

# MAKE NOW LAW

## The Sullivan Case and the First Amendment

"This book contains an excellent history of the legal and political issues  
surrounding the case, and is a must reading for anyone interested in the First Amendment." —*Library Journal*

By the author of *GODLESS TRIUMPH*

# ANTHONY LEWIS

# Make No Law The Sullivan Case And The First Amendment

**Ian Loveland**



## **Make No Law The Sullivan Case And The First Amendment:**

*Make No Law* Anthony Lewis, 1992-09-01 A crucial and compelling account of New York Times Co v Sullivan the landmark Supreme Court case that redefined libel from the Pulitzer Prize winning legal journalist Anthony Lewis The First Amendment puts it this way Congress shall make no law abridging the freedom of speech or of the press Yet in 1960 a city official in Montgomery Alabama sued The New York Times for libel and was awarded 500 000 by a local jury because the paper had published an ad critical of Montgomery's brutal response to civil rights protests The centuries of legal precedent behind the Sullivan case and the U S Supreme Court's historic reversal of the original verdict are expertly chronicled in this gripping and wonderfully readable book by the Pulitzer Prize Pulitzer Prize winning legal journalist Anthony Lewis It is our best account yet of a case that redefined what newspapers and ordinary citizens can print or say *Freeing the First Amendment* David S. Allen, Robert Jensen, 1995-11 In a society that prides itself on the most expansive legal guarantees of free speech in history why are so many individuals and groups frustrated by the American system of freedom of expression As the public sphere continues to be redefined by advances in technology and new debates about this technology crop up daily the time has come to move from reflexive discussions about the value of more speech to a detailed assessment of the real power and limits of speech Why this volume asks does the First Amendment the very document intended to ensure the freedom of U S citizens need to be freed And from what Long an icon in American law politics and journalism the First Amendment and the potential and real dilemmas with which it presents us have only recently begun to be scrutinized Challenging the idea that the only champions of free speech are traditional liberal theorists who oppose alternatives to the mainstream interpretation of the First Amendment the contributors to this volume among them such prominent thinkers as Frederick Schauer Owen Fiss and Cass Sunstein explore new and provocative ways to think about freedom of expression By reformulating traditional liberal and libertarian approaches to the First Amendment this volume convincingly disputes the notion that those who question an unwavering reliance on free and open competition between individuals to produce free expression are necessarily enemies of free speech It argues instead that these alleged enemies can in fact be champions as well *Importing the First Amendment* Ian Loveland, 1998-07-01 These studies by a group of eminent academics and judges compare the different approaches of the British European and American courts to the questions of free speech which lie at the heart of much debate in constitutional law The authors of these studies adopt opposing views some favouring the pursuit of a US inspired approach to protecting free speech in the belief that the political culture of British society would be enhanced if our courts were to fashion our common law in accordance with many First Amendment principles Others more sceptically reject this embrace of US legal culture offering distinctly American sceptic views and arguing for a solution based on common law principles and on the jurisprudence of the European courts **Civil Peace and the Quest for Truth** Murray Dry, 2004-11-17 The freedoms of speech and religion assumed a sacrosanct space in American notions of civil liberty But it

was not until the twentieth century that these freedoms became prominent in American constitutional law originally the first ten amendments applied only to the federal government and not to the states Murray Dry traces the trajectory of freedom of speech and religion to the center of contemporary debates as few scholars have done by looking back to the American founding and to the classical texts in political philosophy that shaped the founders understanding of republican government By comparing the colonial charters with the new state constitutions and studying the development of the federal Constitution Dry demonstrates the shift from governmental concern for the salvation of souls to the more limited aim of the securing of rights For a uniquely rich and nuanced appreciation of this shift Dry explores the political philosophy of Locke Spinoza Montesquieu and Mill among others whose writings helped shaped the Supreme Court s view of religion as separate from philosophy as a matter of individual faith and not a community practice Delving into the polyvalent interpretations of such fundamental concepts as truth faith and freedom Civil Peace and the Quest for Truth immeasurably advances the study of American constitutional law and our First Amendment rights **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 **Laws of Image**

