

FREEDOM OF EXPRESSION

Two legal systems founded upon similar Enlightenment philosophical and political values use state coercion differently to regulate a liberty at the core of the Enlightenment: the freedom of expression. This comparative study of France and the United States proposes a novel theory of how the limits of freedom of expression are informed by different revolutionary experiences and constitutional and political arrangements. Ioanna Tourkochoriti argues that the different ways freedom of expression is balanced against other values in France and the United States can be understood in reference to the role of the government and the understanding of republicanism and liberty. This understanding affects how jurists define the content and the limits of a liberty and strike a balance between liberties in conflict. Exploring both the legal traditions of the two countries, this study sheds new light on the broader historical, social, and philosophical contexts in which jurists operate.

Ioanna Tourkochoriti teaches at the National University of Ireland, Galway. She has previously held a lectureship at the Committee on Degrees in Social Studies at Harvard University, a Wertheim Fellowship at Harvard Law School, and fellowships with other universities in North America and the London School of Economics.

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Freedom of Expression

THE REVOLUTIONARY ROOTS OF AMERICAN
AND FRENCH LEGAL THOUGHT

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