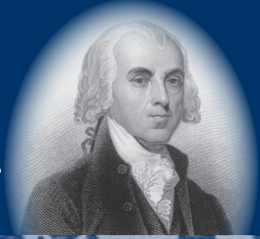


James Madison Program
in American Ideals and Institutions



**Public Morality and
Liberal Society:
The Political Thought of
Harry Clor**

Thursday,
April 29, 2010

Prospect House

 **PRINCETON UNIVERSITY**

**A One-Day Conference Presented by
The James Madison Program in American Ideals and Institutions
and cosponsored by The Bouton Law Lecture Fund**

Public Morality and Liberal Society:
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Public Morality and Liberal Society: The Political Thought of Harry Clor

Does the political community have a legitimate interest in promoting standards of decency and in restricting indecency? Is the law properly concerned with *public morality*? If so, then in a society that values freedom of expression, what are the legitimate *means* by which public morality can be fostered? In particular, are obscenity and pornography properly regarded merely as matters of private preference, or are they matters of public concern and legitimate subjects of legal regulation and even prohibition? Related to these questions is the status of *moderation* in public and personal life. Is moderation, or self-control, a *civic* virtue and therefore something to be cultivated in a liberal democracy? What is it, and why should we as individuals and as a political society want it? Finally, what is the best way to equip ourselves to think about these often controversial questions? In particular, can a liberal education, one that takes seriously classical writings and perspectives, bring us closer to the truth about the moral dimension of personal and political life than is otherwise available to us?

To discuss these questions of great cultural consequence, the James Madison Program in American Ideals and Institutions is hosting a conference on the political thought of Harry Clor, Professor Emeritus of Political Science at Kenyon College. Clor's scholarship, which includes the books *Obscenity and Public Morality: Censorship in a Liberal Society*, *Public Morality and Liberal Society*, and *On Moderation: Defending an Ancient Virtue in a Modern World*, has been at the center of the scholarly debate on the conference's topic for more than 40 years. We are pleased to bring together a distinguished group of political, constitutional, and cultural theorists, including Professor Clor himself, to revisit the leading themes and arguments of Clor's work, and to consider the teaching art of this celebrated practitioner of liberal education at the college level.

Thursday, April 29, 2010

10:00 – 11:45 a.m.

Free Speech and Public Morality in a Free Society

Presenter: Walter Berns, *American Enterprise Institute*

Respondents: Rochelle Gurstein, *Independent Scholar*

Benjamin Kleinerman, *Michigan State University*

Chair: Robert P. George, *Princeton University*

1:15 – 3:00 p.m.

On Moderation: A Book Discussion

Presenter: Fred E. Baumann, *Kenyon College*

Respondents: James W. Ceaser, *University of Virginia*

Diana J. Schaub, *Loyola College of Maryland*

Chair: Pamela K. Jensen, *Kenyon College*

3:15 – 4:45 p.m.

Harry Clor as Teacher

Panelists: Richard Baehr, *American Thinker*

Steven J. Heyman, *Chicago-Kent College of Law*

Judy Hoffman, *Attorney-at-Law*

Frederick G. Tiffany, *Wittenberg University*

Chair: Kirk R. Emmert, *Kenyon College*

Conference Discussants:

Martha Bayles, *Boston College*; Andrew Busch, *Princeton University and Claremont McKenna College*; John J. Dinan, *Princeton University and Wake Forest University*; Peter S. Field, *Princeton University and University of Canterbury*; Michael I. Krauss, *Princeton University, George Mason University, School of Law*; Alberto Nones, *Princeton University*; Richard A. Samuelson, *Princeton University and California State University, San Bernardino*

Walter Berns is Resident Scholar at the American Enterprise Institute and Professor Emeritus at Georgetown University. A scholar of political philosophy, American political thought, and constitutional law, he has written extensively on American government and politics. Among his books are *Democracy and the Constitution* (AEI Press, 2006), *Making Patriots* (University of Chicago Press, 2001), *Taking the Constitution Seriously* (Simon & Schuster, 1991), *The First Amendment and the Future of American Democracy* (Basic Books, 1985), and *In Defense of Liberal Democracy* (AEI Press, 1984). Berns was awarded the National Humanities Medal in 2005. He earned his M.A. and Ph.D. from the University of Chicago, where he studied with Leo Strauss.

