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on the State Constitutions of the United States

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State Constitution

SECOND EDITION

Lawrence Friedman

OXFORD

The New Hampshire State Constitution Lawrence Friedman

James J. Fishman, Stephen Schwarz



The New Hampshire State Constitution Lawrence Friedman:

The New Hampshire State Constitution Lawrence Friedman, 2015 In this newly revised work Lawrence Friedman presents a comprehensive and accessible survey of New Hampshire constitutional law that recounts the history of its drafting and development over the past 200 years in detail The book reviews the major cases decided under each provision and provides commentary on the continued development of state constitutional law in New Hampshire

The Law of American State Constitutions Robert F. Williams, Lawrence Friedman, 2023-05-05 The second edition of *The Law of American State Constitutions* provides complete coverage of the legal doctrines surrounding applying to and arising from American state constitutions and their judicial interpretation Drawing on examples from specific states Professors Williams and Friedman analyze the nature and function of state constitutions in contrast to the federal Constitution including rights separation of powers issues of interpretation and the processes for amendment and revision In this edition Williams and Friedman focus on recent developments including the state constitutional dimensions of same sex marriage and the reaction of state courts to U S Supreme Court decision making This edition of *The Law of American State Constitutions* remains an important analytical tool that explains the unique character and the range of interpretive approaches to these constitutions It covers the structure of state governments under state constitutions as well as the distribution of powers among the legislative executive and judicial branches Like the first edition this edition presents a complete picture of state constitutional law and the attributes and features that make this body of law so distinctive

The Georgia State Constitution Melvin B. Hill, G. LaVerne Williamson Hill, 2018 The history of the Georgia Constitution The Georgia Constitution and commentary

New Hampshire Bar Journal, 2003 "Speech Acts" and the First Amendment Franklyn Saul Haiman, 1993 What can a democratic society reasonably do about the perplexing problems of racial intolerance sexual harassment incitements to violence and invasions of privacy Is it possible to preserve the constitutional ideal of free expression while protecting the community from those who would trample on the rights of others Franklyn S Haiman critically examines the reasoning behind recent efforts to prohibit certain forms of speech and explores the possible consequences to democracy of such moves Speech act theory well known to scholars of rhetoric communication and language underlies this emerging trend in judicial and legislative thinking The idea that words are deeds first articulated in language philosophy by Wittgenstein and elaborated by J L Austin and John Searle is being invoked by some members of the legal community to target objectionable speech For example speech codes on some college campuses prohibit racist sexist and homophobic expression and attempts have been made through local laws to classify pornography as a form of sex discrimination By defining certain kinds of arguably immoral symbolic behavior such as hate speech obscenity or portrayals of violence as acts rather than as pure speech speech act advocates make it easier to argue that such conduct should be subject to social control through the law Unlike totalitarian or theocratic societies that see no difference between their

concept of morality and the law however a democracy must make a distinction between what it regards as immoral and what it makes illegal Haiman maintains that in the realm of symbolic behavior the line between them should be drawn as closely as possible to expression that results in the most serious direct immediate and physical harm to others Thus he joins with former Supreme Court Justice Louis Brandeis in concluding that absent an emergency more speech not enforced silence should be the aim of a free society

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