1. Record Nr. UNINA9910465673103321 Autore Redish Martin H **Titolo** The adversary First Amendment [[electronic resource]]: free expression and the foundations of American democracy / / Martin H. Redish Stanford, Calif.,: Stanford Law Books, 2013 Pubbl/distr/stampa **ISBN** 0-8047-8634-8 Descrizione fisica 1 online resource (x, 238 pages) Disciplina 323.440973 Soggetti Freedom of expression - United States **Democracy - United States** Electronic books. Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Bibliographic Level Mode of Issuance: Monograph Nota di bibliografia Includes bibliographical references and index. Nota di contenuto Frontmatter -- Contents -- Preface -- 1. Introduction: The First Amendment and American Democracy -- 2. Adversary Democracy and American Political Theory -- 3. Cooperative Democracy and Public Discourse: The Flawed Free Speech Theories of Robert Post and Alexander Meiklejohn -- 4. Commercial Speech and the Twilight Zone of Viewpoint Discrimination -- 5. The Anticorruption Principle, Free Expression, and the Democratic Process -- 6. Adversary Democracy, Political Fraud, and the Dilemma of Anonymity -- 7. Conclusion: The Optimistic Skepticism of the Adversary First Amendment -- Notes --Index Sommario/riassunto This study presents a unique and controversial rethinking of the intersection between modern American democratic theory and free expression. It reshapes free speech as an outgrowth of adversary democracy, arguing that individuals should have the opportunity to affect the outcomes of collective decision-making according to their own personal values and interests. Adversary democracy recognises the inevitability of conflict within a democratic society, as well as the need

for regulation of the conflict to prevent the onset of tyranny. In doing

so, it embraces pluralism, diversity and individual growth and

development.