Samantha Barbas,2015-09-30 Americans have long been obsessed with their images their looks public personas and the impressions they make This preoccupation has left its mark on the law The twentieth century saw the creation of laws that protect your right to control your public image to defend your image and to feel good about your image and public presentation of self These include the legal actions against invasion of privacy libel and intentional infliction of emotional distress With these laws came the phenomenon of personal image litigation individuals suing to vindicate their image rights Laws of Image tells the story of how Americans came to use the law to protect and manage their images feelings and

reputations In this social cultural and legal history Samantha Barbas ties the development of personal image law to the self consciousness and image consciousness that has become endemic in our media saturated culture of celebrity and consumerism where people see their identities as intertwined with their public images The laws of image are the expression of a people who have become so publicity conscious and self focused that they believe they have a right to control their images to manage and spin them like actors politicians and rock stars

**Encyclopedia of American Civil Rights and Liberties** Kara E. Stooksbury, John M. Scheb II, Otis H. Stephens Jr., 2017-09-21 Thoroughly updated and featuring 75 new entries this monumental four volume work illuminates past and present events associated with civil rights and civil liberties in the United States This revised and expanded four volume encyclopedia is unequalled for both the depth and breadth of its coverage Some 650 entries address the full range of civil rights and liberties in America from the Colonial Era to the present In addition to many updates of material from the first edition the work offers 75 new entries about recent issues and events among them dozens of topics that are the subject of close scrutiny and heated debate in America today There is coverage of controversial issues such as voter ID laws the use of drones transgender issues immigration human rights and government surveillance There is also expanded coverage of women s rights gay rights gay marriage and Native American rights Entries are enhanced by 42 primary documents that have shaped modern understanding of the extent and limitations of civil liberties in the United States including landmark statutes speeches essays court decisions and founding documents of influential civil rights organizations Designed as an up to date reference for students scholars and others interested in the expansive array of topics covered the work will broaden readers understanding of and appreciation for the people and events that secured civil rights guarantees and concepts in this country At the same time it will help readers better grasp the reasoning behind and ramifications of 21st century developments like changing applications of Miranda Rights and government access to private Internet data Maintaining an impartial stance throughout the entries objectively explain the varied perspectives on these hot button issues allowing readers to draw their own conclusions

**Against the Corporate Media** Michael Walsh, 2024-09-10 The citizens of Western democracies have been relentlessly propagandized lied to and fed a steady diet of distortions and untruths by their media for decades Editor Michael Walsh brings together a stellar collection of critical thinkers and writers to explain how and why this is happening its negative effects on our democracies and what we can do to reverse it An informed electorate is a prerequisite for free and fair elections But rather than striving for accuracy and objectivity today s journalists openly celebrate the death of objectivity arguing that they have a higher duty to reject the conservatism police speech and suppress news that contradicts the liberal narrative Now on the heels of his magisterial volume Against the Great Reset editor Michael Walsh presents Against the Corporate Media a collection of more than forty essays on the decline and fall of the American and international news media The book s list of distinguished contributors includes Lance Morrow Andrew Klavan John O Sullivan Elizabeth Nickson Monica Crowley Charlie Kirk Glenn Reynolds Steven F Hayward John Fund

Armond White Michael Ramirez Walsh and others Readers around the world deserve to know how badly their media has been corrupted how eagerly they have embraced the role of official propagandists and what a threat to democracy they have become This book marks an important strike against the corporate media and its unholy alliance with the enemies of freedom everywhere

