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FREE SPEECH AND THE POLITICS OF IDENTITY

DAVID A. J. RICHARDS

Free Speech And The Politics Of Identity

**New York University Center for
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Jacobs Director, New York University
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Justice Kimberly Potter Director**

Free Speech And The Politics Of Identity:

Free Speech and the Politics of Identity David A. J. Richards, 1999 Free Speech and the Politics of Identity challenges the scholarly view as well as the dominant legal view outside the United States that the right of free speech may reasonably be traded off in pursuit of justice to stigmatized minorities These views appeal to an alleged reasonable balance between two basic human rights the right of free speech and the right against unjust discrimination Compelling arguments of normative political theory and interpretative history show however that these rights are structurally linked the abridgement of one compromises the other To make this case David Richards offers an original political theory of toleration and of structural injustice that addresses the nature and scope of the right of free speech and the right against unjust discrimination its analytic focus is on the role played by members of subordinated groups in the protest of the terms of structural injustice the politics of identity advancing constitutional justice under law While the argument is developed on the basis of American constitutional experience from the antebellum period forward its normative force is brought to bear both in defending and criticizing some aspects of American law and in challenging the continuing legitimacy of laws against group libel obscenity and blasphemy under national legal systems including Germany France Britain Canada Israel India South Africa and others regional systems the jurisprudence of the European Court of Human Rights and public international law The book s innovative normative and interpretative methodology calls for a new departure in comparative public law in which all states responsibly address their common problems not only of inadequate protection of free speech but correlative failure to take seriously the continuing political power of such evils as anti-Semitism racism sexism and homophobia **Identity Politics**

Nils Holtug, 2025-03-12 According to a common narrative identity politics derives from leftist postmodernism and is antithetical to both liberalism and Enlightenment universalism This narrative however is false Identity politics is propagated not only by the left but also by the right and it is not tied to postmodernism Various forms of identity politics are in fact quite compatible with liberalism and Enlightenment values Based on a liberal egalitarian framework Nils Holtug argues that some forms of identity politics are well worth pursuing while others should clearly be resisted Among other things identity politics can serve to increase the opportunities of worse off marginalized groups In this book Holtug considers and assesses specific identity policies including affirmative action for African Americans opposition to the n word and blackfacing and the backlash against cultural appropriation and out group representation in art Identity Politics surveys various forms of cancel culture such as no platforming and the pulling down of statues depicting morally compromised historical figures Holtug also scrutinizes instances that are more specific to the political right including white supremacism and ethnopluralism Finally he considers the suggestion that identity politics is divisive and drives down social solidarity arguing that while some forms of identity politics do indeed drive down solidarity this is less clear in the case of the minority accommodating policies **A**

New Politics of Identity Bhikhu Parekh, 2008-03-26 The New Politics of Identity pursues many of the central issues raised

in the author's *Rethinking Multiculturalism* focusing in particular on their consequences for global politics Parekh develops a theory of identity that combines respect for diversity and applies this theory to a range of key current debates on national identity

Popular Culture, Social Media, and the Politics of Identity William Clapton, 2024-11-08

Popular Culture Social Media and the Politics of Identity advances a novel methodological approach pop culture as political object to capture the centrality of popular culture as an object of a broad range of political contests and debates that constitute pop culture artefacts by generating and informing specific meanings and understandings of them It is no longer novel to claim that popular culture matters to world politics The literature on Popular Culture and World Politics PCWP has demonstrated the cultural basis of political action and meaning making However this book argues that in doing so the PCWP literature has focused primarily on the traditionally narrow range of issues actors and things that mainstream International Relations regards as part of world politics While PCWP challenges restrictive disciplinary understandings of the sites of legitimate inquiry where one can purposefully gain knowledge about world politics comparatively little has been done to challenge constricted understandings of what world politics is who it involves and where it takes place Methodological approaches in the literature largely treat popular culture and politics as separate and therefore focus on understanding how popular culture relates to and intersects with a relatively circumscribed notion of world politics Focusing on the everyday politics of how audiences perceive and contest popular cultural artefacts this book demonstrates that pop culture does not merely intersect with or reflect discrete political processes it is also directly situated as an object of politics The author analyses current debates over identity politics across a range of contemporary pop cultural artefacts including films and video games This book will be of interest to scholars and students of International Relations Political Science and Cultural and Media Studies

