

A Distant Heritage

The Growth of
Free Speech in
Early America



Larry D. Eldridge

A Distant Heritage The Growth Of Free Speech In Early America

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A Distant Heritage The Growth Of Free Speech In Early America:

A Distant Heritage Larry Eldridge, 1995-07 Historians often rely on a handful of unusual cases to illustrate the absence of free speech in the colonies such as that of Richard Barnes who had his arms broken and a hole bored through his tongue for seditious words against the governor of Virginia In this definitive and accessible work Larry Eldridge convincingly debunks this view by revealing surprising evidence of free speech in early America Using the court records of every American colony that existed before 1700 and an analysis of over 1 200 seditious speech cases sifted from those records *A Distant Heritage* shows how colonists experienced a dramatic expansion during the seventeenth century of their freedom to criticize government and its officials Exploring important changes in the roles of juries and appeals the nature of prosecution and punishment and the pattern of growing leniency Eldridge also shows us why this expansion occurred when it did He concludes that the ironic combination of tumult and destabilization on the one hand and steady growth and development on the other made colonists more willing to criticize authority openly and officials less able to prevent it That in turn established a foundation for the more celebrated flowering of colonial dissent against English authority in the eighteenth century Steeped in primary sources and richly narrated this is an invaluable addition to the library of anyone interested in legal history colonial America or the birth of free speech in the United States

Beyond the First Amendment Samuel P. Nelson, 2005-07 Americans often believe that the First Amendment and free speech are synonymous and that all restrictions on speech can be addressed by the legal framework of the First Amendment Political theorist Samuel P Nelson argues that the current legal framework for free speech actually undermines attempts to resolve many of these issues and that the law of the First Amendment has supplanted the vital politics of free speech To cut through the confusion Nelson takes a step back from the First Amendment framework to understand the social nature of speech moving toward a more pluralistic and value based understanding He examines three philosophies commonly used to justify speech protection libertarianism expressivism and egalitarianism and finds none of them sufficiently responsive in today's contemporary political landscape Advocating an approach grounded in value pluralism which describes a wider variety of free speech claims than the First Amendment allows Nelson pushes the debate beyond constitutional and legal questions

The Indispensable Right Jonathan Turley, 2025-06-03 This book places the current attacks on the right of free speech in their proper historical legal and political context The United States was born in an age of rage and for 250 years we have periodically lost sight of the value of free expression The history of the struggle for free speech is the story of extraordinary people nonconformists who refuse to yield to abusive authority and here is a mosaic of vivid characters and controversies Jonathan Turley takes readers through the figures and failures that have shaped us and then shows the unique dangers of our current moment The alliance of academic media and corporate interests with the government's traditional wish to control speech has put us on an almost irresistible path toward censorship Turley reminds us that we remain a nation grappling with the implications of free

expression and with the limits of our tolerance for the speech of others **Triumph of Order** Lisa Keller, 2010-09-21 In an effort to create a secure urban environment in which residents can work live and prosper with minimal disruption New York and London established a network of laws policing and municipal government in the nineteenth century aimed at building the confidence of the citizenry and creating stability for economic growth At the same time these two cities attempted to maintain an expansive level of free speech and assembly Yet as democracy expanded in tandem with the size of the cities themselves the two goals clashed resulting in tensions over their compatibility Treating nineteenth century London and New York as case studies Lisa Keller examines the development of sanctioned free speech controlled public assembly new urban regulations and the quelling of riots all in the name of a proper regard for order Drawing on rich archival sources Keller paints an intimate portrait of daily life in these cities and the intricacies of their emerging bureaucracies She finds that New York eventually settled on a policy of preempting disruption before it occurred while London chose a path of greater tolerance toward street activities Keller concludes with an assessment of freedom in New York and London today and asks whether the scales have been tipped too strongly in favor of order and control The Free and Open Press Robert W. T. Martin, 2001-08-01 The current heated debates over hate speech and pornography were preceded by the equally contentious debates over the free and open press in the seventeenth and eighteenth centuries Thus far little scholarly attention has been focused on the development of the concept of political press freedom even though it is a form of civil liberty that was pioneered in the United States But the establishment of press liberty had implications that reached far beyond mere free speech In this groundbreaking work Robert Martin demonstrates that the history of the free and open press is in many ways the story of the emergence and first real expansions of the early American public sphere and civil society itself Through a careful analysis of early libel law the state and federal constitutions and the Sedition Act crisis Martin shows how the development of constitutionalism and civil liberties were bound up in the discussion of the free and open press Finally this book is a study of early American political thought and democratic theory as seen through the revealing window provided by press liberty discourse It speaks to broad audiences concerned with the public square the history of the book free press history contemporary free expression controversies legal history and conceptual history *Governing the Tongue* Jane Kamensky, 1999-02-18 *Governing the Tongue* explains why the spoken word assumed such importance in the culture of early New England In a work that is at once historical socio cultural and linguistic Jane Kamensky explores the little known words of unsung individuals and reconsiders such famous Puritan events as the banishment of Anne Hutchinson and the Salem witch trials to expose the ever present fear of what the Puritans called sins of the tongue But even while dangerous or deviant speech was restricted as Kamensky illustrates here godly speech was continuously praised and promoted Congregations were told that one should lift one's voice like a trumpet to God and cry out and cease not By placing speech at the heart of New England's early history Kamensky develops new ideas about the complex relationship between speech and

