

Dissent, Injustice, And The Meanings Of America - Steven H. H. Shiffrin

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Americans should not just tolerate dissent. They should encourage it. In this provocative and wide-ranging book, Steven Shiffrin makes this case by arguing that dissent should be promoted because it lies at the heart of a core American value: free speech. He contends, however, that the country's major institutions--including the Supreme Court and the mass media--wrongly limit dissent. And he reflects on how society and the law should change to encourage nonconformity. Shiffrin is one of the country's leading first-amendment theorists. He advances his dissent-based theory of free speech with careful reference to its implications for such controversial topics of constitutional debate as flag burning, cigarette advertising, racist speech, and subsidizing the arts. He shows that a dissent-based approach would offer strong protection for free speech--he defends flag burning as a legitimate form of protest, for example--but argues that it would still allow for certain limitations on activities such as hate speech and commercial speech. Shiffrin adds that a dissent-based approach reveals weaknesses in the approaches to free speech taken by postmodernism, Republicanism, deliberative democratic theory, outsider jurisprudence, and liberal theory. Throughout the book, Shiffrin emphasizes the social functions of dissent: its role in combating injustice and its place in cultural struggles over the meanings of America. He argues, for example, that if we took a dissent-based approach to free speech seriously, we would no longer accept the unjust fact that public debate is dominated by the voices of the powerful and the wealthy. To ensure that more voices are heard, he argues, the country should take such steps as making defamation laws more hospitable to criticism of powerful people, loosening the grip of commercial interests on the media, and ensuring that young people are taught the importance of challenging injustice. Powerfully and clearly argued, Shiffrin's book is a major contribution to debate about one of the most important subjects in American public life. Author: Shiffrin, Steven H. H. Publisher: Princeton University Press Illustration: N Language: ENG Title: Dissent, Injustice, and the Meanings of America Pages: 00220 (Encrypted PDF) On Sale: 2000-07-10 SKU-13/ISBN: 9780691070230 Category: Law : Jurisprudence

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