

Cambridge University Press

978-1-107-01423-7 - Dissenting Voices in American Society: The Role of Judges, Lawyers,
and Citizens

Edited by Austin Sarat

Table of Contents

[More information](#)

Contents

Contributors	<i>page</i> ix
Acknowledgments	xi
Dissent and the American Story: An Introduction <i>Austin Sarat</i>	1
1 The Ethics of an Alternative: Counterfactuals and the Tone of Dissent <i>Ravit Reichman</i>	19
Comment on Chapter 1: The Role of Counterfactual Imagination in the Legal System: Misplaced Judgment or Inevitable Dissent? <i>Suzette M. Malveaux</i>	42
2 American Animus: Dissent and Disapproval in <i>Bowers v. Hardwick</i> , <i>Romer v. Evans</i> , and <i>Lawrence</i> <i>v. Texas</i> <i>Susanna Lee</i>	56
Comment on Chapter 2: Animus-Supported Argument versus Animus-Supported Standing <i>Heather Elliott</i>	92
3 Dissent and Authenticity in the History of American Racial Politics <i>Kenneth W. Mack</i>	105
	vii

Cambridge University Press

978-1-107-01423-7 - Dissenting Voices in American Society: The Role of Judges, Lawyers,
and Citizens

Edited by Austin Sarat

Table of Contents

[More information](#)

viii	Contents
	<p>Comment on Chapter 3: Dissenters as Dissidents: Charles Hamilton Houston and Loren Miller 144 <i>Tony A. Freyer</i></p>
4	<p>The Legal Academy and the Temptations of Power: The Difficulty of Dissent 160 <i>Richard H. Pildes</i></p> <p>Comment on Chapter 4: Why Dissent Isn't Free: A Commentary on Pildes's "The Legal Academy and the Temptations of Power" 182 <i>Bryan K. Fair</i></p>
5	<p>Why Societies Don't Need Dissent (as Such) 192 <i>Mark Tushnet</i></p> <p>Comment on Chapter 5: Questioning the Value of Dissent and Free Speech More Generally: American Skepticism of Government and the Protection of Low-Value Speech 209 <i>Ronald J. Krotoszynski Jr.</i></p>
Index	231