom and of how information flows might be regulated. Bridging the historiographies of the United States in the world, human rights, decolonization and development, and media and technology, *Barriers Down* excavates the analog roots of digital-age debates over the politics and ethics of transnational information flows.

Taking into account the political and intellectual forces that shape Supreme Court decisions, *Constitutional Debate in Action* examines how and why the U.S. Constitution continues to grow and adapt to human wants, passions, and values. Not your traditional constitutional-law textbook, this three-volume set views the Constitution as an institutionalized form of debate by which people press their political demands and arguments upon the Supreme Court. This process-oriented approach goes beyond a straightforward examination of how the decisions of Supreme Court justices have transformed constitutional doctrine through the ages; it explores the actual process of adjudication itself. Each case study covers the legal and political background; including relevant out-of-court discussions, to help students understand the political framework in which the Supreme Court operates. Actual legal briefs filed in landmark cases, and corresponding oral arguments before the Supreme Court, provide students with a front-row seat to the process of constitutional argumentation. As they evaluate the opposing viewpoints, students are better equipped to evaluate critically final Supreme Court decisions and opinions. In addition, students gain a valuable perspective on the role of the Supreme Court in our constitutional democracy. Each volume examines in-depth key landmark decisions. *Governmental Powers* covers: *The Power of Judicial Review**Marbury v. Madison*, *The Commerce Power**NLRB v. Jones & Laughlin Steel Corp.*, *The War Power**Korematsu v. United States*, *Presidential Emergency Powers**Youngstown Sheet & Tube Co. v. Sawyer*, and *Executive Privilege**United States v. Nixon*.

Updated in a new 9th edition, this casebook explores civil liberty problems through a study of leading judicial decisions. It offers a reasonable sample of cases across a broad spectrum of rights and liberties. This book introduces groups of featured cases with in-depth commentaries that set the specific historical-legal context of which they are a part, allowing readers to examine significant portions of court opinions, including major arguments from majority, concurring, and dissenting opinions.

Civil Rights and Liberties

Global Issues

Limiting the Media's First Amendment Protection

Preserving First Amendment Liberties in Public Places

Speech Out of Doors

Hate Speech, Pornography, And Radical Attacks On Free Speech Doctrine

A Short Course

In these two important lectures, distinguished political philosopher Seyla Benhabib argues that since the UN Declaration of Human Rights in 1948, we have entered a phase of global civil society which is governed by cosmopolitan norms of universal justice – norms which are difficult for some to accept as legitimate since they are in conflict with democratic ideals. In her first lecture, Benhabib argues that this tension can never be fully resolved, but it can be mitigated through the renegotiation of the dual commitments to human rights and sovereign self-determination. Her second lecture develops this idea in detail, with special reference to recent developments in Europe (for example, the banning of Muslim head scarves in France). The EU has seen the replacement of the traditional unitary model of citizenship with a new model that disaggregates the components of traditional citizenship, making it possible to be a citizen of multiple entities at the same time. The volume also contains a substantive introduction by Robert Post, the volume editor, and contributions by Bonnie Honig (Northwestern University), Will Kymlicka (Queens University), and Jeremy Waldron (Columbia School of Law).

No liberty is more vulnerable to the vagaries of the current political climate than freedom of the press.

Contemporary civil libertarians claim that their works preserve a worthy American tradition of defending free-speech rights dating back to the framing of the First Amendment. *Transforming Free Speech* challenges the worthiness, and indeed the very existence of one uninterrupted libertarian tradition. Mark A. Graber asserts that in the past, broader political visions inspired libertarian interpretations of the First Amendment. In reexamining the philosophical and jurisprudential foundations of the defense of expression rights from the Civil War to the present, he exposes the monolithic free-speech tradition as a myth. Instead of one conception of the system of free expression, two emerge: the conservative libertarian tradition that dominated discourse from the Civil War until World War I, and the liberal tradition that dominates later twentieth-century argument. The essence of the current perception of the American free-speech tradition derives from the writings of Zechariah Chafee, Jr. (1895-1957), the progressive jurist most responsible for the modern interpretation of the First Amendment. His interpretation, however, deliberately obscured earlier libertarian arguments linking liberty of speech with liberty of property. Moreover, Chafee stunted the development of a more radical interpretation of expression rights that would give citizens the resources and independence necessary for the effective exercise of free speech. Instead, Chafee maintained that the right to political and social commentary could be protected independent of material inequalities that might restrict access to the marketplace of ideas. His influence enfeebled expression rights in a world where their exercise depends increasingly on economic power. Untangling the libertarian legacy, Graber points out the disjunction in the libertarian tradition to show that free-speech rights, having once been transformed, can be transformed again. Well-conceived and original in perspective, *Transforming Free Speech* will interest political theorists, students of government, and anyone interested in the origins of the free-speech tradition in the United States.

