



A Virtue Less Cloistered

Courts, Speech
and Constitutions

Ian Cram

B L O O M S B U R Y

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SB Merriam



A Virtue Less Cloistered A Virtue Less Cloistered:

A Virtue Less Cloistered Ian Cram, 2002 Whilst paying lip service to the importance of public access to court proceedings and its corollary of unfettered media reporting a trawl through common law jurisdictions reveals that judges and legislators have been responsible for substantial inroads into the ideal of open justice Outside of the US judges and legislators have long subordinated media freedom to report and comment upon matters relating to the administration of justice in order to safeguard the fairness of individual proceedings public confidence in the administration of justice more generally or even individual privacy concerns The subject matter of this book is a comparative treatment of constitutional protection for open justice Focusing on developments in the legal systems of the United Kingdom the United States Canada and Australia the monograph draws upon the constitutionalization of expression interests across the common law world to engage in a much needed re assessment of the basis and extent of permissible restraints on speech

Ethics and the University Michael Davis, 2002-01-04 Ethics and the University brings together two closely related topics the practice of ethics in the university academic ethics and the teaching of practical or applied ethics in the university This volume is divided into four parts A survey of practical ethics offering an explanation of its recent emergence as a university subject situating that subject into a wider social and historical context and identifying some problems that the subject generates for universities An examination of research ethics including the problem of plagiarism A discussion of the teaching of practical ethics Michael Davis explores how ethics can be integrated into the university curriculum and what part particular cases should play in the teaching of ethics An exploration of sexual ethics Ethics and the University provides a stimulating and provocative analysis of academic ethics which will be useful to students academics and practitioners

Freedom of Speech Eric Barendt, 2005-08-11 Fully revised and updated this title examines topical issues such as free speech and freedom of the press as well as considering other important developments and legislation

Modern Utopian Fictions from H. G. Wells to Iris Murdoch Peter Edgerly Firchow, 2007 Criticism on utopian subjects has generally neglected the literary or fictional dimension of utopia The reason for such neglect may be that earlier utopian fictions tended to be written by what one would nowadays call social scientists e g Plato or Sir Thomas More That is also why earlier discussions of utopian fiction were usually written by critics trained in the social sciences rather than by critics trained in literature To an appreciable degree this still tends to be the case today Now however there is an additional difficulty for the social scientists are critiquing utopias written by people who are primarily literary for example Krishan Kumar on Wells or Bernard Crick on Orwell Inevitably much of importance of literary importance is simply disregarded and so our understanding of modern utopia is correspondingly diminished This book aims to put the fiction back into utopian fictions While tracing the development of fiction in the writing of modern utopias especially in Britain it seeks to demonstrate in specific ways how those utopias have become increasingly literary possibly as a reaction not only against the social scientification of modern utopias but also in reaction against the modern attempt to

institute utopia in reality notably in the former Soviet Union but also in consumerist late twentieth century America After an introductory discussion of how we understand and how we should understand modern utopian fictions the book provides several examples of how those understandings affect our appreciation of utopian fiction There are chapters on H G Wells s Time Machine Bernard Shaw s Major Barbara Aldous Huxley s Brave New World George Orwell s Animal Farm and Nineteen Eighty Four William Golding s Lord of the Flies and Iris Murdoch s The Bell ABOUT THE AUTHOR Peter Edgerly Firchow internationally recognized scholar and author of numerous works including Reluctant Modernists W H Auden Contexts for Poetry Envisioning Africa Racism and Imperialism in Conrad s Heart of Darkness and The End of Utopia is professor of English at the University of Minnesota Firchow includes much that is praiseworthy in this short book on utopian fiction Firchow s work displays his very well informed explication and his ability in most instances to make literary texts come alive His treatment of Wells s The Time Machine is simply outstanding I find his enthusiasm for his texts refreshing and his work on the end of history meticulous Other scholars of utopian fiction will as well H Net Reviews Utopian fiction has often been mangled in interpretation on the occasions when it has been read without a sense of irony for the sake of political analysis disregarding its artistic nature To counterpoise such approaches Firchow offers us a close reading of each of the chosen works while also placing them in literary context Janice Rossen Partial Answers *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

Freedom of Speech Uladzislau Belavusau, 2013-10-08 This book considers the issue of free speech in transitional democracies focusing on the socio legal developments in the Czech Republic Hungary and Poland In showing how these Central and Eastern European countries have engaged with free speech models imported from the Council of Europe EU and the USA the book offers valuable insights into the ways States have responded to challenges associated with transformation from communism to Western democracy The book first explores freedom of expression in European and American law looking particularly at hate speech historical revisionism and pornography It subsequently enquires into the role and perspectives of those European mandatory and US American persuasive models for the constitutional debate in Central and Eastern Europe The study offers an original interpretation of the European model of freedom of expression beyond the mechanisms of the Council of Europe It encompasses the relevant aspects of EU law judgments of the Court of Justice and

the harmonised EU instruments as mandatory standards for courts and legislators including those in transitional countries of Central and Eastern Europe The book argues for de criminalisation of historical revisionism and pornography and illuminates topics such as genocide denial the rise of Prague and Budapest as Europe s porno capitals anti-Semitism and anti Gypsyism religious obscurantism and homophobia virulent Islamophobia and the glorification of terrorism The research methodology in this study combines a descriptive case law assessment comparative constitutional public international and EU law with a normative critique stemming from post structuralist scrutiny rhetoric postmodern legal movements legal history history of ideas and art criticism This book will be of interest to students and scholars of comparative constitutional law law and society human rights and European law as well as political philosophers

