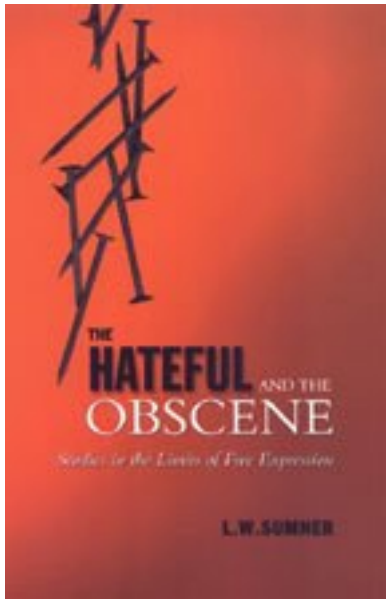


The Hateful and the Obscene



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In a series of landmark decisions since 1990, Canadian courts have shaped a distinctive approach to the regulation of obscenity, hate literature, and child pornography. Missing from the debate, however, has been any attempt to determine whether the legal status quo can be justified by reference to a framework of moral/political principles. *The Hateful and the Obscene* is intended to fill that gap. L.W. Sumner brings philosophical depth and theoretical rigour to some of the most important and difficult questions concerning free expression. Building on a framework set out by J.S. Mill - that a legal restriction of expression is justified only when the expression in question is harmful to others and when the benefits of the restriction will exceed its costs - Sumner shows how the Canadian courts have replicated Mill's framework in their interpretation of the Canadian Charter of Rights and Freedoms. *The Hateful and the Obscene* is a compelling interpretation of freedom of expression that combines serious

philosophical thought with a focus on Canadian law, thus maintaining the breadth to deal with both obscenity and hate literature.

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