Regardless of how the presidency of Donald J. Trump ultimately concludes, a significant part of its legacy will relate to the First Amendment. The president has publicly attacked the institutional press and individual reporters, calling them the "enemy of the people." He has proposed that flag burners be jailed and denaturalized, blocked critics from his Twitter page, communicated hateful and derogatory ideas, and defended the speech of white nationalists. More than any other modern president, Trump has openly challenged fundamental First Amendment norms and principles relating to free speech and free press. These challenges have come at a time when the institutional press faces economic and other pressures that negatively affect their functions and legitimacy; political and other forms of polarization are on the rise; and protesters face diminished space and opportunities for exercising free speech rights. This book catalogues and analyzes the various First Amendment conflicts that have occurred during the Trump presidency. It places these conflicts in historical context--as part of our current digitized and polarized era but also as part of a broader narrative concerning attacks on free speech and the press. We must understand both what is familiar in terms of the First Amendment concerns of the present era, but also what is distinctive about these concerns. The Trump Era has once again reminded us of the need for a free and independent press, the need to protect robust and sometimes caustic criticism of public officials, and the importance of protest and dissent to effective self-government.

Revolution Within the Revolution

Scrambling for Protection

Freedom of Expression®

Religious Liberty and the American Supreme Court

The Intentions of the Authors of the First Amendment

Spheres of Belonging

Union by Law

Religion and the Constitution, Fifth Edition

Since cosmopolitanism has often been conceived as a tenet of 'Western civilization' that emanates from its Enlightenment-based origins in a humanist age of modernity, Iranian Identity and Cosmopolitanism: Spheres of Belonging advances a highly innovative gesture by contemplating the implications and relevance of the idea in a so-called non-Western cultural territory. The particularities of the Iranian and Islamic context shed new light on advancements and obstacles to cosmopolitan praxis. The volume provides four principle disciplinary assessments of cosmopolitanism: philosophy, political science, sociology, and cultural studies,including literary criticism. The authors in this collection critically examine topics including the historical encounter between Iranian and Western thinkers and the political ideals; the tension between maintaining apolitical-theology rooted in metaphysical assumptions and the prerequisite of secularism in cosmopolitan and democratic philosophies. This highly innovative volume will be of interest to scholars and students of Middle Eastern and Iranian Studies, Islamic Studies, Globalization, Political Science and Philosophy. Does American free speech doctrine discriminate against women and minorities? In *Hate Speech, Pornography, and the Radical Attack on Free Speech Doctrine*, James Weinstein carefully examines the charge that in interpreting the First Amendment as protecting hate speech and pornography while allowing myriad other exceptions to free speech, American courts have privileged the interests of the rich and powerful over the interests of women and people of color. The author concludes that while free speech doctrine is not in any deep sense as neutral as some of its apologists believe, the claim that free speech decisions and principles systematically discriminate against women and minorities does not withstand scrutiny. He shows that this claim of discrimination is based upon a profound but widely shared misunderstanding of the actual workings of free speech doctrine. In order to expose this misunderstanding, the first section of the book thoroughly explores the basic cases and principles upon which free speech doctrine is built. The second section demonstrates that the relationship between free speech and equality is far more complex than either radical critics or many liberal defenders of doctrine suppose. The third section considers the cost and benefits of modifying free speech doctrine to allow for the suppression of hate speech and pornography. After reviewing the experience of hate speech and pornography in other democracies, Weinstein concludes that while such a modification would not lead straight to totalitarianism as alarmist defenders of current doctrine contend, it would nonetheless likely inhibit legitimate debate and artistic expression. Also contrary to dogmatic defenders of current doctrine, the author concludes that although the scientific evidence that pornography causes violence to women is not nearly as conclusive as radical feminists assert, this evidence is nonetheless cause for concern.While offering a scholarly analysis of the radical critique of free speech doctrine, this book has even larger ambition: to provide nonlawyers with the background to participate knowledgeably in the continuing debate about the role of free speech in a democratic society.