Contempt of Court Great Britain: Law Commission,2012-08-10 The Law Commission s work on scandalising the court forms part of its wider project on contempt Work on this aspect of contempt has been brought forward to tie in with the Government s consideration of the possible abolition of the offence under the Crime and Courts Bill A well publicised case in spring 2012 highlighted the historic common law offence of scandalising the court This offence covers conduct likely to undermine the administration of justice or public confidence in the administration of justice where the conduct does not impinge on particular proceedings Scandalising the court has been defined as any act done or writing published calculated to bring a Court or a judge of the Court into contempt or to lower his authority There has not been a successful prosecution for scandalising the court in England and Wales since 1931 although it has been used more recently in other common law jurisdictions The controversy surrounding this offence is in relation to the lack of clarity about both the conduct element and the mental element the lack of clarity about the defences available the justification for retaining such an offence in a well established democracy and the compatibility of the offence with freedom of speech and the European Convention on Human Rights The consultation considers whether the current offence of scandalising the court should be abolished or in the alternative whether it should be retained but modified and if so how

Secular Powers Julie E. Cooper,2024-05-31 Secularism is usually thought to contain the project of self deification in which humans attack God s authority in order to take his place freed from all constraints Julie E Cooper overturns this conception through an incisive analysis of the early modern justifications for secular politics While she agrees that secularism is a means of empowerment she argues that we have misunderstood the sources of secular empowerment and the kinds of strength to which it aspires Contemporary understandings of secularism Cooper contends have been shaped by a limited understanding of it as a shift from vulnerability to power But the works of the foundational thinkers of secularism tell a different story Analyzing the writings of Hobbes Spinoza and Rousseau at the moment of secularity s inception she shows that all three understood that acknowledging one s limitations was a condition of successful self rule And while all three invited humans to collectively build and sustain a political world their invitations did not amount to self deification Cooper establishes that secular politics as originally conceived does not require a choice between power

and vulnerability Rather it challenges us today as then to reconcile them both as essential components of our humanity

Human Rights Controversies Luke McNamara,2007-08-07 A comparative socio legal examination of three recent controversies in four countries this book provides a foundation for finding answers to many of the questions surrounding the universality of human rights values

Media Freedom in the Age of Citizen Journalism Coe, Peter,2021-12-10 This timely book explores how the internet and social media have permanently altered the media landscape enabling new actors to enter the marketplace and changing the way that news is generated published and consumed It examines the importance of citizen journalists whose newsgathering and publication activities have made them crucial to public discourse and central actors in the communication revolution Investigating how the internet and social media have enabled citizen journalism to flourish and what this means for the traditional institutional press the public sphere and media freedom the book

demonstrates how communication and legal theory are applied in practice **Media Freedom and the Law** András Koltay,2024-08-01 The main objectives of media regulation in Europe are to protect media freedom to ensure the social responsibility of the media and to prevent harm caused by speech published through the media This book examines the way in which these are reflected in European legal regimes and jurisprudence at the supranational regional and national levels It addresses the theoretical considerations behind the protection and restriction of media freedom It starts from the assumption that there is a common European ideal of media freedom as a human right Apart from EU law and in many cases similar national regulations many common points can be identified across Europe in the theoretical underpinnings of this right and the history of struggles for this freedom in different European countries also shows common features While the focus is on media freedom in Europe the work also discusses the uniquely distinct concept of freedom of expression and of the media that is prevalent in the US the principles of which have a significant impact in Europe The book uses a comparative method in part as it attempts to outline the common regulatory framework for the idea of media freedom on a European scale The reference to national laws and court decisions is intended to illustrate this picture looking primarily at what binds European states together The work will be a valuable resource for those working in the areas of public law media law media studies comparative law international human rights law and legal philosophy **The Spenser Encyclopedia** A.C.

Hamilton,2020-07-01 This masterly work ought to be The Elizabethan Encyclopedia and no less Cahiers Elizabethains Edmund Spenser remains one of Britain s most famous poets With nearly 700 entries this Encyclopedia provides a comprehensive one stop reference tool for appreciating Spenser s poetry in the context of his age and our own understanding the language themes and characters of the poems easy to find entries arranged by subject Myth and Meaning, Myth and

Order Stephen C. Ausband,2000-09-05 Political Parties and Terrorist Groups Leonard Weinberg,Ami Pedahzur,Arie Perliger,2008-11-19 This book is the definitive guide to the topical issue of the relationship between political parties that embrace the democratic process and terrorist groups which eschew the legal and procedural strictures of democracy The

fully revised edition continues to provide the most detailed theoretical and empirical analysis of this controversial issue highlighting the fluid nature of boundaries between terrorist organisation and legitimate political party Drawing on a vast array of data the authors examine a large number of international case studies from Italy Spain Lebanon Turkey Iran Israel Palestine Peru Argentina Japan and Northern Ireland By incorporating substantial new material on ETA Hizbollah and Hamas this book retains its position at the forefront of the worldwide political discussion on terrorism and continues to be essential reading for all students academics and readers with an interest in security studies terrorism and political violence The Hastings Law Journal ,2011-05 *Human Rights and Civil Liberties* Steve Foster,2008 First edition published in 2003

Memorial of Samuel Gilman Brown, D. D., LL. ,1886 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 *A Discourse, Commemorative of Charles Brickett Haddock, D.D.* Samuel Gilman Brown,1861 **A Discourse, Commemorative of Charles Brickett Haddock; D.D., Late Professor of Intellectual Philosophy and Political Economy** Samuel Gilman Brown,1861

Whispering the Secrets of Language: An Emotional Journey through **A Virtue Less Cloistered A Virtue Less Cloistered**

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