Against the New Politics of Identity Ronald A. Lindsay, 2023-11-14

A far reaching cultural transformation is occurring across much of the West that is threatening the very foundations of democracy Individuals are no longer judged by their deeds actions and behavior but rather are defined by their race ethnicity and sexual orientation Driven largely by the political Left this transformation has led to the wholesale division of individuals into oppressed and oppressor classes Where the Left once organized around liberal principles to ensure that all groups had an equal seat at the proverbial table much of the Left today demands not only that those categorized as oppressed receive priority seating but also that those categorized as oppressor are excluded from the table altogether Government bodies corporations universities and the mainstream media regularly submit to these illiberal commands and explicitly favor certain identity groups over others in the name of allyship antiracism or equity As philosopher Ronald A Lindsay argues in *Against the New Politics of Identity* this radical cultural shift by which all policies and practices must be seen through the lens of identity rests on three dogmatic tenets those who are alleged to be oppressed or marginalized have special insight based on their lived experience racism is embedded in all Western laws regulations policies and institutions and equity understood as the elimination of all group disparities in all

areas of life must take precedence over all other criteria such as individual merit achievement and need Lindsay demonstrates that these tenets are based on a series of fallacies and warns that the push for identity politics on the Left predictably elicits a parallel reaction from the Right including the Right's own version of identity politics in the form of Christian nationalism As he makes clear the symbiotic relationship that has formed between these two political poles risks producing even deeper threats to Enlightenment values and Western democracy If we are to preserve a liberal democracy in which the rights of individuals are respected he concludes the dogmas of identity politics must be challenged and refuted Against the New Politics of Identity offers a principled path for doing so **Identity Politics and Tribalism** Nikos

Sotirakopoulos,2021-06-24 Has the world gone mad this is a question that we've heard time and again during the last years Everyone is convinced that something is wrong with politics the culture and our society but what exactly is the problem and how can we overcome it This book will guide the reader through a journey that will connect the dots on the various fronts of the culture wars There is a thread that links together the various expressions of group and identity conflicts in today's West from Left to Right from Social Justice Warriors to Trumpites from feminism to the manosphere and from critical race theorists to white nationalists By the end of this book readers will understand not only the root problem poisoning our culture and society but also how to rise above it both in our private lives and as citizens **Identity Politics** David

Pilgrim,2022-06-29 Identity politics have taken a strong hold on modern society in particular online on social media platforms But to what extent have they contributed to human flourishing Have they changed the world for the better and to what extent David Pilgrim explores identity politics as a curate's egg good and bad in parts The good that they shine light on topics that may previously have been neglected The bad their tendency towards absolutism and premature certainties The world is nuanced and contradictory and our awareness of it is highly partial Identity politics are an inadequate response to that complexity and mystery of life They take away the need to give free expression to all views including those we may not only disagree with but might also find offensive Pilgrim re-establishes a realist objection to strong social constructivist arguments within social science about gender sexualities and putative moral panics This accessible book is a must read for anyone with an interest in contemporary policy formation or reform It will appeal to students and professionals from the fields of sociology politics social policy social work philosophy mental health and public health could use this book **Muslim**

Identity Politics Khadijah Elshayyal,2018-02-28 The surge in divisive and far right politics and growing Islamophobia in Britain pose new challenges for Muslim advocacy organisations British Muslim activism has taken centre stage in the public sphere as a result Yet for over fifty years Muslim advocacy groups have worked to preserve religious identity lobby the state and provide concerted responses to the political establishment This is the first book to chart critically the national and global factors influencing the political mobilisation of British Muslim activists as Muslims Khadijah Elshayyal traces the changes of thought direction and method within Muslim identity politics after 1960 noting key organisations and turning points such as

the Rushdie Affair the 9 11 attacks the 7 7 bombings and the current conflict in Syria The book argues that the Rushdie Affair prompted new debate around the subject of freedom of expression which has continued to be a point of contention ever since Providing a history of the interaction between Muslim advocacy groups and the state and the impact of state policy on Muslim communities Muslims Identity Politics shows that that Muslim citizens continue to experience an equality gap and recommends where transformation and progress can be made Based on primary sources and in depth interviews this book is a vital resource for government officials policy makers and researchers interested in multiculturalism Islamophobia and security issues in Britain