Failed to see the need for relief

The Internet and the First Amendment

Filipino American Labor Activists, Rights Radicalism, and Racial Capitalism

Transforming Free Speech

Selections from CQ Researcher

The First Amendment

Religion and Politics

A Biographical Dictionary

Laborers in American West Coast agricultural fields and Alaska salmon canneries. There, they found themselves confined to exploitative low-wage jobs in racially segregated workplaces as well as subjected to vigilante violence and other forms of ethnic persecution. In time, though, Filipino workers formed political organizations and affiliated with labor unions to represent their interests and to advance their struggles for class, race, and gender-based social justice. *Union by Law* analyzes the broader social and legal history of Filipino American workers' rights-based struggles, culminating in the devastating landmark Supreme Court ruling, *Wards Cove Packing Co. v. Atonio* (1989). Organized chronologically, the book begins with the US invasion of the Philippines and the imposition of colonial rule at the dawn of the twentieth century. The narrative then follows the migration of Filipino workers to the United States, where they mobilized for many decades within and against the injustices of American racial capitalist empire that the Wards Cove majority willfully ignored in rejecting their longstanding claims. This racial innocence in turn rationalized judicial reconstruction of official civil rights law in ways that significantly increased the obstacles for all workers seeking remedies for institutionalized racism and sexism. A reclamation of a long legacy of racial capitalist domination over Filipinos and other low-wage or unpaid migrant workers, *Union by Law* also tells a story of noble aspirational struggles for human rights over several generations and of the many ways that law was mobilized both to enforce and to challenge race, class, and gender hierarchy at work.

First published in 2000, Routledge is an imprint of Taylor & Francis, an informa company.

The Supreme Court has emphasized that expressive liberties require 'breathing space' in which to thrive. At a minimum, speakers need places in which to assemble, speak, and petition government. This book is a comprehensive examination of First Amendment rights in public places. It shows that the literal ground beneath speakers' feet has been steadily eroding, from personal spaces to college campuses and to once vast and important inscribed places, such as public parks and public squares. Through the study of 'expressive topography', this book considers a variety of contemporary speech contests including restrictions on abortion clinic sidewalk counselors, protests at military funerals, and restrictions on assembly and speech at political conventions. Countering or reversing these forces will require a focused and sustained effort by public officials, courts, and, of course, the people themselves.

From the same authorship team behind the highly successful *Constitutional Law* and among the leading casebooks in the field, *The First Amendment* provides a comprehensive and accessible review of speech and religion jurisprudence under the First Amendment. The eminent authorship team, whose members are distinguished both in teaching and scholarship, combines textual, historical, theoretical, and doctrinal approaches in an inclusive and creative survey of the essential elements of modern First Amendment doctrine. It has been completely updated to incorporate recent developments in the field, including campaign finance and government speech, and provides a broader discussion of modern First Amendment issues, including those related to modern technology. New to the Sixth Edition: New coverage relating to: Issues of free speech on campus, extremist speech and online terrorism, hate speech, and issues of "fake news". New material on cases including: *Iancu v. Brunetti* and *Matal v. Tam* *Masterpiece Cakeshop v. Colorado Civil Rights Commission* National Institute of Family and Life Advocates v. Becerra Substantial discussion of Trump v. Hawaii and the Bladensburg cross case Reorganization of the presentation of the role of impermissible purposes in Establishment Clause jurisprudence, in light of the (near) elimination of the Lemon test Professors and students will benefit from: Rigorous questions in the Notes Carefully selected and challenging excerpts from articles and books by leading First Amendment scholars Thoughtful organization of topics and cases designed to challenge students and to illuminate the evolution and current state of First Amendment jurisprudence

An Encyclopedia

Constitutional Law

Rediscovering a Lost Freedom

Barriers Down

Religion and the Constitution

Unpopular Privacy

Combating Foreign Election Interference in a Digital Age

A leading text by a prominent scholar, *Constitutional Law* is known for its concise, yet comprehensive presentation. Professor Chemerinsky's distinctive approach for the Sixth Edition presents the law solely through case excerpts and his own essays. With the author's context and background information, the law becomes more readily understood. A flexible organization accommodates a variety of course structures; no chapter assumes that students have read preceding material. New to the Sixth Edition: New cases decided since the Fifth Edition, including those on partisan gerrymandering, the travel ban, state action, freedom of speech, and the religion clauses Significant reorganizations of some of the chapters (including chapters on federal limits on state power and the religion clauses) Professors and students will benefit from: Renowned authorship Concise, yet comprehensive presentation Distinctive approach presents the law solely through case excerpts and author-written essays Straightforward, accessible writing style that provides context and background information for greater understanding Flexible organization—no chapter assumes that students have read the rest Cases and materials have been edited to be as ideologically neutral as possible

