



A Virtue Less Cloistered

Courts, Speech
and Constitutions

Ian Cram

B L O O M S B U R Y

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ML Morrison



A Virtue Less Cloistered A Virtue Less Cloistered:

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 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 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

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

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 **Justice** Lord Dyson, 2018-02-08 This selection of essays speeches and

personal reflections draws on the analysis of one of the leading lawyers of a generation Lord Dyson as Master of the Rolls and Head of the Civil Justice System oversaw a period of reform of both law and legal process This collection discusses some key themes of and challenges faced during his tenure as one of the most senior lawyers in England and Wales Through these insightful engaging and compelling pieces a picture emerges of a robust system of law whose core values can be plotted back to the Magna Carta but which is flexible enough to respond to current changes without fracturing A truly compelling exploration of continuity and change in the law by one of its key jurists *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 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 Fenwick on Civil Liberties & Human Rights Helen Fenwick,Richard Edwards,2016-11-25 More than merely describing the evolution of human rights and civil liberties law this classic textbook provides students with detailed and thought provoking coverage of the most crucial developments in the field clearly explaining the law in context and practice Updated throughout for this new edition Fenwick on Civil Liberties and Human Rights considers a number of recent major changes in the law in particular proposals to replace the Human Rights Act with a British Bill of Rights and the Counter Terrorism and Security Act 2015 whilst also contextualising the impact of reforms on hate speech and contempt due to advances in new media Comprehensive and authoritative this textbook offers an essential resource for students on human rights or civil liberties courses as well as a useful reference for students and scholars of UK Public Law Media Freedom

and Contempt of Court Eric Barendt, 2017-07-05 The essays discuss the restrictions imposed by contempt of court and other laws on media freedom to attend and report legal proceedings Part I contains leading articles on the open justice principle They examine the extent to which departures from that principle should be allowed to protect the rights of parties in particular the accused in criminal proceedings to a fair trial and their interest in being rehabilitated in society after proceedings have been concluded The essays in Part II examine the topical issue of whether open justice entails a right to film and broadcast legal proceedings The articles in Part III are concerned with the application of contempt of court to prejudicial media publicity they discuss whether it is possible to prevent prejudice without sacrificing media freedom Another aspect of media freedom and contempt of court is canvassed in Part IV whether journalists should enjoy a privilege not to reveal their sources of information

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