# FREE SPEECH

And Its Relation to Self-Government

By ALEXANDER MEIKLEJOHN

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## **Free Speech And Its Relation To Self Government**

**Kevin W. Saunders** 

#### Free Speech And Its Relation To Self Government:

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 Free Speech and Its Relation to **Self-government** Alexander Meiklejohn,1948 Free Speech and Its Relation to Self-Government Alexander Meiklejohn, 1948 Education and Democracy Adam R. Nelson, 2009-03-11 This definitive biography of the charismatic Alexander Meiklejohn tracks his turbulent career as an educational innovator at Brown University Amherst College and Wisconsin's Experimental College in the early twentieth century and his later work as a civil libertarian in the Joe McCarthy **Free Speech** Len Niehoff, E. Thomas Sullivan, 2022-04-28 Why do we protect free speech What values does it serve era How has the Supreme Court interpreted the First Amendment What has the Court gotten right and wrong Why are current debates over free expression often so divisive How can we do better In this succinct but comprehensive and scholarly book authors Len Niehoff and Thomas Sullivan tackle these pressing questions Free Speech From Core Values to Current Debates traces the development and evolution of the free speech doctrine in the Supreme Court and explores how the Court with varying levels of success has applied that doctrinal framework to hard cases and current controversies such as those involving hate speech speech on the internet speech on campus and campaign finance regulation. This is the perfect volume for anyone student general reader or scholar looking for an accessible overview of this critical topic Free Expression and Democracy Kevin W. Saunders, 2017-03-21 An examination of differences in how the world's democracies address a variety of issues involving free expression **Rethinking Free Speech** Peter Ives, 2024-11-12T00:00:00Z Clashes over free speech rights and wrongs haunt public debates about the state of democracy freedom and the future While freedom of speech is recognized as foundational to democratic society its meaning is persistently misunderstood and distorted Prominent commentators have built massive platforms around claims that their right to free speech is being undermined

Critics of free speech correctly see these claims as a veil for misogyny white supremacy colonialism and transphobia concluding it is a political weapon to conserve entrenched power arrangements But is this all there is to say Rethinking Free Speech will change the way you think about the politics of speech and its relationship to the future of freedom and democracy in the age of social media Political theorist Peter Ives offers a new way of thinking about the essential and increasingly contentious debates around the politics of speech Drawing on political philosophy including the classic arguments of JS Mill and everyday examples Ives takes the reader on a journey through the hotspots of today s raging speech wars In its bold and careful insights on the combative politics of language Rethinking Free Speech provides a map for critically grasping these battles as they erupt in university classrooms debates around the meaning of antisemitism the cancelling of racist comedians and the proliferation of hate speech on social media This is an original and essential guide to the perils and possibilities of communication for democracy and justice Clashes over free speech rights and wrongs haunt public debates about the state of democracy freedom and the future While freedom of speech is recognized as foundational to democratic society its meaning is persistently misunderstood and distorted Prominent commentators have built massive platforms around claims that their right to free speech is being undermined Critics of free speech correctly see these claims as a veil for misogyny white supremacy colonialism and transphobia concluding that it is a political weapon to conserve entrenched power arrangements Rethinking Free Speech will change the way you think about the politics of speech in the age of social media Peter Ives offers a new way of thinking about the essential and increasingly contentious debates around the politics of speech Drawing on political philosophy and everyday examples Ives takes the reader on a journey through the hotspots of today's raging speech wars This book provides a map for critically grasping these battles as they erupt in university classrooms debates around the meaning of antisemitism the cancelling of racist comedians and the proliferation of hate speech on social media This is an original and essential guide to the perils and possibilities of communication for Freedom of Expression Ioanna Tourkochoriti, 2021-11-11 Two legal systems founded on similar democracy and justice Enlightenment philosophical and political values use state coercion differently to regulate a liberty at the core of the Enlightenment freedom of expression This comparative study of France and the United States proposes a novel theory of how the limits of freedom of expression are informed by different revolutionary experiences and constitutional and political arrangements Ioanna Tourkochoriti argues that the different ways freedom of expression is balanced against other values in France and the United States can be understood in reference to the role of the government and the understanding of republicanism and liberty This understanding affects how jurists define the content and the limits of a liberty and strike a balance between liberties in conflict Exploring both the legal traditions of the two countries this study sheds new light on the broader historical social and philosophical contexts in which jurists operate The Adversary First Amendment Martin H. Redish, 2013-06-12 The Adversary First Amendment presents a unique and controversial rethinking of modern American