Radical Identity Politics Torben Bech Dyrberg, 2020-07-31 This book outlines significant traits of radical leftist identity politics In this type of discourse arguments are organized around global friend enemy schemes in ways that are at odds with the right left matrix of democracy This is shown by combining discourse analysis of how leftist critics argue in public debates centred on their reactions to the Charlie Hebdo massacre in 2015 and theoretical discussions on leftist identity politics orbiting around Schmitt Marcuse and Mouffe It is argued that the friend enemy approach sacrifices the egalitarian and libertarian core values of the Left leading it to adopt positions used to brand the reactionary Right It also holds that leftist identity politics undermines democracy by moralizing enmity and stigmatizing dissent and by promoting an elitist and relativist agenda Against this background the book looks at the nature of the right left distinction and its political functions in modern democracy This is further elaborated in relation to the works of Foucault and Rawls s analyses of parrhesia free speech and public reason which provide a more fruitful approach to right left and democracy than those based on enmity For Foucault and Rawls a vibrant pluralist democracy relies on the autonomy of politics which secures a space in which citizens are free and equal which is crucial for free speech and assembly They focus on issues related to the autonomy of politics and the freestanding nature of public reason right left as lateral political orientation coupled with fairness as political justification and the links between regime form and political community as decisive for democracy

Religion, Politics, and American Identity David S. Gutterman, Andrew R. Murphy, 2008-03-01 Scholarship on the role of religion in American public life has taken on a new urgency in the increasingly contentious wake of the attacks of September 11 2001 This volume brings together an impressive group of scholars to build on past work and broaden the scope of this crucial inquiry in two respects by exploring aspects of the religion politics nexus in the United States that have been neglected in the past and by examining traditional questions concerning the religious tincture of American political discourse in provocative new ways Essays include examinations of religious rhetoric in American political and cultural discourse after September 11th the impact of religious ideas on environmental ethics religion and American law beyond the First Amendment religious responses to questions of gay and lesbian rights the Church of Jesus Christ of Latter Day Saints and issues of free speech and public space in Utah and the role of religious institutions and ideas on the political priorities of African American and Latino communities In addition Religion Politics and American Identity includes introductory and concluding essays by leading

scholars in the field of religion and politics that assess present and future directions for study *Identity Politics* The New York Times Editorial Staff, 2018-12-15 The subject of identity politics has become increasingly prevalent in recent years In this collection of topical articles readers will become familiar with a wide range of opinions and news concerning individual and group identities that form around race sexual orientation gender political party affiliation and more The political usefulness of certain identities is explored with a particular focus on the 2016 presidential election and the implications of one identity being politically asserted over another Media literacy terms and questions will engage readers to consider the topic beyond the text How to Engage in Difficult Conversations on Identity, Race, and Politics in Higher Education

Tammy Hodo, Jacques Whitfield, Brian Van Brunt, Poppy Fitch, 2023-01-16 How to Engage in Difficult Conversations on Identity Race and Politics in Higher Education addresses the polarized political and racialized climate in the United States This practical resource offers faculty and staff much needed direction related to hosting difficult conversations as they occur in the classroom residence halls orientation events and coffee shops around college and university campuses Chapters provide insights case examples interactive exercises and how to tools and tips to hosting these conversations covering issues such as immigration White supremacy in academia women s rights the Black Lives Matter movement trans rights reproductive rights and cancel culture among many others This resource is designed to better prepare instructors faculty higher education staff and administrators to enter into these hard conversations with an improved awareness of contentious issues and how to facilitate and potentially de escalate discussions that are already occurring **Iconoclasm, Identity**

Politics and the Erasure of History Alexander Adams, 2020-12-22 Iconoclasm Identity Politics and the Erasure of History surveys the origins uses and manifestations of iconoclasm in history art and public culture It examines the various causes and uses of image property defacement as a tool of political national religious and artistic process This is one of the first books to examine the outbreak of iconoclasm in Europe and North America in the summer of 2020 in the context of previous outbreaks and it examines the implications of iconoclasm as a form of control censorship and expression **The Case for**

