

ANNOUNCEMENT

JUSTICE SAMUEL ALITO ON CONVERSATIONS WITH BILL KRISTOL

New York, NY, July 20, 2015 – Supreme Court Justice Samuel Alito sat down with Bill Kristol for an extended biographical conversation. In the conversation, Justice Alito describes the inner workings of the Court, particularly how the justices arrive at decisions. Justice Alito and Kristol also discuss some recent controversial cases regarding free speech as well as Alito's dissent in the same-sex marriage ruling. Finally, Alito reflects on his upbringing in New Jersey, his legal education, and his career. This is a must-see conversation for both Court watchers and anyone interested in American law and politics.

Below are excerpts from the *Conversation*:

[On the same-sex marriage ruling] ALITO: The Court's conception [of liberty in this case] is a very post-modern idea: it's the freedom to define your understanding of the meaning of life. It's the right to self-expression. So if all of this is on the table, where are the legal limits? ... We are at sea, I think. I don't know what the limits of substantive liberty protection under the 14th Amendment are at this point.

[On judicial activism] ALITO: Where do we get the authority to impose what we think about same-sex marriage, or what we think about minimum wage laws, or what we think about free college tuition or anything else on the rest of the country? If it's not in the text of the Constitution or not in something that is objectively ascertainable, if it's just whatever I as an appointee of the Supreme Court happens to think is very important, it raises questions of legitimacy.

[On freedom of speech as a political right] ALITO: I think freedom of speech protects and serves many purposes. But I believe and I think, the Court has said that at the core, whatever other purposes it may serve, it is vitally important for democratic self-government. If people cannot debate public issues... then democracy is basically impossible. So I think that is the core of the protection. Cases involving depictions of animal cruelty, the protest at military funerals, falsely claiming to have

won the Congressional Medal of Honor, don't involve anything like that. If we lose focus on what is at the core of the free speech protection by concentrating on these peripheral issues, I think there's a real danger that our free speech cases will go off in a bad direction.

[On *Citizens United* and political speech] ALITO: *Citizens United*, I think, is core political speech. It is a video about a candidate for the presidency of the United States. If that's not protected by First Amendment free speech, by the First Amendment free speech guarantee, I don't know what is.

Watch the *Conversation* here:

<http://conversationswithbillkristol.org/video/samuel-alito/>

About *Conversations with Bill Kristol*. *Conversations with Bill Kristol* is an online interview program hosted by *Weekly Standard* editor Bill Kristol and produced by [The Foundation for Constitutional Government](#). A forum for substantive, thought-provoking dialogue on pressing issues in the news and American politics, *Conversations* segments feature informal discussions between Kristol and guests on a diverse array of issues of public concern—from the American presidency and the Middle East peace process to the ideas that have shaped Western civilization. Recent guests include syndicated columnist [Charles Krauthammer](#), former Vice President [Dick Cheney](#), former Speaker of the House [Newt Gingrich](#), business founder [Peter Thiel](#), best-selling author [Charles Murray](#), former U.S. Army Vice Chief of Staff [General Jack Keane](#), and Harvard professor [Harvey Mansfield](#). New conversations are released bi-weekly.

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