



Art and Freedom of Speech

Randall P. Bezanson

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This book analyzes the broad range of Supreme Court cases that concern the protection of art and free speech under the First Amendment. Finding that debates about free expression (whether in speech or art) swirl around sex and cultural blasphemy, Randall P. Bezanson tracks and interprets the Court's decisions on film, nude dancing, music, painting, and other visual expressions.

Showing how the Court has dealt with judgments of art, quality, meaning, and how to distinguish types of speech and expression, Bezanson explores issues as diverse as homosexuality in the Boy Scouts, gay and lesbian parade floats, 2 Live Crew's alleged copyright infringement, National Endowment for the Arts grants and diversity, dangerous art, and screenings of the film Carnal Knowledge. In considering the transformative meaning of art, the importance of community judgments, and the definition of speech in Court rulings, Bezanson focuses on the fundamental questions underlying the discussion of art as protected free speech: What are the boundaries of art? What are the limits on the government's role as supporter and "patron" of the arts? And what role, if any, may core social values of decency, respect, and equality play in limiting the production or distribution of art?

Accessibly written and evocatively argued, Art and Freedom of Speech explores these questions and concludes with the argument that, for legal purposes, art should be absolutely free under the First Amendment--in fact, even more free than other forms of speech.

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