

This Symposium opens with an article by James Weinstein exploring the potential of “upstream” speech restrictions to undermine the political legitimacy of “downstream” laws. Using hate speech bans as an exemplar, the article argues that these speech restrictions can seriously compromise, and in some cases even annihilate, the legitimacy of antidiscrimination laws as applied to those whose ability to express opposition to these downstream measures was curtailed by the upstream restriction. A response by Jeremy Waldron disputes the view that speech restrictions can have such an effect on downstream legislation. Vincent Blasi, Alexander Brown, Katharine Gelber, Eric Heinze, Robert Post, Frederick Schauer, Steven Shiffrin, and Adrienne Stone then comment on this debate. The Symposium concludes with a reply by Professor Weinstein.

This Symposium is dedicated to the memory of Professor Ronald Dworkin.