Color-Blind Equality in an Age of Identity Politics Alan Dershowitz, 2021-09-07 In The Case for Color Blind Equality in an Age of Identity Politics Alan Dershowitz New York Times bestselling author and one of America s most respected legal scholars analyzes the current battles over issues of diversity and our rapidly changing ideas about what true diversity is Alan Dershowitz has been called one of the most prominent and consistent defenders of civil liberties in America by Politico and the nation s most peripatetic civil liberties lawyer and one of its most distinguished defenders of individual rights by Newsweek He is also a fair minded and even handed expert on civil liberties and constitutional rights and in this book offers his knowledge and insight to help readers understand the war being waged against meritocracy and equal protection of the law by so called progressive advocates The Case for Color Blind Equality in an Age of Identity Politics is an analysis of every aspect of the current fight against true diversity diversity of philosophy background and opinion rather than the more surface

level diversity of race religion and location It examines the United States s history of systemic racism debates about affirmative action and ongoing reckoning with issues of bigotry against groups such as Asians Blacks and Jews with an eye toward fairly balancing the concerns of a diverse populace In the end *The Case for Color Blind Equality in an Age of Identity Politics* represents an icon in American law and politics exploring the current rapidly changing attitudes toward meritocracy personal identity and the preservation of civil liberties for all citizens regardless of background race class or creed It is essential reading for anyone interested in or concerned about identity politics racial issues and true diversity and fairness in America

Politics at the Turn of the Century Arthur M. Melzer, Jerry Weinberger, M. Richard Zinman, 2001 Visit our website for sample chapters

Class Struggle and Identity Politics Marc James Léger, 2024-06-03 Contemporary bipartisan politics undermines socialist solidarity by ignoring class issues and pitting advocates of social justice against ethno national chauvinists This guide to the recent wave of woke culture wars provides a radical class analysis and critique of the most popular academic trends around diversity and inclusion radical democracy intersectionality privilege theory critical race theory and decoloniality The book further explains the complexity of today s cultural conflicts by examining how these issues are viewed across the political spectrum including populist and postmodern perspectives Exploring historical cultural political and economic developments since the postwar era this follow up to *Identity Trumps Socialism* provides the reader with everything you wanted to know but were afraid to ask about the campus wars that have gone mainstream

Hate Crimes : Criminal Law and Identity Politics New York University Center for Research in Crime and Justice James B. Jacobs Director, New York University Center for Research in Crime and Justice Kimberly Potter Director, 1998-03-28 In the early 1980s a new category of crime appeared in the criminal law lexicon In response to concerted advocacy group lobbying Congress and many state legislatures passed a wave of hate crime laws requiring the collection of statistics on and enhancing the punishment for crimes motivated by certain prejudices This book places the evolution of the hate crime concept in socio legal perspective James B Jacobs and Kimberly Potter adopt a skeptical if not critical stance maintaining that legal definitions of hate crime are riddled with ambiguity and subjectivity No matter how hate crime is defined and despite an apparent media consensus to the contrary the authors find no evidence to support the claim that the United States is experiencing a hate crime epidemic instead they cast doubt on whether the number of hate crimes is even increasing The authors further assert that while the federal effort to establish a reliable hate crime accounting system has failed data collected for this purpose have led to widespread misinterpretation of the state of intergroup relations in this country The book contends that hate crime as a socio legal category represents the elaboration of an identity politics now manifesting itself in many areas of the law But the attempt to apply the anti discrimination paradigm to criminal law generates problems and anomalies For one thing members of minority groups are frequently hate crime perpetrators Moreover the underlying conduct prohibited by hate crime law is already subject to criminal punishment Jacobs and Potter question whether hate

crimes are worse or more serious than similar crimes attributable to other anti social motivations They also argue that the effort to single out hate crime for greater punishment is in effect an effort to punish some offenders more seriously simply because of their beliefs opinions or values thus implicating the First Amendment Advancing a provocative argument in clear and persuasive terms Jacobs and Potter show how the recriminalization of hate crime has little if any value with respect to law enforcement or criminal justice Indeed enforcement of such laws may exacerbate intergroup tensions rather than eradicate prejudice

