

bounds in relation to an anti-abortion advert that could well upset feelings on either side on the subject and at the same time be able to draw the attention of several people.

In these circumstances, should the superseding value be free expression or should the media agency take other issues into consideration and avoid exploiting their freedom fully? This is a topic that has raised questions and arguments in many discussions (Freedomhouse, 2012). In diverse contexts, media freedom and expression are analyzed while taking media ethics and laws into consideration. This is conventionally applicable in various countries.

For example, the first amendment of the federal laws provides for the free expression to every individual, and this offers the mass media houses with ethical freedom to make their own resolutions on whether to be responsible or not (Yalof & Dautrich, 2002).

However, if their resolutions are viewed as constantly irresponsible, more often than not, the consequence has been an increase in public or even government pressure to limit media freedom in support of increased media responsibility. This is an impending challenge for the news media, though it is already taking its effects for advertising and entertainment industries, which are currently being controlled more compared to news media.

However, most researchers approves that freedom and responsibility are both significant aspects for proper functioning of mass media in the society (Cohen-Almagor, 2001). Mass media and press freedom was encroached in the U.S following the 9/11 attacks on the world trade center and Pentagon. The intrusions were supported and effected for the sake of national security probably most outstandingly in the USA patriot Act of 2001.

Even though comparatively few individuals opposed these changes at that time, more disapproval has been voiced after some time and additional examination has raised alarms about the major values vulnerable to national security concerns. Between 2005 and 2006, some alterations were made in the law, though criticizers persisted to express apprehension about the law's destruction to the freedoms of expression.

Restricting the free expression, even during periods of war, is detrimental to national security since it weakens the democratic process, which necessitates the free expression. It is the foundation of democratic privileges and freedoms (Dennis, 1989).

Another example is that in Saudi Arabia, the Media and Communications' Shariah (a legal provision) has limited structures that legally protect the free expression (Laanoi, 2009). It is imperative to agree that most countries have established viable policies to govern and promote the aspects of freedom of speech.

Free Expression Essays In Law And Philosophy

R. G. Frey, Christopher Heath Wellman



Free Expression Essays In Law And Philosophy:

John Stuart Mill and Freedom of Expression K.C. O'Rourke, 2003-08-27 The arguments advanced in the second chapter of *On Liberty* 1859 have become the touchstone for practically every discussion of freedom of speech yet the broader development of John Stuart Mill's ideas concerning intellectual liberty has generally been neglected This work attempts to fill that lacuna by looking beyond *On Liberty* in order to understand the evolution of Mill's ideas concerning freedom of thought and discussion

The Constitutional Protection of Freedom of Expression Richard Moon, 2000-01-01 Moon argues that recognition of the social dynamic of communication is critical to understanding the potential value and harm of language and to addressing questions about the scope and limits on one's rights to freedom of expression

The Life and Death of Freedom of Expression Richard Moon, 2024-07-05 In *The Life and Death of Freedom of Expression* Richard Moon argues that freedom of expression is valuable because human agency and identity emerge in discourse in the joint activity of creating meaning Moon recognizes that the social character of individual agency and identity is crucial to understanding not only the value of expression but also its potential for harm The book considers a range of issues including the regulation of advertising hate speech pornography blasphemy and public protest The book also considers the shift to social media as the principal platform for public engagement which has added to the ways in which speech can be harmful while undermining the effectiveness of traditional legal responses to harmful speech *The Life and Death of Freedom of Expression* makes the case that the principal threat to public discourse may no longer be censorship but it is rather the spread of disinformation which undermines public trust in traditional sources of information and makes engagement between different positions and groups increasingly difficult

The Routledge Companion to Philosophy of Law Andrei Marmor, 2012-04-27 The *Routledge Companion to the Philosophy of Law* provides a comprehensive non technical philosophical treatment of the fundamental questions about the nature of law Its coverage includes law's relation to morality and the moral obligations to obey the law the main philosophical debates about particular legal areas such as criminal responsibility property contracts family law law and justice in the international domain legal paternalism and the rule of law The entirely new content has been written specifically for newcomers to the field making the volume particularly useful for undergraduate and graduate courses in philosophy of law and related areas All 39 chapters written by the world's leading researchers and edited by an internationally distinguished scholar bring a focused philosophical perspective to their subjects The *Routledge Companion to the Philosophy of Law* promises to be a valuable and much consulted student resource for many years

Conversations in Philosophy, Law, and Politics Ruth Chang, Amia Srinivasan, 2024-03-04 *New Conversations in Philosophy Law and Politics* offers a new agenda for work where these three disciplines meet It showcases three generations of scholars from newly minted professors to some of today's most distinguished thinkers Consisting of fifteen conversations pairs of chapters dedicated to a single topic the volume provides intergenerational and multidisciplinary perspectives on aspects of our social

world Each conversation comprises a first paper by a scholar who sets the topic followed by a second paper by a scholar of a different generation and usually a different discipline who offers further insight or commentary Each conversation thus provides two sets of original thoughts about a matter of lively current interest and interdisciplinary significance Topics investigated include moral revolutions AI and democracy trust and the rule of law responsibility praise and blame reasonableness duty political obligation justice and equality justice and intersectionality domination pornography intentions in the law and legal argumentation Written in clear prose the volume is accessible by philosophers lawyers political theorists and beyond

