

ROUTLEDGE STUDIES IN CONTEMPORARY PHILOSOPHY

Hate Speech Law

A Philosophical Examination

Alexander Brown



Hate Speech Law A Philosophical Examination
Routledge Studies In Contemporary Philosophy

Alexander Brown, Adriana Sinclair



Hate Speech Law A Philosophical Examination Routledge Studies In Contemporary Philosophy:

Hate Speech Law Alex Brown, 2015-03-05 Hate speech law can be found throughout the world But it is also the subject of numerous principled arguments both for and against These principles invoke a host of morally relevant features e g liberty health autonomy security non subordination the absence of oppression human dignity the discovery of truth the acquisition of knowledge self realization human excellence civic dignity cultural diversity and choice recognition of cultural identity intercultural dialogue participation in democratic self government being subject only to legitimate rule and practical considerations e g efficacy the least restrictive alternative chilling effects The book develops and then critically examines these various principled arguments It also attempts to de homogenize hate speech law into different clusters of laws regulations codes that constrain uses of hate speech so as to facilitate a more nuanced examination of the principled arguments Finally it argues that it is morally fitting for judicial and legislative judgments about the overall warrant of hate speech law to reflect principled compromise Principled compromise is characterized not merely by compromise over matters of principled concern but also by compromise which is itself governed by ideals of moral duty or civic virtue e g reciprocity equality and mutual respect The Open Access version of this book available at <https://doi.org/10.4324/9781315714899> has been made available under a Creative Commons Attribution Non Commercial No Derivatives 4.0 license

Hate Speech Law Alexander Brown, 2015 Hate speech law can be found throughout the world But it is also the subject of numerous principled arguments both for and against These principles invoke a host of morally relevant features e g liberty health autonomy security non subordination the absence of oppression human dignity the discovery of truth the acquisition of knowledge self realization human excellence civic dignity cultural diversity and choice recognition of cultural identity intercultural dialogue participation in democratic self government being subject only to legitimate rule and practical considerations e g efficacy the least restrictive alternative chilling effects The book develops and then critically examines these various principled arguments It also attempts to de homogenize hate speech law into different clusters of laws regulations codes that constrain uses of hate speech so as to facilitate a more nuanced examination of the principled arguments Finally it argues that it is morally fitting for judicial and legislative judgments about the overall warrant of hate speech law to reflect principled compromise Principled compromise is characterized not merely by compromise over matters of principled concern but also by compromise which is itself governed by ideals of moral duty or civic virtue e g reciprocity equality and mutual respect

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Hate Speech and Human Rights in Eastern Europe Viera Pejchal, 2020-04-03 Hate Speech and Human Rights Democracies need to understand these terms to properly adapt their legal frameworks Regulation of hate speech exposes underlining and sometimes invisible societal values such as security and public order equality and non-discrimination human dignity and other democratic vital interests The spread of hatred and hate speech has intensified in many corners of the world over the last decade and its regulation presents a conundrum for many democracies This book presents a three-prong theory describing three different but complementary models of hate speech regulation which allows stakeholders to better address this phenomenon It examines international and national legal frameworks and related case law as well as pertinent scholarly literature review to highlight this development After a period of an absence of free speech during communism post-communist democracies have sought to build a framework for the exercise of free speech while protecting public goods such as liberty equality and human dignity The three-prong theory is applied to identify public goods and values underlining the regulation of hate speech in the Czech Republic and Slovakia two countries that share a political sociological and legal history as an example of the differing approaches to hate speech regulation in post-communist societies due to divergent social values despite identical legal frameworks This book will be of great interest to scholars of human rights law lawyers judges government NGOs media and anyone who would like to understand values that underpin hate speech regulations which reflect values that society cherishes the most

Words in Action Ishani Maitra, Mary Kathryn McGowan, 2025 Social philosophy of language considers the role language plays in reflecting and enforcing social relations This fast-growing field combines philosophy of language with ethics epistemology and feminist social and political philosophy to ask crucial questions about the importance of language in the social world *Words in Action* offers an authoritative and accessible introduction to the social philosophy of language for students at undergraduate and graduate levels Authors Ishani Maitra and Mary Kate McGowan show how tools from the philosophy of language can help illuminate both how language works socially and how we can challenge the injustices wrought by the use of language They examine topics like lying and deception telling and testimony silencing jokes slurs linguistic manipulation linguistic oppression consent promises threats

gendered language and much more To fruitfully address these topics the book introduces important tools and concepts from the philosophy of language that are relevant to theorizing these issues including saying assertion conversational and conventional implicature taxonomies of speech acts indirect speech acts common ground conversational score semantic and pragmatic presupposition at issue and not at issue content and much more