Richard Baehr is a management consultant in the health care field, and frequently serves as an expert witness in healthcare litigation cases involving planning and financial matters. He was recently named a Distinguished Fellow of the Jewish Policy Center. He has been a frequent guest on many talk radio programs including those of Michael Medved, Dennis Miller, and Milt Rosenberg. He writes a commentary on the Middle East and American politics for the website www.americanthinker.com, which he co-founded and for which he is Chief Political Correspondent. Baehr has written for the *Wall Street Journal*, *Investors Business Daily*, the *Jerusalem Post*, the *Chicago Tribune* and *Pajamas Media*. He is a graduate of the Sloan School of the Massachusetts Institute of Technology and Kenyon College.

Fred Baumann is Professor of Political Science at Kenyon College. He teaches courses in the history of political philosophy, politics and literature, diplomatic history, and statesmanship. He is the author of *Fraternity and Politics: Choosing One's Brothers* and has recorded a lecture series called *Visions of Utopia*. He is an editor of the journal *Interpretation*. Baumann is recipient of the Kenyon Trustees Distinguished Teaching Award. He earned his Ph.D. in History from Harvard University.

James W. Ceaser is Professor of Politics at the University of Virginia, where he has taught since 1976, and a visiting fellow at the Hoover Institution. Ceaser is the author of several books on American politics and political thought, including *Presidential Selection, Liberal Democracy and Political Science, Reconstructing America*, and *Nature and History in American Political Development*. He has also coauthored a series on American national elections since 1992. He has held visiting professorships at The University of Florence, Oxford University, the University of Bordeaux, Harvard University, and the University of Rennes. In the spring semester of 2008 Ceaser was the Garwood Senior Visiting Research Scholar in the James Madison Program and the Garwood Visiting Professor of Politics at Princeton University. He currently serves as a presidential appointee to the National Historical Publications and Records Commission and is a frequent contributor to the popular press.

Harry Clor is Professor Emeritus of Political Science at Kenyon College. He is the author of *On Moderation: Defending an Ancient Virtue in a Modern World* (2008), *Public Morality and Liberal Society: Essays on Decency, Law and Pornography* (1996), and *Obscenity and Public Morality: Censorship in a Liberal Society* (1971). He has also authored articles on legal philosophy, constitutional interpretation, liberal education, and John Stuart Mill. Works edited include *The Mass Media and Modern Democracy* (1974) and *Civil Disorder and Violence: Essays on Causes and Cures* (1972). Professor Clor's college teaching career was primarily devoted to political philosophy and constitutional law subjects. In 1998 Kenyon College established the Harry M. Clor Distinguished Teaching Chair, endowed by his former students. He received his Ph.D. from the University of Chicago.

Kirk Emmert is the Clor Professor of Political Science at Kenyon College where he has taught courses on statesmanship and on American politics, political thought, and constitutional law. He is the author of *Winston S. Churchill on Empire* and of numerous essays on Churchill's thought and leadership. Presently the mayor of Gambier, Ohio, he earlier worked in the Ford White House assisting Robert A. Goldwin. For more than thirty years Prof. Clor has been his friend and colleague at Kenyon College where Emmert has audited some of Clor's courses, shared his moderate outlook on politics, and supported his efforts to master the waltz at a local dance club.

Robert P. George, McCormick Chair in Jurisprudence at Princeton University, is the founding director of the James Madison Program. He serves on the President's Council on Bioethics, and is also a member of the UNESCO World Commission on the Ethics of Science and Technology. He previously served as a presidential appointee to the United States Commission on Civil Rights is a former Judicial Fellow at the Supreme Court of the United States, where he received the Justice Tom C. Clark Award. He is the author of *In Defense of Natural Law*, *Making Men Moral: Civil Liberties and Public Morality*, and *The Clash of Orthodoxies: Law, Religion and Morality in Crisis*, and co-author of *Embryo: A Defense of Human Life* and *Body-Self Dualism in Contemporary Ethics and Politics*. George is a recipient of many honors and awards, including the Presidential Citizens Medal, the Sidney Hook Memorial Award of the National Association of Scholars, the Philip Merrill Award of the American Council of Trustees and Alumni, a Bradley Prize for Intellectual and Civic Achievement, and the Stanley Kelley, Jr. Teaching Award from Princeton's Department of Politics. A graduate of Swarthmore College and Harvard Law School, he received a doctorate in legal philosophy from Oxford University.

Rochelle Gurstein is the author of *The Repeal of Reticence: America's Cultural and Legal Struggles over Free Speech, Obscenity, Sexual Liberation, and Modern Art*. She is currently working on a book tentatively entitled *Of Time and Beauty*, and writes a monthly column about how the world looks and feels for *The New Republic On-Line*. Her essays on political and aesthetic matters have appeared in *The New Republic*, *Salmagundi*, *Raritan*, *The American Scholar*, and other "little magazines."