**Regardless of Frontiers** Agnes Callamard, Lee C. Bollinger, 2021-02-09 The United Nations Universal Declaration of Human Rights in 1948 proclaimed a vision of freedom of expression exercised regardless of frontiers Nonetheless laws and norms regarding the freedom or limits of expression are typically established and understood at the national level In today's interconnected world newfound threats to free expression have suddenly arisen How can this fundamental right be secured at a global level This volume brings together leading experts from a variety of fields to critically evaluate the extent to which global norms on freedom of expression and information have been established and which actors and institutions have contributed to their diffusion The authors also consider ongoing and new challenges to these norms from conflicts over hate speech and the rise of populism to authoritarian governments as well as the profound disruption introduced by the internet Together the essays lay the groundwork for an international legal doctrine on global freedom of expression that considers issues such as access to government held information media diversity and political speech As the world risks renouncing previous commitments to the freedom of expression **Regardless of Frontiers** serves as a timely reminder of just how much is at stake and what needs protecting

**The Boundaries of Freedom of Expression & Order in American Democracy** Thomas R. Hensley, 2001 On Monday May 4th 1970 members of the Ohio National Guard fired 61 rounds of bullets into the Kent State University students protesting about the invasion of Cambodia This work develops the ideas of the first symposium on American democracy established to commemorate the tragedy

**Free Speech Handbook** Ian Rosenberg, 2021-11-30 In this volume of the World Citizen Comics series Ian Rosenberg and Mike Cavallaro create a practical framework for understanding and appreciating the First Amendment Freedom of speech is fiercely defended in America and has been since the First Amendment was written But how does it work and what laws shape it Drawing on parallels between ten seminal Supreme Court cases and current events **Free Speech Handbook** lays out the fundamentals of First Amendment law in an accessible and engaging way This book is part of the World Citizen Comics series a bold line of civics focused graphic novels that equip readers to be engaged citizens and informed voters

**The Context of Judicial Activism** Frederick P. Lewis, 1999 In this book Frederick P. Lewis examines the legacy of the Warren Court analyzing why the court's activism survived largely intact despite the efforts of four Republican presidents over a 20 year period to replace activist federal judges with jurists committed to judicial restraint **The Context of Judicial Activism** will be a valuable resource for students and scholars of twentieth century constitutional history and the judicial process

**Historical Dictionary of the Civil Rights Movement** Christopher M. Richardson, Ralph E. Luker, 2014-06-11 The fiftieth anniversary of many major milestones in what is commonly called the African American Civil Rights Movement was

celebrated in 2013 Fifty years removed from the Birmingham campaign the assassination of Medgar Evers and the March on Washington and it is clear that the sacrifices borne by those generations in that decade were not in vain Monuments museums and exhibitions across the world honor the men and women of the Movement and testify to their immeasurable role in redefining the United States The second edition of Historical Dictionary of the Civil Rights Movement is a guide to the history of the African American struggle for equal rights in the United States The history of this period is covered in a detailed chronology an introductory essay and an extensive bibliography The dictionary section has over 500 cross referenced entries on important personalities significant legal cases local struggles forgotten heroes and prominent women in the Movement This book is an excellent access point for students researchers and anyone wanting to know more about the Civil Rights Movement

Constitutional Interpretation Jeffrey M. Shaman, 2000-11-30 This study analyzes the process of constitutional interpretation that is the methodology by which the Supreme Court goes about interpreting the Constitution and offers a comprehensive view of constitutional law through the lens of history political science and jurisprudence Shaman examines the practice of creating meaning for the Constitution the dichotomy of legal formalism and realism the levels of judicial scrutiny the perception of reality and the puzzle of legislative motive While the book traces the historical development of constitutional law its main focus is on modern jurisprudence including analyses of the major themes of constitutional interpretation developed by the Warren Burger and Rehnquist Courts Shaman details the Warren Court's move to a more realistic jurisprudence and its development of a multi level system of judicial review that has become increasingly more complex under the Burger and Rehnquist Courts He critiques the Supreme Court's reversion in recent years to an old fashioned formalistic jurisprudence and the growing tendency of the Court to look to the past rather than to future to interpret the Constitution The book also includes discussion of recent major doctrinal developments such as constitutional theory underlying Supreme Court decisions on gender discrimination discrimination on the basis of sexual preference the right to die abortion and freedom of speech

