



Freedom for the Thought That We Hate: A Biography of the First Amendment

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More than any other people on earth, Americans are free to say and write what they think. The media can air the secrets of the White House, the boardroom, or the bedroom with little fear of punishment or penalty. The reason for this extraordinary freedom is not a superior culture of tolerance, but just fourteen words in our most fundamental legal document: the free expression clauses of the First Amendment to the Constitution. In Lewis's telling, the story of how the right of free expression evolved along with our nation makes a compelling case for the adaptability of our constitution. Although Americans have gleefully and sometimes outrageously exercised their right to free speech since before the nation's founding, the Supreme Court did not begin to recognize this right until 1919. Freedom of speech and the press as we know it today is surprisingly recent. Anthony Lewis tells us how these rights were created, revealing a story of hard choices, heroic (and some less heroic) judges, and fascinating and eccentric defendants who forced the legal system to come face-to-face with one of America's great founding ideas.

Freedom for the Thought That We Hate: A Biography of the First Amendment Details

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From Reader Review Freedom for the Thought That We Hate: A Biography of the First Amendment for online ebook

Kevin says

Anthony Lewis' Freedom for the Thought That We Hate: A Biography of the First Amendment is exactly that: a brief if thorough examination of the development of the legal right of free speech in the United States from the original drafting of the amendment, the century or more of neglect by the courts during the 1800s, on through its rapid elevation by the Supreme Court as one of, if not the, most fundamental rights guaranteed under our Constitution. While the first couple of chapters are organized primarily chronologically, the rest of the book is organized thematically so that Mr. Lewis can consider the application of the First Amendment's free speech, expression, and assembly guarantees in various contexts, including hate speech, balancing against other constitutional guarantees, and the press. Although the author occasionally injects his own commentary on the normative value/correctness of the courts' First Amendment jurisprudence, overall the text is neutral and informative. Furthermore, save for some negative references to President George W. Bush's "War on Terror", the sections of text containing Mr. Lewis' personal opinion are clearly phrased as such and could be skimmed/skipped quite easily if the reader is so inclined. I would recommend this book to anyone, regardless of educational background, who is interested in the development of First Amendment law in this country.

Jennifer says

Forget everything you think you know about freedom of speech, freedom of the press, and the first amendment. The founders (and later the courts) didn't have the same ideas about these freedoms as we do in the 21st century.

Papaphilly says

This is a great book to read for a history of the First Amendment. It is not an easy read and it takes lots of concentration. There is plenty of heady ideas flowing and it is not always what you expect. Freedom for the Thought That We Hate: A Biography of the First Amendment is part history of how the First Amendment was developed and part law of the cases that expanded a once narrowly viewed right. Anthony Lewis builds his case like the pyramids, strong base rising up majestically. But like the pyramids, it is often tedious, but necessary to complete the project. The subject is fundamental to us Americans and it is treated with the gravitas it deserves. There is a reason the Title is what it is. It serves as both the base for the entire book as well as a reminder why freedom of expression and press is so venerated. If you can preserve the freedom for the thought we hate, then you can preserve the freedom for the thought we hold dear and that process was both hard and long in coming.

Michael Shaw says

Lewis describes the development and interpretation of the First Amendment, and by consequence, free

speech specifically, in the United States. Within this discourse is the evolution of the Court's opinion on what free speech constitutes, how it is to be provided, and how it is to be balanced or consolidated with other rights.

Lewis gives the information in an accessible but thorough manner, and his work has given me greater appreciation and even enjoyment of the freedoms that the First Amendment provides. I recommend this book for those interested in Communication or Politics.

Katie says

I expected this to add to my existing knowledge of the First Amendment, but it just served as a refresher course. Skip this book if you have a working knowledge of the subject.

Josh says

Interesting review of First Amendment law consumable by laypersons.

Chip says

Well-written and interesting study of the First Amendment, and without question worth the read - but it could have been better. It seemed at times a collection of articles rather than single (albeit chaptered) tale, and Lewis's political editorializing in the latter portion of the book, although infrequent, was unexpected and at times jarring.

Pat Healy says

This book works best when Lewis sticks to history, where he does an excellent job of breaking down the various things that we talk about when we talk about "freedom of speech". The few occasions where Lewis injects personal opinions don't really fit in what is largely a brief examination of how the First Amendment has been shaped by the courts over the years. That minor quibble aside, this is a fascinating read, with lots of excellent nuggets from the highs and lows of judicial interpretation of the Constitution.

Jenni says

I thought this was really interesting, but it was definitely trying and textbookish at times.

It's so interesting to hear the context of some of the decisions that were made and commentaries of Supreme Court Justices over the years in light of the dumpster fire that is our political system in America these days. The role of the First Amendment and of the Freedom of the Press are so important to the freedom we hold dear.

