

**Remarks by Dan Abrams
Presenting The Media Institute's
2024 Freedom of Speech Award
To Floyd Abrams
October 29, 2024**

I remember my 7th grade teacher, Mrs. Sherman, asking what my Dad did for a living, and when I said he was a “First Amendment lawyer,” she responded that there is really no such thing as a “First Amendment lawyer.” I went back to my Dad with the news, and he was amused at the response and said, “Well, she has a point, there really aren’t many who could call themselves First Amendment lawyers. I may be the only one.”

That was a long time ago. My Dad spent his career of 60 years at one law firm ... that should tell you something. Throughout that career, he has been at the forefront of many if not most of the seminal First Amendment cases, including 13 in the U.S. Supreme Court. But he was one of those rare corporate lawyers who may have turned down as much big business as he received – primarily because many, many high-profile and/or wealthy individuals in particular wanted to hire him to sue someone else or sue the media.

Most corporate lawyers will tell you they will take either side of a case – particularly an interesting constitutional case, and particularly one that pays well – but he refused again and again. That includes cases where he even may have been sympathetic to a potential plaintiff who wanted to sue a person or entity he may not have been fond of.

Why? Why not take a case if he believed the First Amendment wouldn’t or shouldn’t apply? After all, the First Amendment isn’t absolute – and any good lawyer will tell you they can and will take either side of an interesting case. Why not take a case? Because throughout his career he sought to protect the First Amendment – not to test or degrade it. Heck, he represented Senator Mitch McConnell, someone with whom he disagrees politically – for free – because he agreed with the constitutional position the senator was taking in *Citizens United*. That position would expand First Amendment protection, not narrow it.

It used to be liberals who regularly cloaked themselves in the First Amendment. These days it seems it’s more conservatives, but Floyd Abrams’s positions haven’t changed with the political winds.

The bottom line is that his legal assessment when it comes to the First Amendment may not lead to a position he wants as a matter of policy – the same way he doesn’t want racists spewing hateful language – but he still believes the First Amendment usually protects them.

Floyd Abrams is a First Amendment guardian who has devoted his career to taking positions that are often unpopular – from one side or another – because he believes in how important the First Amendment is. And that’s why he is so deserving of this award tonight.