Steven J. Heyman is Professor of Law at Chicago-Kent College of Law. He joined the faculty at Chicago-Kent in 1989, where he teaches torts, criminal law, legislation, constitutional law, and the First Amendment. He has also been a visiting law professor at the University of Colorado, Vanderbilt and Indiana University–Bloomington. He is a leading First Amendment scholar who has written extensively about freedom of speech and other aspects of constitutional law. In addition to many law review articles, he is the author of *Free Speech and Human Dignity* (Yale University Press, 2008) and the editor of *Hate Speech and the Constitution* (Garland/Rutledge, 1996). Professor Heyman is a member of the board of advisers of the Chicago Lawyers Chapter of the American Constitution Society. He is a 1984 graduate of Harvard Law School, where he was a Supreme Court editor of the *Harvard Law Review*. After graduation, he served as a law clerk to Judge Harry T. Edwards of the U.S. Court of Appeals for the District of Columbia Circuit and then as an associate at the Washington, D.C. law firm of Shea & Gardner.

Judy Hoffman graduated from Kenyon College in 1973 as a member of the first class of women, and from Boston College Law School in 1976. She was employed as an attorney at the nonpartisan Ohio Legislative Service Commission for twenty-two years, where her duties included drafting legislation for all members of the Ohio General Assembly and serving as legal counsel to legislative committees. Having specialized in drafting election laws, in 1999 she became Chief Elections Counsel for the Ohio Secretary of State. She retired from state service in 2005. During the presidential election of 2008, she supervised the in-person, absentee (“early”) voting for the board of elections in the county where she resides. Hoffman has been admitted to the practice of law in Ohio and Massachusetts.

Pamela K. Jensen is Professor of Political Science at Kenyon College. She teaches courses in the history of political philosophy, both modern and ancient, and on politics and literature. The contributing editor of *Finding a New Feminism: Rethinking the Woman Question for Liberal Democracy*, Jensen is an editor of the journal *Interpretation*. She has been very active in the American Political Science Association, having been a member of its National Council, a member of the Award Committee for the Leo Strauss Dissertation Award, and chair of the Best Paper Award Committee for the Politics and Literature Section, as well as that section's secretary-treasurer. Recently, Jensen was a visiting fellow at the Liberty Fund. At Kenyon, she won the Senior Faculty Trustee Teaching Award. She earned her Ph.D. from the University of Chicago.

Diana Schaub is professor of political science at Loyola University Maryland. She was a postdoctoral fellow of the Program on Constitutional Government at Harvard University in 1994-95. In 2001, she was the recipient of the Richard M. Weaver Prize for Scholarly Letters. In 2004, she was appointed to the President's Council on Bioethics. Schaub is the author of *Erotic Liberalism: Women and Revolution in Montesquieu's "Persian Letters"* (1995), along with a number of book chapters and articles in the fields of political philosophy and American political thought. She is a reviewer and essayist for a variety of publications, among them, *The New Criterion*, *The Public Interest*, the *Claremont Review of Books*, *The American Interest*, *The New Atlantis*, and *National Affairs*. Schaub is a graduate of Kenyon College, and earned her Ph.D. from The University of Chicago.

Frederick G. Tiffany is Associate Professor of Economics, Wittenberg University, where he has taught since 1987. He previously taught at Ursinus College and Bryn Mawr College. His courses include Principles of Economics, Intermediate Microeconomic Theory, Game Theory, Industrial Organization, Managerial Economics, and Public Finance. His current research interest is the market for college education, especially the use of price discrimination by monopolistically competitive colleges. Prior to his academic career, he worked in transportation economics consulting at GRA, Inc., Jenkintown, PA. He earned his B.A. in economics from Kenyon College and a Ph.D. in economics from the University of Pennsylvania.

Benjamin A. Kleinerman is Assistant Professor of Constitutional Democracy, Michigan State University. A former Visiting Scholar in the Program on Constitutional Government at Harvard University, Professor Kleinerman has also taught at Oberlin College and the Virginia Military Institute. His first book, *The Discretionary President: The Promise and Peril of Executive Power*, was published last year by the University Press of Kansas. He has also published articles on a range of subjects including John Locke's *Second Treatise*, Abraham Lincoln's exercise of "prerogative" power during the Civil War, Mark Twain's *Connecticut Yankee in King Arthur's Court*, William Riker's federalism, and the relations between Congress and the Supreme Court in matters of national security. These articles have appeared in *Perspectives on Politics*, *American Political Science Review*, *The Review of Politics*, and other edited volumes. Kleinerman received his B.A. in Political Science from Kenyon College and his Ph.D. in Political Science from Michigan State University.

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