Rapid technological change, the advent of Big Data, and the creation of society-wide government surveillance programs have transformed the accessibility of highly personal information; these developments have highlighted the ambiguous treatment of privacy and personal intimacy. National legal systems vouchsafe and define "privacy," and its first cousin "dignity," in different ways that reflect local legal and cultural values. Yet, in an increasingly globalized world, purely local protection of privacy interests may prove insufficient to safeguard effectively fundamental autonomy interests - interests that lie at the core of self-definition, personal autonomy, and freedom. *Privacy Revisited* articulates the legal meanings of privacy and dignity through the lens of comparative law, and argues that the concept of privacy requires a more systematic approach if it is to be useful in framing and protecting certain fundamental autonomy interests. The book begins by providing relevant, and reasonably defined, information about both the substantive and procedural protections of privacy/dignity in the U.S., Canada, South Africa, the United Kingdom, and among Council of Europe member states. Second, the book explores the inherent tension between affording significant legal protection to the right of privacy (or human dignity) and securing expressive freedoms, notably including the freedom of speech and of the press. The author then posits that the protection of privacy helps to illuminate some of the underlying social and political values that lead the U.S. to fail to protect privacy as reliably or as comprehensively as other liberal democracies. Finally, the book establishes that although privacy and speech come into conflict with some regularity, it is both useful and necessary to start thinking about the important ways in which both rights are integral to the maintenance of democratic self-government.

A legal history of the First Amendment examines how it pertains to the Internet and minors and discusses the legal ramifications of limiting access in libraries

Shows that while the Supreme Court enforces some First Amendment rights vigorously, it often fails to protect ordinary citizens' expressive freedoms.

Civil Liberties and the Constitution

International Encyclopedia of Digital Communication and Society, 3 Volume Set

Cases and Commentaries

Hate Speech, Pornography, and the New First Amendment

The First Amendment in the Trump Era

Must We Defend Nazis?

The First Amendment Right to Censor Unwanted Speech

Since ratification of the First Amendment in the late eighteenth century, there has been a sea change in American life. When the amendment was ratified, individuals were almost completely free of unwanted speech; but today they are besieged by it. Indeed, the First Amendment has, for all practical purposes, been commandeered by the media to justify intrusions of offensive speech into private life. In its application, the First Amendment has become one-sided. Even though America is virtually drowning in speech, the First Amendment only applies to the speaker's delivery of speech. Left out of consideration is the one participant in the communications process who is the most vulnerable and least protected--the helpless recipient of offensive speech. In *Rediscovering a Lost Freedom*, Patrick Garry addresses what he sees as the most pressing speech problem of the twenty-first century: an often irresponsible media using the First Amendment as a shield behind which to hide its socially corrosive speech. To Garry, the First Amendment should protect the communicative process as a whole. And for this process to be free and open, listeners should have as much right to be free from unwanted speech as speakers do of not being thrown in jail for uttering unpopular ideas. *Rediscovering a Lost Freedom* seeks to modernize the First Amendment. With other constitutional rights, changed circumstances have prompted changes in the law. Restrictions on political advertising seek to combat the perceived influences of big money; the Second Amendment right to bear arms, due to the prevalence of violence in America, has been curtailed; and the Equal Protection clause has been altered to permit affirmative action programs aimed at certain racial and ethnic groups. But when it comes to the flood of violent and vulgar media speech, there has been no change in First Amendment doctrines. This work proposes a government-facilitated private right to censor. *Rediscovering a Lost Freedom* will be of interest to students of American law, history, and the U.S. Constitution. Governments throughout history have struggled to define the boundaries of the right to freedom of speech. Even though the United States explicitly articulates freedom of speech in the First Amendment to the Constitution, the judicial branch frequently reinterprets the amendment by allowing laws to limit that freedom. In *Reflections on Freedom of Speech and the First Amendment*, noted legal theorist George Anastaplo details the history and intellectual foundations of freedom of speech, using examples from Socrates, Jesus, and Sir Thomas More to demonstrate how freedom of speech has evolved over centuries. Anastaplo pays particular attention to freedom of speech as it relates to the U.S. Constitution, and he describes potential First Amendment issues, such as cases involving the Internet. Anastaplo provides an in-depth look at a controversial issue, and he defines freedom of speech in precise terms for both scholars and those interested in one of our most cherished rights. We live in a world of legal pluralism, where a single act or actor is potentially regulated by multiple legal or quasi-legal regimes imposed by state, substate, transnational, supranational and nonstate communities. Navigating these spheres of complex overlapping legal authority is confusing and we cannot expect territorial borders to solve all these problems. At the same time, those hoping to create one universal set of legal rules are also likely to be disappointed by the sheer variety of human communities and interests. Instead, we need an alternative jurisprudence, one that seeks to create or preserve spaces for productive interaction among multiple, overlapping legal systems by developing procedural mechanisms, institutions and practices that aim to manage, without eliminating, the legal pluralism we see around us. *Global Legal Pluralism* provides a broad synthesis across a variety of legal doctrines and academic disciplines and offers a novel conceptualization of law and globalization.

The New Media and the First Amendment