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Legal Foundations and Supporting Principles

U.S. Constitutional Law

- **First Amendment (Freedom of Speech):** Protects the right to express opinions and ideas without government interference, including on websites and blogs.
- **Article VI (Supremacy Clause):** Establishes that the Constitution, federal statutes, and treaties are the supreme law of the land, and federal law preempts conflicting state law.
- **Article III:** Defines the judicial power, including federal question

jurisdiction, which may include matters involving federal statutes and treaties.

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- 17 U.S. Code § 107 (Fair Use): Permits the use of copyrighted material without permission for purposes such as criticism, comment, news reporting, teaching, scholarship, or research, as recognized in legislative history and judicial doctrine.
- The 1967 legislative reports and subsequent 1976 Act codified the principles of fair use, providing protection for educational and nonprofit use in particular.

Maxims of Law

- "No one is bound to accuse himself." (Nemo tenetur seipsum accusare)
- "The law does not require the impossible." (Lex non cogit ad impossibilia)
- These maxims support the principle that individuals are not required to disclose information that would be self-incriminating or impossible to provide.

Law of Nations

- The law of nations, as referenced by Vattel and early constitutional commentary, establishes that nations and individuals are bound by principles of natural law, including respect for the rights and obligations of others.
- National treaties and customs become binding by consent, and the law of nations is recognized as part of the legal landscape in constitutional interpretation.

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