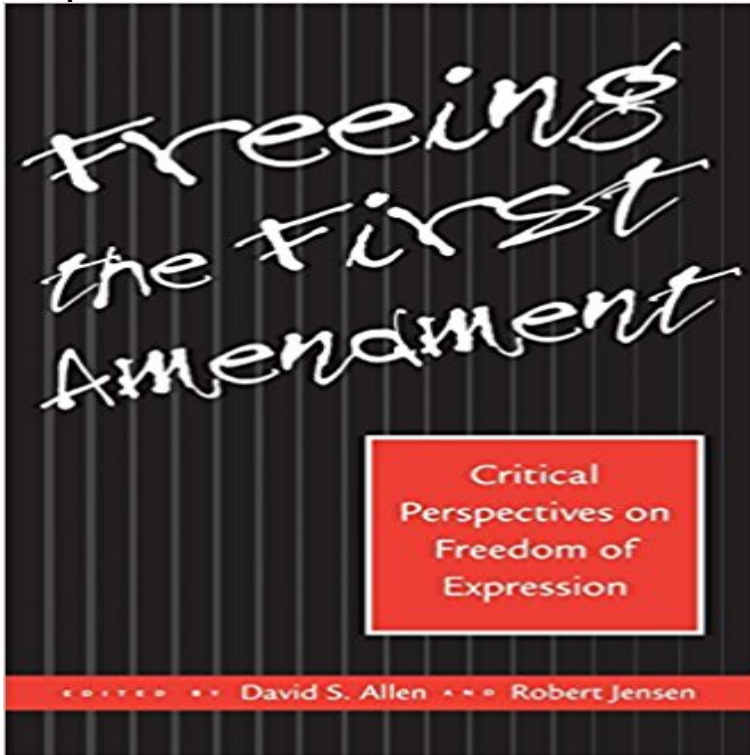


Freeing the First Amendment: Critical Perspectives on Freedom of Expression



In a society that prides itself on the most expansive legal guarantees of free speech in history, why are so many individuals and groups frustrated by the American system of freedom of expression? As the public sphere continues to be redefined by advances in technology, and new debates about this technology crop up daily, the time has come to move from reflexive discussions about the value of more speech to a detailed assessment of the real power and limits of speech. Why, this volume asks, does the First Amendment--the very document intended to ensure the freedom of U.S. citizens--need to be freed? And from what? Long an icon in American law, politics, and journalism, the First Amendment--and the potential and real dilemmas with which it presents us--have only recently begun to be scrutinized. Challenging the idea that the only champions of free speech are traditional liberal theorists who oppose alternatives to the mainstream interpretation of the First Amendment, the contributors to this volume, among them such prominent thinkers as Frederick Schauer, Owen Fiss, and Cass Sunstein, explore new and provocative ways to think about freedom of expression. By reformulating traditional liberal and libertarian approaches to the First Amendment, this volume convincingly disputes the notion that those who question an unwavering reliance on free- and-open competition between individuals to produce free expression are necessarily enemies of free speech. It argues instead that these alleged enemies can in fact be champions as well.

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