gested, "public discourse would probably suffer little or no harm. But we doubt that there is any such standard, and we are quite sure that the pejorative description 'outrageous' does not supply one." [1163] *Falwell* can also be read as consistent with the hierarchical theory of interpretation; the offensive advertisement parody was protected as within "the world of debate about public affairs," and was not "governed by any exception to . . . general First Amendment principles." [1164]

Even if a category of speech is *un*protected by the First Amendment, regulation on the basis of its content may be *im*permissible. In *R.A.V. v. City of St. Paul*,[1165] the Court struck down a hate crimes ordinance construed by the state courts to apply only to use of "fighting words." The difficulty, the Court found, was that the ordinance made a further content discrimination, proscribing only those fighting words that "arouse[ ] anger, alarm or resentment in others . . . on the basis of race, color, creed, religion or gender." [1166] This amounted to "special prohibitions on those speakers who express views on disfavored subjects." [1167] The fact that government may proscribe areas of speech such as obscenity, defamation, or fighting words does not mean that these areas "may be made the vehicles for content discrimination unrelated to their distinctively proscribable content. Thus, the government may proscribe libel; but it may not make the further content discrimination of proscribing *only* libel critical of the government." [1168]

The constitutionality of content-based regulation of fully protected expression is determined by a compelling interest test derived from equal protection analysis: government "must show that its regulation is necessary to serve a compelling interest and is narrowly drawn to achieve that end." [1169] Narrow tailoring in the case of fully protected speech requires that the government "choose[ ] the least restrictive means to further the articulated interest." [1170] Application of this test ordinarily results in invalidation of the regu-

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[1163] 485 U.S. at 55.
[1164] 485 U.S. at 53, 56.
[1165] 505 U.S. 377 (1992).
[1166] 505 U.S. at 391.
[1167] 505 U.S. at 391.
[1168] 505 U.S. at 383–84 (emphasis in original).
[1169] Arkansas Writers' Project, Inc. v. Ragland, 481 U.S. 221, 231 (1987); Simon & Schuster, Inc. v. Members of the New York State Crime Victims Bd., 502 U.S. 105, 118 (1991).
[1170] Sable Communications of California v. FCC, 492 U.S. 115, 126 (1989).