democratic theory and free speech Most free speech scholars understand the First Amendment as a vehicle for or protection of democracy itself relying upon cooperative or collectivist theories of democracy Martin Redish reconsiders free speech in the context of adversary democracy arguing that individuals should have the opportunity to affect the outcomes of collective decision making according to their own values and interests Adversary democracy recognizes the inevitability of conflict within a democratic society as well as the need for regulation of that conflict to prevent the onset of tyranny In doing so it embraces pluralism diversity and the individual growth and development deriving from the promotion of individual interests Drawing on previous free speech scholarship and case studies of controversial speech Redish advances a theory of free expression grounded in democratic notions of self promotion and controlled adversary conflict making a strong case for its application across such areas as commercial speech campaign spending and anonymous speech Offensive Speech. Religion, and the Limits of the Law Nicholas Hatzis, 2021 Is a government justified in restricting speech offensive to religious belief If so what principles are at stake Drawing on constitutional theory and social and political philosophy this book discusses the normative reasons that support or negate government interference and their interaction with individual and collective religious freedom John Courtney Murray & the Growth of Tradition J. Leon Hooper, Todd Whitmore, 1996 John Courtney Murray was the most significant figure in bring together Catholic and American tradition in the 1940s 50s and 60s This volume brings together twelve of the foremost Murray scholars to plumb his work for resources to respond to today What is Academic Freedom? Daniel Gordon, 2022-07-26 This book explores the history of the debate from s questions 1915 to the present about the meaning of academic freedom particularly as concerns political activism on the college campus The book introduces readers to the origins of the modern research university in the United States the professionalization of the role of the university teacher and the rise of alternative conceptions of academic freedom challenging the professional model and radicalizing the image of the university Leading thinkers on the subject of academic freedom Arthur Lovejoy Angela Davis Alexander Meiklejohn Edward W Said among others spring to life What is the relationship between freedom of speech and academic freedom Should communists be allowed to teach What constitutes unacceptable political indoctrination in the classroom What are the implications for academic freedom of creating Black Studies and Women's Studies departments Do academic boycotts such as those directed against Israel violate the spirit of academic freedom The book provides the context for these debates Instead of opining as a judge the author discloses the legal philosophical political and semantic disagreements in each controversy The book will appeal to readers across the social sciences and humanities with interests in scholarly freedom and academic life The Open Access version of this book available at www taylorfrancis com has been made available under a Creative Commons Attribution Non Commercial No Derivatives 4 0 license The Fundamental Holmes Oliver Wendell Holmes (Jr.), 2010-07-19 This is the first anthology of Oliver Wendell Holmes s writings speeches and opinions concerning freedom of expression Prepared by a noted free speech scholar the book contains

eight original essays designed to situate Holmes s works in historical and biographical context The volume is enriched by extensive commentaries concerning its many entries which consist of letters speeches book excerpts articles state court opinions and U S Supreme Court opinions Freedom of Expression in the Marketplace of Ideas Douglas M. Fraleigh, Joseph S. Tuman, 2010-05-19 A comprehensive guide to effective participation in the public debate about our most indispensable right freedom of expression Encouraging readers to think critically about freedom of speech and expression and the diverse critical perspectives that challenge the existing state of the law this text provides a comprehensive analysis of the historical and legal contexts of the First Amendment from its early foundations all the way to censorship on the Internet Throughout the book authors Douglas M Fraleigh and Joseph S Tuman use the Marketplace of Ideas metaphor to help readers visualize a world where the exchange of ideas is relatively unrestrained and self monitored. The text provides students with the opportunity to read significant excerpts of landmark decisions and to think critically about the issues and controversies raised in these cases Students will appreciate the treatment of contemporary issues including free speech in a post 9 11 world free expression in cyberspace and First Amendment rights on college campuses Features Demystifies free speech law encouraging readers to grapple with the complexities of significant ethical and legal issues Sparks student interest in big picture issues while simultaneously covering important foundational material including incitement fighting words true threats obscenity indecency child pornography hate speech time place and manner restrictions symbolic expression restrictions on the Internet and terrorism Includes significant excerpts from landmark freedom of expression cases including concurring or dissenting opinions where applicable to help students become active learners of free expression rights Offers critical analysis and alternative perspectives on free expression doctrines to demonstrate that existing doctrine is not necessarily ideal or immutable Includes a global perspective on free expression including a chapter on international and comparative perspectives that helps students see how the values of different cultures influence judicial decisions Hate Speech Is Not Free W. Wat Hopkins, 2024-02-02 Hate speech has been a societal problem for many years and has seen a resurgence recently alongside political divisiveness and technologies that ease and accelerate the spread of messages Methods to protect individuals and groups from hate speech have eluded lawmakers as the call for restrictions or bans on such speech are confronted by claims of First Amendment protection Problematic speech the argument goes should be confronted by more speech rather than by restriction Debate over the extent of First Amendment protection is based on two bodies of law the practical precedent determined by the Supreme Court and the theoretical framework of First Amendment jurisprudence In Hate Speech is Not Free The Case Against Constitutional Protection W Wat Hopkins argues that the prevailing thought that hate is protected by both case law and theory is incorrect Within the Supreme Court's established hierarchy of speech protection hate speech falls to the lowest level deserving no protection as it does not advance ideas containing social value Ultimately the Supreme Court's cases addressing protected and unprotected speech set forth a clear