Carlos says

This book was exactly what its title promised, a thoughtful analysis of the way the first amendment was conceived and how its interpretation has changed throughout the life of this country. Lewis gives the reader the context necessary to understand the step-by-step expansion that each Supreme Court decision gave it and how it became enshrined in our political life. Lewis also does a good job in comparing how the US judiciary's understanding of free speech differs from the European or Canadian understanding. He treats the reader to a thoughtful discussion of the cost-benefit analysis that have to be made between defending free speech and censoring hate speech. Overall, Lewis book was quite informative and valuable in understanding the role that interpretation must have in our defense of the constitution.

Dani Kass says

Lewis's writing is casual and compelling, reading more like a thriller I couldn't put down than a book on the history of the First Amendment. He doesn't get too deep into cases, but still gives a detailed overview of judicial, legislative and cultural history and provides a stream of smart analysis and comparisons which really made me question my core beliefs.

It's very basic for those who already have a good understanding of the First Amendment, but it's a quick read to jog your memory. For others, it's a great starting place to know what cases and issues are worth reading into in more depth.

Chris says

See the title? That's the point.

Matt says

Lewis offers a brief biography of the most oft-cited portion of the American Bill of Rights, the First Amendment. Exploring free speech and expression through the eyes of America's political and social evolution, Lewis presents a well-grounded political and constitutional treatise on the subject. Looking first to the evolution of free speech in the United States, Lewis explores it as a reaction to the lack of such opportunity when the Thirteen Colonies were part of the British Empire. Sedition and libel became the most popularly adjudicated actions, especially between individuals and the burgeoning published press. Acceptance of freedom to express oneself in the spoken word and in print was by no means as far-reaching as it is today, even though it was ensconced in the constitutional documents of the country. It took time and an evolutionary process of the courts to accept new and deeply-rooted understandings of these freedoms. Lewis shows how the Supreme Court shaped free speech and expression in the 20th century, trumping some of the early interpretations of the Amendment, and tightening the reaction to laws that sought to impede these rights. Lewis also explores the press angle and freedom to shield sources as a mean of garnering free speech. By not having to openly reveal the names of those who offered information to flex the journalistic

muscle of freedom of expression, the courts ruled that the First Amendment worked both to encourage expression and to protect it from government intrusion. While cases and precedent evolved through to the latter part of the 20th century, there was surely a great surge in open interpretation from the 19th century, which appears all but barren in its legal proceedings on speech. Adding personal expression through action into the mix of this biographical piece, Lewis shows how Americans and their varied personal beliefs found refuge in an open interpretation of the Amendment, though time and political fear shaped or suspended some fundamental rights for periods of time. Lewis mentioned the German Scare of the Great War, Japanese internment camps of the Second World War, and racial profiling during the early stages of the War on Terror, all of which were events wherein the Federal Government played on the emotions of the public (and the press) to push through laws or actions that blatantly violated personal rights. It was only the courts, who are reactionary and not proactive in their adjudication, who kept the leash of the US Constitution tightly in hand. Tackling such a political powder keg as the First Amendment, Lewis does present the reader with a well-developed exploration of the constitutional and political foundations behind a right that pushes the boundaries of tolerance and acceptance of all peoples. Succinct, yet detailed enough to make strong arguments, Lewis succeeds in what he sought to do with this tome, that will likely enlighten those who have the patience to wade into the discussion.

Lewis is able to offer his views in an effective manner without an awkward attempt to inculcate ideas. Using numerous legal sources, cases, and historical settings, Lewis is able to present a strong case for the effective use of the First Amendment, while also pointing out when the courts dropped the ball. As constitutional interpretation falls to the courts (though I could open a chasm by mentioning the role the courts have in this regard), Lewis shows how a decision made at one point was reversed or completely contradicted at another point in time. Evolution of opinions and judicial understanding came as America grew, though the political and emotional blinders were clearly evident, perhaps a throwback to support the general sentiments held by the populace. That said, Lewis also shows that the courts do not fall prey to letting public sentiment determine the direction in which the constitutional winds blow. I suspect this ability to effectively present strong arguments and cases comes from a long history of exploring the judicial system. This benefits the reader who might not be as well-versed, even if they are eager to learn. Lewis is a decent teacher and makes his arguments transparent, leaving the reader to decide if they agree or have an opinion of their own; the crux of this book in action.

Kudos, Mr. Lewis for this wonderful exploration of political and constitutional arguments. You tell things in such a way that the information flows freely without boring the reader with too much minutiae.

Like/hate the review? An ever-growing collection of others appears at:
<http://pecheyponderings.wordpress.com/>

Kathryn says

This is a solid introduction to the history of the first amendment, and encourages the reader to delve further into the subject. I think it should be required reading for intro to American Government classes.

It's not exhaustive, but no single volume could be. As I said, it's an introduction, but a stirring one.

100 More! says

It's concise, informative, and exactly what it says it is. Mr. Lewis wears his biases on his sleeve so it's easy to ignore them if you want to receive just pure information rather than his opinions. It's a solid recommend for anyone interested in the subject matter. Hear more here: <https://soundcloud.com/geo-flores-709...>