power in both Puritan New England and by extension our world today **The Idea of a Free Press** David A. Copeland, 2006-07-21 Spanning nearly four centuries in Britain and America Copeland's book reveals how the tension between government control and the right to debate public affairs openly ultimately led to the idea of a free press The Revolution in Freedoms of Press and Speech Wendell Bird, Wendell R. Bird, 2020 This book discusses the revolutionary broadening of concepts of freedom of press and freedom of speech in Great Britain and in America in the late eighteenth century in the period that produced state declarations of rights and then the First Amendment and Fox's Libel Act The conventional view of the history of freedoms of press and speech is that the common law since antiquity defined those freedoms narrowly and that Sir William Blackstone in 1769 and Lord Chief Justice Mansfield in 1770 faithfully summarized the common law in giving a very narrow definition of those freedoms as mere liberty from prior restraint and not liberty from punishment after something was printed or spoken This book proposes to the contrary that Blackstone carefully selected the narrowest definition that had been suggested in popular essays in the prior seventy years in order to oppose the growing claims for much broader protections of press and speech Blackstone misdescribed his summary as an accepted common law definition which in fact did not exist A year later Mansfield inserted a similar definition into the common law for the first time also misdescribing it as a long accepted definition and soon misdescribed the unique rules for prosecuting sedition as having an equally ancient pedigree Blackstone and Mansfield were not declaring the law as it had long been but were leading a counter revolution about the breadth of freedoms of press and speech and cloaking it as a summary of a narrow common law doctrine that in fact was nonexistent That conflict of revolutionary view and counter revolutionary view continues today For over a century a neo Blackstonian view has been dominant or at least very influential among historians Contrary to those narrow claims this book concludes that the broad understanding of freedoms of press and speech was the dominant context of the First Amendment and of Fox's Libel Act and that it enjoyed greater historical support **The Colonial Book in the Atlantic World** Hugh Amory, David D. Hall, 2007 Volume 1 of A History of the Book in America encompasses seventeenth and eighteenth century book history **Colonial America** Jerome Reich, 2016-07-01 This brief up to date examination of American colonial history draws connections between the colonial period and American life today by including formerly neglected areas of social and cultural history and the role of minorities African Americans Native Americans women and laboring classes It summarizes and synthesizes recent studies and integrates them with earlier research Key topics European Backgrounds The Native Americans The Spanish Empire in America The Portuguese French and Dutch Empires in America The Background of English Colonization The Tobacco Colonies Virginia and Maryland The New England Colonies The Completion of Colonization Seventeenth Century Revolts and Eighteenth Century Stabilization Colonial Government African Americans in the English Colonies Immigration Colonial Agriculture Colonial Commerce Colonial Industry Money and Social Status The Colonial Town The Colonial Family Religion in Colonial America Education in Colonial America Language and

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Decoding **A Distant Heritage The Growth Of Free Speech In Early America**: Revealing the Captivating Potential of Verbal Expression

In a time characterized by interconnectedness and an insatiable thirst for knowledge, the captivating potential of verbal expression has emerged as a formidable force. Its power to evoke sentiments, stimulate introspection, and incite profound transformations is genuinely awe-inspiring. Within the pages of "**A Distant Heritage The Growth Of Free Speech In Early America**," a mesmerizing literary creation penned by a celebrated wordsmith, readers embark on an enlightening odyssey, unraveling the intricate significance of language and its enduring effect on our lives. In this appraisal, we shall explore the book is central themes, evaluate its distinctive writing style, and gauge its pervasive influence on the hearts and minds of its readership.

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