rationale for excommunicating hate speech from First Amendment protection 
Free Speech Corey Brettschneider,2021-11-09 Speech is the life blood of democracy but only if we understand its true meaning and its role in sustaining our government Key texts from the U S Supreme Court John Stuart Mill Alexander Meiklejohn Ida B Wells and Charles Lawrence illuminate the immediate questions and pressing issues of free speech A Penguin Classic With the Penguin Liberty series by Penguin Classics we look to the U S Constitution s text and values as well as to American history and some of the country s most important thinkers to discover the best explanations of our constitutional ideals of liberty Through these curated anthologies of historical political and legal classic texts Penguin Liberty offers everyday citizens the chance to hear the strongest defenses of these ideals engage in constitutional interpretation and gain new or renewed appreciation for the values that have long inspired the nation Questions of liberty affect both our daily lives and our country s values from what we can say to whom we can marry how society views us to how we determine our leaders It is Americans great privilege that we live under a Constitution that both protects our liberty and allows us to debate what that liberty should mean

The Politics of Language David Beaver, Jason Stanley, 2023-11-07 A provocative case for the inherently political nature of language In The Politics of Language David Beaver and Jason Stanley present a radical new approach to the theory of meaning offering an account of communication in which political and social identity affect and shared practices play as important a role as information This new view of language they argue has dramatic consequences for free speech democracy and a range of other areas in which speech plays a central role Drawing on a wealth of disciplines The Politics of Language argues that the function of speech whether in dialogue larger group interactions or mass communication is to attune people to something be it a shared reality emotion or identity Reconceptualizing the central ideas of pragmatics and semantics Beaver and Stanley apply their account to a range of phenomena that defy standard frameworks in linguistics and philosophy of language from dog whistles and covert persuasion to echo chambers and genocidal speech The authors use their framework to show that speech is inevitably political because all communication is imbued with the resonances of particular ideologies and their normative perspectives on reality At a time when democracy is under attack authoritarianism is on the rise and diversity and equality are being demanded The Politics of Language offers a powerful new vision of the language of politics ideology and protest Freedom and Tenure in the Academy William W. Van Alstyne, 1993 Van Alstyne presents an unhurried historical review of the extent to which academic freedom has been accepted into domestic constitutional law Two essays deal with the issue of tenure and academic freedom Ralph S Brown and Jordan E Kurland agree that tenure reinforces academic freedom but wonder if there is not a large price to be paid for such a system In a highly instructive review Matthew Finkin looks at academic tenure and freedom in the light of labor law Focusing on freedom of artistic expression Robert O Neil raises difficult questions about what kinds of art displays taxpayers can be expected to tolerate in the colleges and universities they support Rodney A Smolla looks at the ways in which hate speech and offensive expression

on campuses engage wide First Amendment jurisprudence Judith Jarvis Thomson examines the vexed issue of selecting and valuing individual faculty members or disciplines with regard to ideology Michael W 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 Reasons and Recognition R. Jay Wallace, Rahul Kumar, Samuel Freeman, 2011-09-15 Reasons and Recognition brings together fourteen new papers on an array of topics from the many areas to which philosopher Thomas Scanlon has made path breaking contributions each of which develops a distinctive and independent position while critically engaging with central themes from Scanlon's own work in the area

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