*Defamation, Libel Tourism and the SPEECH Act of 2010*, **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

**Encyclopedia of Constitutional Amendments, Proposed Amendments, and Amending Issues, 1789-2015** John R. Vile, 2015-07-20 Now in its fourth edition and completely updated this is the most comprehensive book on constitutional amendments and proposed amendments available Although only 27 amendments have ever been

added to the U S Constitution the last one having been ratified in 1992 throughout American history members of Congress have introduced more than 11 000 amendments and countless individuals outside of Congress have advanced their own proposals to revise the Constitution the wellspring of America s legal political and cultural foundations At a time when calls for a new constitutional convention are on the rise it is essential for students of political science and history as well as American citizens to understand proposed alternatives This updated edition of the established standard for high school and college libraries as well as public and law libraries serves as the go to reference for learning about existing constitutional amendments proposed amendments and the issues related to them An alphabetically arranged two volume set it contains more than 500 entries that discuss amendments that have been proposed in Congress from 1789 to the present It also discusses prominent proposals for extensive constitutional changes introduced outside Congress as well as discussions of major amending issues

*The European Right to Be Forgotten* Kristie Byrum,2018-08-31 The European Right to be Forgotten The First Amendment Enemy asserts that the right to be forgotten provision of the European General Data Protection Regulation threatens the free flow of information within a global society In a thoughtful explanation of how the regulation functions as an enemy of the United States First Amendment the book addresses the marketplace of ideas communication in democracy the specter of government intervention censorship and the distortion of history in the Right to be Forgotten environment While RTBF advocates point to the regulation as a privacy victory the author explains how the erasure of data from search engine results foretells negative consequences for social political and economic environments In a rallying cry to preserve freedom of information in the technology driven era the author presents The Free Speech Manifesto for the Digital Age Seven Tenets to Preserve Information Flow in Democracy This book offers a unique communications based perspective on the Right to be Forgotten and precisely documents why a corresponding regulation in the United States conflicts with constitutional protections

*Civil Disobedience and the German Courts* Peter E. Quint,2007-12-17 The book is the first full length English language treatment of the civil disobedience of the West German Peace Movement in the 1980s and the resulting trials of some of its members in the German Constitutional Court The book uses these events and critical cases to analyze the German Constitutional Court as a crucial institution of government and it also places the outcomes of the cases at an important turning point in German constitutional history

Judicial Review in Norway Anine Kierulf,2018-05-31 Outside the United States Norway s 1814 constitution is the oldest still in force Constitutional judicial review has been a part of Norwegian court decision making for most of these 200 years Since the 1990s Norway has also exercised review under the European Convention of Human Rights Judicial review of legislation can be controversial having unelected judges overruling popularly elected majorities seems undemocratic Yet Norway remains one of the most democratic countries in the world How does Norway manage the balance between democracy and judicial oversight Author Anine Kierulf tells the story of Norwegian constitutionalism from 1814 until today through the lens of

judicial review debates and cases This study adds important insights into the social and political justifications for an active judicial review component in a constitutional democracy Anine Kierulf argues that the Norwegian model of judicial review provides a useful perspective on the dichotomy of American and European constitutionalism

## Reviewing **Make No Law The Sullivan Case And The First Amendment**: Unlocking the Spellbinding Force of Linguistics

In a fast-paced world fueled by information and interconnectivity, the spellbinding force of linguistics has acquired newfound prominence. Its capacity to evoke emotions, stimulate contemplation, and stimulate metamorphosis is actually astonishing. Within the pages of "**Make No Law The Sullivan Case And The First Amendment**," an enthralling opus penned by a highly acclaimed wordsmith, readers set about an immersive expedition to unravel the intricate significance of language and its indelible imprint on our lives. Throughout this assessment, we shall delve in to the book is central motifs, appraise its distinctive narrative style, and gauge its overarching influence on the minds of its readers.

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### **Make No Law The Sullivan Case And The First Amendment Introduction**

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