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Consitutional Protection Of Private Property
A D.C. federal judge tore apart a niche publisher's constitutional challenge to the Copyright Act's deposit requirements and turned down an argument that the high court's recent ruling on ...

Copyright Deposit Is No Takings Clause Violation, Judge Says
But Much Is Left to Do Per the plain text of the Constitution ' s Fifth Amendment, the

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federal government is prohibited from forcibly taking “ private property ” unless a couple of crucial ...

And The Law Volume 5

The One Proposed Constitutional Amendment That Might Garner Bipartisan Support

Property Rights and Social Justice analyses 'progressive property' in action by examining the role of constitutional property rights guarantees in mediating private ownership and ... debates about the ...

Property Rights and Social Justice

Editor ' s note: This is one in a series examining the Constitution and Federalist ...

Eminent domain is the government ' s power to take private property from unwilling owners in exchange for ...

Government ' s power to seize private

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property must be reined in. Hassid, decided recently, heralds a sea-change in the Court ' s property rights ... whose protection against state-sanctioned invasions now has the same constitutional protection as their right ...

Supreme Court win for property rights is hardly a loss for the regulatory state. The Biden administration recently announced reviews of the Trump administration ' s revisions — some say relaxation — of rules for endangered species and wetlands protection. The announcement brought re ...

Commentary: There's a simple way to protect both property rights and the environment

Due Process No state can “ deprive any person of life, liberty, or property ... of this constitutional right, and try to prevent or

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undo the government 's action. Equal
Protection “ No State ...

The Law and You: On The 14th

Amendment to the U.S. Constitution

The United States Constitution must, on
any neutral evaluation ... The classical liberal
tradition of the founding generation prized
the protection of liberty and private
property under a system of ...

The Classical Liberal Constitution

Hassid that a constitutional “ taking ” of
private property occurs when a regulation ...

This is an essential privacy protection. In his
recent dissent in US v. Carpenter, Justice
Neil Gorsuch ...

On the Cedar Point Nursery decision: Now
do intangibles

Donald Trump has sued Facebook, Twitter
and YouTube for deplatforming him. In his

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suits, he mainly claims that those tech platforms were essentially coerced by the federal government to ban speech ...

Trump has a point: Facebook ' s policing of speech is ominous

The NAA seeks apartment owners and operators that have lost money under the eviction moratorium to join the lawsuit.

NAA Sues the Federal Government For Damages From Eviction Moratorium

His radical un-Constitutional New Deal statism ... a past derived from freedom, protection of private property and capitalism. But now those calling themselves progressives are on a hard and ...

Leftism and liberalism: Private property
More fundamentally, environmental law could challenge the main division in private law ... contract and property. Very often, a

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fourth field of law joins this encounter: the constitutional protection ...

Contract and Property with an
Environmental Perspective

Contrary to what some critics have argued, the robust protection of patents and copyrights as property is consistent with the original understanding of the Framers of the Constitution, who viewed ...

Robust Patent and Copyright Systems
Promote a Strong U.S. Economy – and
Are Consistent with Originalist
Understandings of the Constitution

[This year, my annual post celebrating the Fourth of July is drawn from a chapter of Our Republican Constitution ... in a State of Slavery, as private property, which has gradually obtained ...

What the Declaration of Independence Said

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and Meant

In the wake of the assassination attempt on Gen Katumba Wamala, President Museveni recently suggested that there should be compulsory GPS tracking of vehicles and boda bodas in order to easily track ...

Compulsory GPS tracking of vehicles unconstitutional

In short, the decision further expands the Court's protection of near-absolute ... physical seizure of property (think of the infamous 2005 opinion *Kelo v. City of New London*, in which the city ...

The US Supreme Court's Latest Anti-Labor Ruling Goes Far Beyond Farm Workers
Grimm sued the school board, alleging that the policy violated Title IX as well as the equal protection clause of the Constitution ... liberty, or property, without due process of law; nor ...

Read Book Constitutional Protection Of Private Property And Freedom Of The Supreme Court's Transgender Bathroom Case Rebuff, What Direction Should School Districts Take?

Australia's draconian defamation laws have long placed significant limits on media reporting of public and private scandals ... just that it has no protection under our Constitution.

First Published in 2000. Routledge is an imprint of Taylor & Francis, an informa company.

Using a comparative approach, this book analyses the history of China's private property protection at the constitutional level since 1949.

A discussion of current trends in the constitutional protection of economic

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liberties. Other topics dealt with include the current trends in (and relevance of) constitutional law for welfare rights, labor unions, and labor law. Recent Supreme Court decisions on property rights also receive much attention. --From publisher description.

The proper construction of the compensation clause of the Constitution has emerged as the central legal issue of the environmental revolution, as property owners have challenged a steady stream of environmental statutes that have cut deeply into traditional notions of property rights. When may they justly demand that the state compensate them for the sacrifices they are called upon to make for the common good? Ackerman argues that there is more at stake in the present wave of litigation than even

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the future shape of environmental law in the United States. To frame an adequate response, lawyers must come to terms with an analytic conflict that implicates the nature of modern legal thought itself. Ackerman expresses this conflict in terms of two opposed ideal types--Scientific Policymaking and Ordinary Observing--and sketches the very different way in which these competing approaches understand the compensation question. He also tries to demonstrate that the confusion of current compensation doctrine is a product of the legal profession's failure to choose between these two modes of legal analysis. He concludes by exploring the large implications of such a choice--relating the conflict between Scientific Policymaking and Ordinary Observing to fundamental issues in economic analysis, political theory, metaethics, and the philosophy of language.

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As far back as the Magna Carta in 1215, the right of private property was seen as a bulwark of the individual against the arbitrary power of the state. Indeed, common-law tradition holds that "property is the guardian of every other right." And yet, for most of the last seventy years, property rights had few staunch supporters in America. This latest addition to Oxford's Inalienable Rights series provides a succinct, pointed look at property rights in America--how they came to be, how they have evolved, and why they should once again be a mainstay of the law. Richard A. Epstein, the nation's preeminent authority on the subject, examines all aspects of private property--from real estate to air rights to intellectual property. He takes the reader from the strongly protective property rights advocated by the framers of the Constitution through to the weak property rights supported by Progressive and liberal

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politicians of the twentieth century and finally to our own time, which has seen a renewed appreciation of property rights in the aftermath of the Supreme Court's landmark *Kelo v. New London* decision in 2005. The author's own powerful defense of property rights threads through the narrative. Using both political theory and economic analysis, Epstein argues that above all that private property is a sound social institution, and not just an excuse for selfishness and greed. Only a system of private property lets people form and raise families, organize religious and other charitable organizations, and earn a living through honest labor. *Supreme Neglect* offers a compact, incisive look at this hotly contested constitutional right, championing property rights as an essential social institution.

Federalists vision of the Constitution; an

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Interdisciplinary investigation.

If legal scholar Richard Epstein is right, then the New Deal is wrong, if not

unconstitutional. Epstein develops a coherent normative theory that permits us to distinguish between permissible takings for public use and impermissible ones. He then examines a wide range of government regulations and taxes under a single comprehensive theory.

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