



# Speech Rights in America: The First Amendment, Democracy, and the Media (History of Communication)

*Laura Stein*

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## **Speech Rights in America: The First Amendment, Democracy, and the Media (History of Communication)** Laura Stein

Why the First Amendment fails to protect speech rights and what to do about it

The First Amendment is the principle guarantor of speech rights in the United States, but the court's interpretations of it often privilege the interests of media owners over those of the broader citizenry. In [Speech Rights in America](#), Laura Stein argues that such rulings prevent the First Amendment from performing its critical role as a protector of free speech, alienate citizens from their rights, and corrupt the essential workings of democracy.

Stein locates the source of clashes over First Amendment interpretations in the differing views of neoliberal and participatory democratic theory on the meaning of rights and the role of communication in democratic processes. Drawing on the best of the liberal democratic tradition, she develops a systematic and concise definition of democratic speech and compares this definition to legal understandings of speech rights in contemporary media law. She demonstrates that there is a significant gap between First Amendment law and the speech rights necessary to democratic communication, and proposes an alternative set of principles to guide future judicial, legislative, and cultural policy on old and new media.

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