

Table of Contents

Volume 1

| | |
|--------------------------------|-----|
| Publisher's Note | .ix |
| Editor's Introduction. | .xi |
| Contributors | xv |

FIRST AMENDMENT: GENESIS AND DEBATE

| | |
|---|----|
| Excerpts from the Massachusetts Bay Colony Trial Against Anne Hutchinson | 3 |
| Roger Williams: <i>The Bloody Tenent of Persecution</i> | 17 |
| Pennsylvania Charter of Privileges. | 28 |
| <i>Cato's Letters</i> : Of Freedom of Speech | 41 |
| Virginia Declaration of Rights | 47 |
| Constitution of Massachusetts | 54 |
| Certain General and Miscellaneous Objections to the Constitution Considered and Answered (<i>Federalist</i> , no. 84) | 68 |
| George Nicholas Speech in the Virginia Ratifying Convention | 77 |
| First Draft of First Amendment Rights | 83 |

FREEDOM OF RELIGION

| | |
|--|-----|
| Memorial and Remonstrance Against Religious Assessments | 89 |
| Virginia Statute for Religious Freedom | 99 |
| Thomas Jefferson's Letter to the Danbury Baptists | 105 |
| American Indian Religious Freedom Act | 109 |
| <i>Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Commission</i> | 114 |
| <i>Fulton v. Philadelphia</i> | 130 |
| <i>South Bay United Pentecostal Church v. Gavin Newsom, Governor of California</i> (statement) | 143 |
| <i>Roman Catholic Diocese of Brooklyn, New York v. Andrew M. Cuomo, Governor of New York</i> | 150 |

FREEDOM OF SPEECH

| | |
|--|-----|
| <i>Gitlow v. New York</i> | 161 |
| <i>Stromberg v. California</i> | 178 |
| "Declaration of Conscience". | 189 |

| | |
|--|-----|
| <i>Dennis v. United States</i> | 197 |
| <i>Texas v. Johnson</i> | 215 |
| <i>Citizens United v. Federal Election Commission</i> | 226 |
| Mario Savio: “Put Your Bodies upon the Gears” | 244 |
| Here’s What Free Speech and Religious Freedom Have in Common | 248 |
| Free Speech Comes with Consequences | 254 |

FREEDOM OF THE PRESS

| | |
|---|-----|
| Andrew Hamilton’s Speech Defending Freedom of the Press | 261 |
| An Account of the Supremest Court of Judicature in Pennsylvania, viz., the Court of the Press | 271 |
| Thomas Jefferson on Freedom of the Press | 281 |
| Debates over the Circulation of “Incendiary Publications” | 288 |
| <i>Near v. Minnesota</i> | 301 |
| A Free and Responsible Press | 317 |
| <i>One, Inc. v. Olesen</i> | 329 |
| <i>New York Times Co. v. Sullivan</i> | 341 |
| <i>Branzburg v. Hayes</i> | 349 |
| <i>Reno v. American Civil Liberties Union</i> | 359 |
| “McClatchy Editor Defends Publishing Al Qaeda Detail CNN, <i>NY Times</i> Held Back” | 395 |

Volume 2

FREEDOM OF ASSEMBLY

| | |
|--|-----|
| Olive Branch Petition | 403 |
| Right to Petition: Slavery (1836). | 411 |
| <i>U.S. v. Cruikshank</i> | 416 |
| <i>De Jonge v. Oregon</i> | 428 |
| <i>Bates et al. v. City of Little Rock</i> | 438 |
| <i>Cox v. Louisiana</i> | 446 |
| <i>Carroll v. President and Commissioners of Princess Anne</i> | 457 |
| <i>Coates et al. v. City of Cincinnati</i> | 467 |
| <i>Hurley v. Irish-American Gay, Lesbian, and Bisexual Group of Boston</i> | 476 |
| Unanswered Questions About the U.S. Park Police’s June 1 Attack on Peaceful Protestors at Lafayette Square | 493 |

THE FIRST AMENDMENT IN TIMES OF CRISIS

| | |
|--|-----|
| James Madison on the Sedition Act of 1798. | 503 |
| “Gen. Burnside Shuts Down the Chicago <i>Times</i> for ‘Disloyalty’” | 527 |
| The Espionage Act of 1917 | 533 |
| The Sedition Act of 1918 | 540 |
| Remarks by Scott Nearing at His Trial. | 545 |
| The Individual and the States: The Problem as Presented by the Sentencing of Roger N. Baldwin. | 551 |
| <i>Schenck v. United States</i> | 562 |
| <i>Abrams v. United States</i> (Holmes dissent) | 568 |
| Letter to Clayton R. Lusk regarding “Rand Raid” | 575 |
| The Smith Act of 1940 | 585 |
| The Four Freedoms | 591 |

THE FIRST AMENDMENT IN EDUCATION

| | |
|---|-----|
| <i>Minersville School District v. Gobitis</i> | 603 |
| <i>West Virginia State Board of Education v. Barnette</i> | 614 |
| <i>Engel v. Vitale</i> | 653 |
| <i>Tinker v. Des Moines Independent Community School District</i> | 668 |
| <i>Hazelwood School District v. Kuhlmeier</i> | 678 |
| Foundation for Individual Rights in Education | 691 |
| The First Amendment on Campus 2020 Report: College Students’ Views of Free Expression | 698 |
| <i>Mahanoy Area School District v. B. L.</i> | 704 |

APPENDIXES

| | |
|------------------------------|-----|
| Chronological List | 715 |
| Web Resources | 719 |
| Bibliography | 721 |
| Index. | 743 |