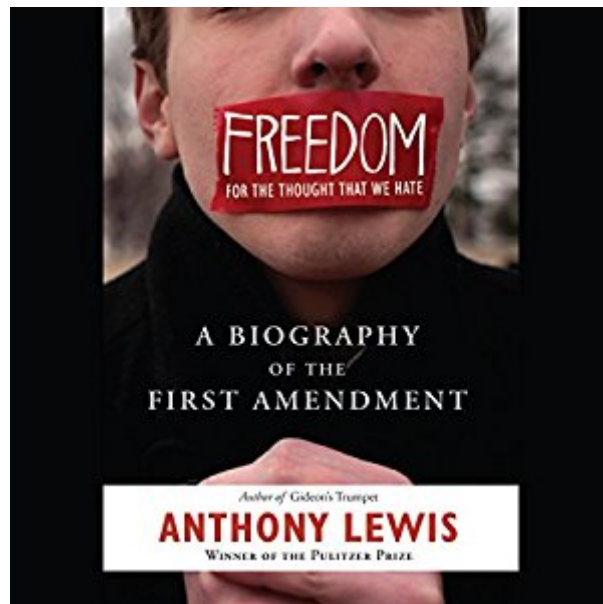


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Freedom For The Thought That We Hate: A Biography Of The First Amendment



Synopsis

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. --This text refers to the Digital edition.

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Customer Reviews

This book is a history of the First Amendment and the twisting, torturous road taken to get from 1791 when the amendment was added to the Constitution to the freedoms we now enjoy due to the inclusion of the amendment. It has been a long bumpy road and getting to the point we are at now was not easy. The author looks at various portions of the First Amendment, and details various laws

and Supreme Court decisions that have affected and changed the way the amendment is interpreted. Along the way, the author looks at what is free speech, how that was determined and many of the attitudes of various Supreme Court Justices. In addition, libel laws are examined as is the concept of freedom of the press. This book is a well written history, and one that all Americans should read. Not only do many of us take our rights for granted, but we also don't understand the process by which laws develop and are interpreted. The term "activist judge" will have a whole new meaning following the reading of this book. In addition, you will have a much better understanding of how the Constitution works, how the Supreme Court works and how we can all be better citizens.

Anthony Lewis, the longtime columnist and onetime Supreme Court reporter for the New York Times, inspired many children of the 60s and 70s to go to law school with his classic book, *Gideon's Trumpet*. *Freedom for the Thought That We Hate* doesn't have the dramatic flair of that book, but it is a highly readable, sprightly account of more than 200 years of First Amendment history. Lewis is, of course, a champion of the First Amendment, and his discussions of the libel case *New York Times v. Sullivan*, the post-World War I sedition cases, and the McCarthy era show why the First Amendment and its guarantees of free expression are so necessary to a free society. He goes further, holding back nothing in expressing his contempt for President George W. Bush and what Lewis views as the president's incessant efforts to destroy liberty in the name of fighting terrorism. But Lewis is no First Amendment absolutist. On campaign finance, on judicial elections, and even on advocacy of violence (where Lewis would permit the criminalization of some statements that the Supreme Court evidently would not), he stays away from dogmatism and calls each case as he sees it. It's clear, as well, that Lewis is not thrilled with many aspects of today's popular culture in the wake of the practical abolition of any limitations on expression on obscenity grounds. But on this issue, he's speaking as a bit of a cultural conservative, not as someone who wishes to overturn a whole line of Supreme Court decisions. As always, Lewis cuts through the legalese and brings dusty Supreme Court cases to life. Highly recommended.

Anthony Lewis's new book, *"Freedom for the Thought That We Hate"* is a terrific compendium regarding the First Amendment...America's unique codification of freedom of speech. Citing a number of Supreme Court cases, Lewis weaves a narrative with respect to two hundred years of debate about this important amendment to the Constitution, how it evolved and its relevance today. Along the way, we are reminded how, at many times during our nation's history, certain aspects of free speech were abridged, only to be saved by the courts, the Congress and public opinion.

Anthony Lewis has presented all of this in a succinct and engrossing way. Although this is a work about our own nation, Lewis does some short comparisons to the British system of "openness" and finds theirs (unsurprisingly) not as free as ours, especially when it comes to cases of libel. A surprise to many reading "Freedom" is how only comparatively recently the First Amendment has been put to the test. Lewis delves into areas of interest including privacy, libel, the press and pornography. But perhaps his greatest chapter is one on fear...how governments have sought to use fear to suppress public demonstration and thought, while insulating themselves from reality. "Sunlight is the best disinfectant", Justice Louis Brandeis stated years ago, and the author is quick to cite the Bush administration for not adhering to this idea. Indeed, I wish Lewis had taken on Bush even more in this book, but perhaps he has another offering in the works. "Freedom for the Thought That We Hate" is simply terrific. The author's look into certain Supreme Court Justices... Brandeis, Oliver Wendell Holmes, and Felix Frankfurter, (to name just three) is superb. To top it all off, Anthony Lewis is deeply reflective and writes in a well-paced manner. I highly recommend "Freedom" for anyone who is serious about how the First Amendment continues to be a guiding light for the United States.

"Freedom For the Thought We Hate" is a non-technical overview of the Supreme Court's main First Amendment cases in the 20th century. One chapter deals with press freedoms, another with privacy, another with freedom of association, and so forth. The writing is clear, the book is short, and pre-law students or other undergrads looking for an introduction to this area of law couldn't find a better place to start. But the book isn't "Gideon's Trumpet" or "Make No Law," outstanding books where Lewis picked apart a single epochal Supreme Court case. Here, no case gets more than 4 or 5 paragraphs of text. Doctrinal subtleties get short shrift, as do historical and biographical details. At its best, the book is a stirring defense of free speech. At its worst, it reads like potted summaries of court opinions.

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