The Case for Gay Rights David A. J. Richards, 2005 As Americans wrestle with debates over traditional values defense of marriage and gay rights reason often seems to take a back seat to emotion In response legal scholar Richards reflects upon the constitutional and democratic principles relating to privacy intimate life free speech tolerance and conscience that underpin these often heated debates The distillation of Richards s thirty year advocacy for the rights of gays and lesbians his book provides a reflective treatise on basic human rights that touch all of our lives He places in context two key Supreme Court cases the 1986 Bowers v Hardwick decision and the 2003 Lawrence v Texas decision which overturned it Drawing upon his own experiences as a gay man Richards interweaves personal observations with philosophical political judicial and psychological insights to make a case that gays should be entitled to the same rights and protections that every American enjoys From publisher description

Youth Identity, Politics and Change in Contemporary Kurdistan Shivan Fazil, Bahar Baser, 2021-09-01 Today s youth are challenging the older political class around the world and are forming new political generations Examples from South Africa and elsewhere where peace processes were deemed to be successful show signs of youth disapproval of the current post conflict conditions Moreover the Arab Spring witnessed numerous youth movements emerge in authoritarian and illiberal contexts This book was prepared in light of these discussions and aims to contribute to these ongoing debates on youth politics by presenting the situation of youth in the Kurdistan Region of Iraq KRI as a case study It will be the first book that specifically focuses on the Iraqi Kurdish youth and their political social and economic participation in Kurdistan The contemporary history of the KRI is marked by conflict war and ethnic cleansing under Saddam Hussein and the tyranny of the Ba ath regime significantly affecting the political situation of the Kurds in the Middle East Most of the recent academic literature has focused on the broader picture or in other words the macro politics of the Kurdish conundrum within Iraq and beyond There is little scholarship about the Kurdish population and their socio economic conditions after 2003 and almost none about the younger generation of Kurds who came of age during autonomous Kurdish rule This is a generation that unlike their forebears has no direct memory of the decades long campaigns of repression Studying and examining the rise of this generation of Kurdish young millennials Generation 2000 who came of age in the aftermath of the United States invasion of Iraq offers a unique approach to understand the dynamics in a region that underwent a substantial socio political transformation after 2003 as well as the impact of these developments on the youth population Pursuing different themes and lines of inquiry the contributors of the

book analyze the challenges and opportunities for young men and women to fulfil their needs and desires and contribute to the ongoing quest for nationhood and nation building In this book our aim is to bring together a variety of perspectives from local and foreign academics who have been working on pressing issues in Kurdistan and beyond The chapters focus on an array of themes particularly including political participation political situation and change religiosity and extremism Taken together the chapters provide us with an introduction to youth politics in Kurdistan This book is just the first attempt to open academic and nonacademic debate on this subject at a time when protests around youth related issues are becoming a more prevalent method of political engagement in the region Our hope is that more research follows and supplements what has not been addressed in this book especially through the introduction of first hand youth perspectives to the core of this analysis and giving them a voice in nonviolent platforms

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Virtue in an Age of Identity Politics Jonathan D. Church, 2022-05-11

Virtue in an Age of Identity Politics A Stoic Approach to Social Justice proffers Stoicism as a more constructive approach to social justice activism than Critical Social Justice the current core framework for social justice activism in the 21st century Critical Social Justice examines ideologies that underlie the stratification of society in ways that confer ongoing benefits to some groups at the expense of other groups and aims for a radical reshaping of prevailing institutions because they purportedly and irredeemably underlie a set of norms beliefs and attitudes which will continue to perpetuate social inequalities if we do not undertake efforts to rethink disrupt and restructure society Stoicism the ancient Greek and Roman philosophy is chosen specifically to help navigate the contentious discourse on systemic power and privilege which dominates the Critical Social Justice paradigm In emphasizing intent over impact as well as the distinction between the circumstances of our lives and the living of our lives the Stoic approach highlights the vital importance of reason and virtue in achieving a connection between

the individualistic concern with cultivation of a good character and the collective concern with making the world a better place

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