Evil in Joint Action Hans Bernhard Schmid, 2020-07-19 Joining insights from social science and philosophy this book offers a nuanced view on the discourse of evil which has been on the rise in the West in recent years Exploring the famous Pear Theft episode in St Augustine's Confessions it looks beyond the theological implications of the event to focus instead on the secular insights that it offers when the event is placed in the context of social thought With attention to Augustine's lengthy reflections on a seemingly marginal episode the author contends that it is possible to discern the elements of a convincing account of intentional evil action the Pear Theft representing a case of joint radical improvisation that lacks collective deliberation As such a new perspective emerges on familiar and more intuitive forms of evil in joint action that involve group identification and institutional action Evil in Joint Action will appeal to scholars of sociology social theory and philosophy with interests in ethics collective action and concepts of evil

Terror and the Dynamism of Islamophobia in 21st Century Britain Madeline-Sophie Abbas, 2021-08-04 This book provides powerful insights into the dynamics nature and experiences of the terrors of counter terrorism measures in the UK Abbas links her analysis to wider concerns of nation construction and belonging racial profiling and policing the state of exception and pre-emptive counter terrorism measures community based counter terrorism measures and restrictions to political engagement freedom of speech and hate speech What makes this work distinct is its advancement of an original framework the Concentrationary Gothic to delineate the racialised mechanisms of terror involved in the governance of Muslim populations in the war on terror context The book illuminates the various ways in which Muslims in Britain experience terror through racialised surveillance and policing strategies operating at state group inter and intra and individual levels in diverse contexts such as the street workplace public transport and the home Abbas situates these experiences within wider racial politics and theory drawing connections to anti-Semitism anti-blackness anti-Irishness and whiteness to provide a complex mapping of the ways in which racial terror has operated in both historical and contemporary contexts of colonialism slavery and the camp and offering a unique point of analysis through the use of Gothic tropes of haunting monstrosity and abjection This vital work will be of interest to students and scholars across sociology criminology anthropology terrorism studies Islamic studies and critical Muslim studies researching race and racialisation security immigration nationhood and citizenship

Partisanship and Political Liberalism in Diverse Societies Matteo Bonotti, 2017-07-04 Since its publication in 1993 John Rawls's Political Liberalism has been central to debates concerning political legitimacy democratic theory toleration and multiculturalism in contemporary political theory Yet despite the immense body of literature which has been produced since Rawls's work was published very little has been

said or written regarding the place of political parties and partisanship within political liberalism This book aims to fill this gap in the literature Its central argument is that political liberalism needs and nourishes political parties and that political parties are therefore not hostile but vital to it First partisanship generates its own distinctive kind of political obligations additional to any political obligations people may have qua ordinary citizens Second contrary to what many critics argue and despite its admittedly restrictive features Rawls s conception of public reason allows significant scope for partisan advocacy and partisan pluralism and in fact the very normative demands of partisanship are in syntony with those of public reason Third parties contribute to the overlapping consensus that for Rawls guarantees stability in diverse societies Fourth political liberalism nourishes political parties by leaving many issues including religious and socio economic ones open to democratic contestation In summary parties contribute both to the legitimacy and to the stability of political liberalism

Disability Hate Speech Mark Sherry, Terje Olsen, Janikke Solstad Vedeler, John Eriksen, 2019-11-08 This book the first to specifically focus on disability hate speech explains what disability hate speech is why it is important what laws regulate it both online and in person and how it is different from other forms of hate Unfortunately disability is often ignored or overlooked in academic legal political and cultural analyses of the broader problem of hate speech Its unique personal ideological economic political and legal dimensions have not been recognized until now Disability hate speech is an everyday experience for many people leaving terrible psycho emotional scars This book includes personal testimonies from victims discussing the personal impact of disability hate speech explaining in detail how such hatred affects them It also presents legal historical psychological and cultural analyses including the results of the first surveys and in depth interviews ever conducted on this topic in some countries This book makes a vital contribution to understanding disability hatred and prejudice and will be of particular interest to those studying issues associated with hate speech disability psychology law and prejudice

The Closing of the Liberal Mind Kim R. Holmes, 2017-12-12 A former U S Assistant Secretary of State and currently Acting Senior Vice President for Research at The Heritage Foundation Kim R Holmes surveys the state of liberalism in America today and finds that it is becoming its opposite illiberalism abandoning the precepts of open mindedness and respect for individual rights liberties and the rule of law upon which the country was founded and becoming instead an intolerant rigidly dogmatic ideology that abhors dissent and stifles free speech Tracing the new illiberalism historically to the radical Enlightenment a movement that rejected the classic liberal ideas of the moderate Enlightenment that were prominent in the American Founding Holmes argues that today s liberalism has forsaken its American roots incorporating instead the authoritarian anti clerical and anti capitalist prejudices of the radical and largely European Left The result is a closing of the American liberal mind Where once freedom of speech and expression were sacrosanct today liberalism employs speech codes trigger warnings boycotts and shaming rituals to stifle freedom of thought expression and action It is no longer appropriate to call it liberalism at all but illiberalism a set of ideas in politics government and popular culture that increasingly reflects

authoritarian and even anti democratic values and which is devising new strategies of exclusiveness to eliminate certain ideas and people from the political process Although illiberalism has always been a temptation for American liberals lurking in the radical fringes of the Left it is today the dominant ideology of progressive liberal circles This makes it a new danger not only to the once venerable tradition of liberalism but to the American nation itself which needs a viable liberal tradition that pursues social and economic equality while respecting individual liberties *Reader's Guide to the Social Sciences*

