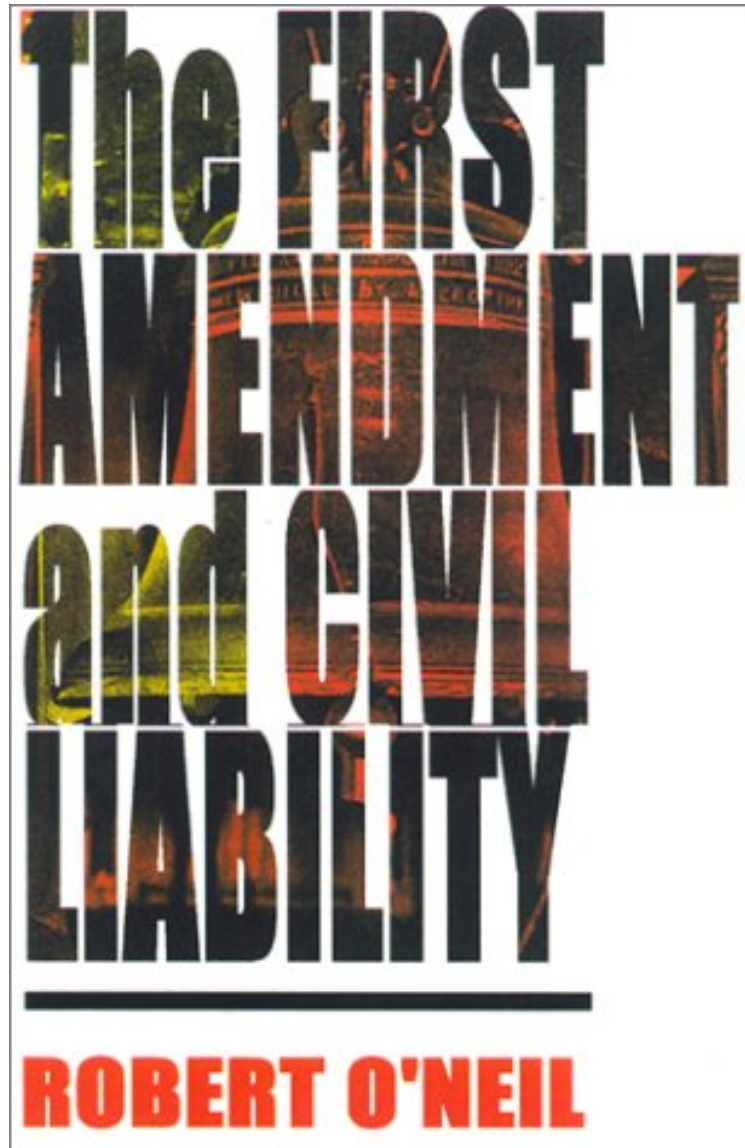


[FREE] The First Amendment and Civil Liability:

The First Amendment and Civil Liability:

Robert M. O'Neil

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Robert M. O'Neil : The First Amendment and Civil Liability: before purchasing it in order to gage whether or not it would be worth my time, and all praised The First Amendment and Civil Liability::

The First Amendment and Civil LiabilityRobert M. ONeilA well-known First Amendment advocate explains the new threats to free expression posed by damage suits.This book explores a highly contentious set of issues involving

freedom of speech and press. Until very recently, publishers and producers have assumed that, with a few exceptions like libel, freedom of expression was absolute and safe from civil liability in the form of damage awards. In the late 1990s, these complacent assumptions were sharply challenged. The case of the Hit-Man Manual signaled the shift. After a hired assassin had been convicted of a brutal murder in a Washington, D.C. suburb, it turned out he had used a book that contained graphic, detailed instructions on how to carry out an execution. When the family of the victims sued the publisher for wrongful death, a federal appeals court ruled that the book was "not protected speech" since its apparent purpose was "to facilitate murder." The publisher was thus, for the first time, potentially liable for criminal acts committed by a reader of one of its books. Later cases, especially a suit against Natural Born Killers producer Oliver Stone, have invoked this ruling in seeking to impose liability on those who create and distribute material that causes others to inflict injury or death. Noted First Amendment scholar Robert M. O'Neil looks at seven areas where free expression is now at risk of incurring civil liability: libel and slander (including a separate analysis of libel on the Internet), privacy (paparazzi and others who intrude), defective or dangerous "products," incitement (the claim of a link between speech and criminal acts, as in the Natural Born Killers case), advertising, news-gathering (for example, the Food Lion/ABC Primetime Live case,) and threats and incitement on the Internet (as in the anti-abortion Nuremberg website case.) O'Neil's clear exposition and analysis illuminate the issues for a broad range of readers concerned about a host of new threats to, and the limits of, free expression.

About the Author Robert M. O'Neil, Director of the Thomas Jefferson Center for The Protection of Free Speech at the University of Virginia, is author of a number of books and articles on Constitutional issues, most recently Free Speech and the College Community.