Speaking Back Katharine Gelber, 2002 What is hate speech How does a person suffer when they are vilified What can public policy do to redress it This text proposes a new type of hate speech policy speaking back providing institutional material and educational support to enable the victims of hate speech to respond

The Routledge Companion to Freedom of Expression and Censorship John Steel, Julian Petley, 2023-12-11 The Routledge Companion to Freedom of Expression and Censorship offers a thorough exploration of the debates surrounding this contentious topic considering the importance placed upon it in democratic societies and the reasons frequently proposed for limiting and constraining it This volume addresses the various historical philosophical political and cultural parameters of censorship and freedom of expression as well as current debates involving technology journalism and media regulation Geographically temporally and culturally diverse accounts of censorship and freedom of expression are discussed through a broad range of perspectives and case studies This Companion covers core principles and concerns in addition to more specialist and controversial debates including those surrounding hate speech holocaust denial pornography and so called cancel culture The collection pays particular attention to the role of the media in both facilitating and suppressing freedom of expression Comprehensive original and timely The Routledge Companion to Freedom of Expression and Censorship is a go to resource for scholars and advanced students of media communication and journalism studies

Contested Words Ian Cram, 2016-05-13 In modern liberal democracies rights based judicial intervention in the policy choices of elected bodies has always been controversial For some such judicial intervention has trivialized and impoverished democratic politics For others judges have contributed to a dynamic and healthy dialogue between the different spheres of the constitution removed from pressures imposed on elected representatives to respond to popular sentiment This book provides a critical evaluation of ongoing debates surrounding the judicial role in protecting fundamental human rights focusing in particular on legislative executive abridgment of a core freedom in western society namely liberty of expression A range of types of expression are considered including expression related to electoral processes political expression in general and sexually explicit forms of expression

The Oxford Handbook of Freedom of Speech Adrienne Stone, Frederick F. Schauer, 2021 Explores the key rationales and principles that underpin our understanding of free speech Provides a comprehensive overview of freedom of speech as a legal principle in national and supranational settings This volume is divided into three parts with part one outlining the

history of the idea of the freedom of speech Part two discusses freedom of speech as a legal principle and part three surveys the key controversies in its application Book jacket Judging Free Speech H. Knowles, S. Lichtman, 2016-04-08 Judging Free Speech contains nine original essays by political scientists and law professors each providing a comprehensive yet concise and accessible overview of the free speech jurisprudence of a United States Supreme Court Justice *Literary Freedom* Heather Katherine McRobie, 2013-12-13 Literary Freedom a Cultural Right to Literature is a non fiction study of literary freedom from a political philosophical perspective It adds an original perspective on the issue of literary freedom as it synthesizes debates from human rights as well as providing a new way of addressing the question How do we mitigate against the harm caused by hate speech by applying Amartya Sen s capability approach to this question **Free Speech Theory** Paul Wragg, 2025-05-29 Do free speech rights apply against private actors Free Speech Theory challenges contemporary thought on this issue It champions free speech not for its contribution to epistemic advance or informed democratic participation but as a product of individuality located in a system of freedom from state control This has wide ranging implications for rights claims directed against private actors concerning online workplace and public interest based forms of speech This innovative rigorously researched and comprehensive restatement of free speech principle is both topical and important It has significance for policy makers practitioners and commentators around the world **The Content and Context of Hate Speech** Michael Herz, Peter Molnar, 2012-04-09 This volume considers whether it is possible to establish carefully tailored hate speech policies that recognize the histories and values of different countries **A Companion to Applied Ethics** R. G. Frey, Christopher Heath Wellman, 2008-04-15 Applied or practical ethics is perhaps the largest growth area in philosophy today and many issues in moral social and political life have come under philosophical scrutiny in recent years Taken together the essays in this volume including two overview essays on theories of ethics and the nature of applied ethics provide a state of the art account of the most pressing moral questions facing us today Provides a comprehensive guide to many of the most significant problems of practical ethics Offers state of the art accounts of issues in medical environmental legal social and business ethics Written by major philosophers presently engaged with these complex and profound ethical issues Civil Liberties and Human Rights Helen Fenwick, 2009-06-02 More than merely describing developments in the field of civil liberties and human rights this comprehensive and challenging textbook provides students with detailed and thought provoking coverage and analysis of the impact of the Human Rights Act 1998 in an era in which human rights are coming increasingly under pressure Extensively re written and updated since the last edition here Helen Fenwick considers the impact of the Human Rights Act 1998 paying particular attention to Labour legislation especially in the fields of criminal justice and terrorism This book considers recent key domestic decisions in the post Human Rights Act era including Campbell A and Others v Secretary of State for the Home Dept Ghaidan v Mendoza R Gillan v Commissioner of Police of the Metropolis contains a new chapter on important developments in counter terrorism law covering the Anti Terrorism Crime and Security

Act 2001 and the Terrorism Acts 2005 and 2006 analyzes key developments in the sphere of media freedom including the impact of the Communications Act 2003 Pro life Alliance and Campbell explores new developments in criminal justice including the Serious and Organized Crime Act 2005 addresses the changes in the field of anti discrimination law including the Sexual Orientation Regulations 2003 and Equality Act 2006 This textbook is an essential resource for students studying the development of human rights and civil liberties in the early years of the twenty first century

The Tie Goes to Freedom Helen J. Knowles-Gardner, 2018-10-19 At the ideological center of the Supreme Court sits Anthony M Kennedy whose pivotal role on the Rehnquist Court is only expected to grow in importance now that he is the lone swing Justice on the Roberts Court The Tie Goes to Freedom is the first book length analysis of Kennedy and it challenges the conventional wisdom that his jurisprudence is inconsistent and incoherent Using the hot button issues of privacy rights race and free speech this book demonstrates how Kennedy forcefully articulates a libertarian constitutional vision The Tie Goes to Freedom fills two significant voids one examining the jurisprudence of the man at the ideological center of the Supreme Court the other demonstrating the compatibility of an expansive judicial role with libertarian political theory At the end of Kennedy s tenure as the most important swing justice in recent Supreme Court history Helen Knowles provides an updated edition of her highly regarded book on Justice Kennedy and his constitutional vision

Freedom of Speech Eric Barendt, 2005-08-11 This is a fully revised and updated new edition of the classic work first published in 1985 There have been many important developments since the first edition including enactment of the Charter of Rights and Freedoms in Canada in 1982 the impact of the European Human Rights Convention and the consideration by English courts of Judgments of the European Court of Human Rights Social and cultural changes mean that free speech claims are being made in novel contexts to challenge the validity of bans on tobacco advertising to publish kiss and tell stories about celebrities and to resist attempts to regulate the Internet Barendt considers the meaning and scope of freedom of speech How far do free speech and expression clauses protect pornography commercial advertising and public meetings on the streets Does this freedom cover desecration of a national flag Does it include nude dancing Eric Barendt discusses the legal protection of free speech in countries including England the United States including recent decisions of the United States Supreme Court Canada Germany and under the European Human Rights Convention He examines the varied approaches of different legal systems and constitutional traditions to balancing free speech and freedom of the press against rights to reputation and privacy and to copyright and explores the case law in light of the philosophical and political arguments for free speech guarantees

Catalog of the Gerald K. Stone Collection of Judaica Gerald K. Stone, 2021-01-05 Gerald K Stone has collected books about Canadian Jewry since the early 1980s This volume is a descriptive catalog of his Judaica collection comprising nearly 6 000 paper or electronic documentary resources in English French Yiddish and Hebrew Logically organized indexed and selectively annotated the catalog is broad in scope covering Jewish Canadian history biography religion literature the

Holocaust antisemitism Israel and the Middle East and more An introduction by Richard Menkis discusses the significance of the Catalog and collecting for the study of the Jewish experience in Canada An informative bibliographical resource this book will be of interest to scholars and students of Canadian and North American Jewish studies

Hate Speech Law Alex Brown, 2015-03-05 Hate speech law can be found throughout the world But it is also the subject of numerous principled arguments both for and against These principles invoke a host of morally relevant features e g liberty health autonomy security non subordination the absence of oppression human dignity the discovery of truth the acquisition of knowledge self realization human excellence civic dignity cultural diversity and choice recognition of cultural identity intercultural dialogue participation in democratic self government being subject only to legitimate rule and practical considerations e g efficacy the least restrictive alternative chilling effects The book develops and then critically examines these various principled arguments It also attempts to de homogenize hate speech law into different clusters of laws regulations codes that constrain uses of hate speech so as to facilitate a more nuanced examination of the principled arguments Finally it argues that it is morally fitting for judicial and legislative judgments about the overall warrant of hate speech law to reflect principled compromise Principled compromise is characterized not merely by compromise over matters of principled concern but also by compromise which is itself governed by ideals of moral duty or civic virtue e g reciprocity equality and mutual respect The Open Access version of this book available at <https://doi.org/10.4324/9781315714899> has been made available under a Creative Commons Attribution Non Commercial No Derivatives 4.0 license

Balancing Privacy and Free Speech Mark Tunick, 2014-08-21 In an age of smartphones Facebook and YouTube privacy may seem to be a norm of the past This book addresses ethical and legal questions that arise when media technologies are used to give individuals unwanted attention Drawing from a broad range of cases within the US UK Australia Europe and elsewhere Mark Tunick asks whether privacy interests can ever be weightier than society's interest in free speech and access to information Taking a comparative and interdisciplinary approach and drawing on the work of political theorist Jeremy Waldron concerning toleration the book argues that we can still have a legitimate interest in controlling the extent to which information about us is disseminated The book begins by exploring why privacy and free speech are valuable before developing a framework for weighing these conflicting values By taking up key cases in the US and Europe and the debate about a right to be forgotten Tunick discusses the potential costs of limiting free speech and points to legal remedies and other ways to develop new social attitudes to privacy in an age of instant information sharing This book will be of great interest to students of privacy law legal ethics internet governance and media law in general

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