Jonathan Michie,2014-02-03 This 2 volume work includes approximately 1 200 entries in A Z order critically reviewing the literature on specific topics from abortion to world systems theory In addition nine major entries cover each of the major disciplines political economy management and business human geography politics sociology law psychology organizational behavior and the history and development of the social sciences in a broader sense **Blaming the Jews** Bernard

Harrison,2020-10-06 In recent years Western countries have seen a proliferation of antisemitic material in social media and attacks on Jews such as that on the Tree of Life synagogue in Pittsburgh in 2018 Much of this has stemmed not from personal hostility to Jews on the part of this or that individual but from a resurgence in groups at both ends of politics of the ancient delusion that the Jews collectively dominate world affairs and lie at the root of all the world s evils In *Blaming the Jews* author Bernard Harrison offers a new and unique analysis of this second and far more dangerous form of antisemitism and its persistence as a cultural phenomenon Questioning the assumption that antisemitism affects or targets only Jews he demonstrates that allowed to go unrecognised or unchecked antisemitism is potentially damaging to us all In a world where rhetoric is fashioned on stereotypes and driven by political ideology Harrison argues it is our responsibility to be vigilant in exposing the delusions of antisemitism and their consequences for Jews and non Jews alike Rights in Context Reza

Banakar,2016-03-23 This volume offers snapshots of how rights are debated and employed in public discourse to reshape legal and political relations at the beginning of the twenty first century It explores how rights are used to challenge the state of affairs by individuals and groups who seek justice and the strategies devised to defy the existing rights by those who wish to recast the social and political order This volume discusses rights firstly in relation to actual events and issues faced by policy makers courts international agencies or ordinary people These range from the demands of minority groups living in the West to freely practice their culture and or religion to the threat of terrorism the regulation of asylum rights the investor s rights to disclosure and the rights of artists to freedom of expression Secondly rights discourse is examined in relation to attempts to redefine the form and content of rights for example by banning the right to wear religious symbols in public institutions or detaining terrorism suspects without trial Thirdly rights discourse is explored in connection with the attempts to develop new notions of rights such as human security which can more effectively respond to the challenges of late modern societies Finally the statuses of rights in sociological theory and socio legal research are briefly discussed and analysed

The Problem of Hate Speech Alexander Brown,Adriana Sinclair,2018-08-04 This book examines the complex

relationship between politics and hate speech laws domestic and international How do political contexts shape understandings of what hate speech is and how to deal with it Why do particular states enact hate speech laws and then apply extend or reform them in the ways they do What part does hate speech play in international affairs Why do some but not all states negotiate agree and ratify international hate speech frameworks or instruments What are some of the best and worst political arguments for and against hate speech laws Do political figures have special moral duties to refrain from hate speech Should the use of hate speech by political figures be protected by parliamentary privilege Should this sort of hyperpolitical hate speech be subject to the laws of the land civil and criminal Or should it instead be handled by parliamentary codes of conduct and procedures or even by political parties themselves What should the codes of conduct look like Brown and Sinclair answer these important and overlooked questions on the politics of hate speech laws providing a substantial body of new evidence insights arguments theories and practical recommendations The primary focus is on the UK and the US but several other country contexts are also explored and compared in detail including Nigeria Kenya South Africa India China Japan Turkey Germany Hungary and Italy Methodologically the two authors draw on approaches and concepts from a range of academic disciplines including law and legal theory political theory applied ethics political science and sociology international relations theory and international law

The Value and Limits of Academic Speech

Donald Alexander Downs, Chris W. Surprenant, 2018-05-03 Free speech has been a historically volatile issue in higher education In recent years however there has been a surge of progressive censorship on campus This wave of censorship has been characterized by the explosive growth of such policies as trigger warnings for course materials safe spaces where students are protected from speech they consider harmful or distressing micro aggression policies that often strongly discourage the use of words that might offend sensitive individuals new bias reporting programs that consist of different degrees of campus surveillance the dis invitation of a growing list of speakers including many in the mainstream of American politics and values and the prominent shouting down or disruption of speakers deemed inconsistent with progressive ideology Not to be outdone external forces on the right are now engaging in social media bullying of speakers and teachers whose views upset them The essays in this collection written by prominent philosophers political scientists sociologists and legal scholars examine the issues at the forefront of the crisis of free speech in higher education The contributors address the broader historical cultural legal and normative contexts of the current crisis and take care to analyze the role of due process in protecting academic freedom and individuals accused of misconduct Additionally the volume is unique in that it advances practical remedies to campus censorship as the editors and many of the contributors have participated in movements to remedy limitations on free speech and open inquiry The Value and Limits of Academic Speech will educate academic professionals and informed citizens about the phenomenon of progressive censorship and its implications for higher education and the republic

Minorities,

Free Speech and the Internet Oscar Pérez de la Fuente, Alexander Tsesis, Jędrzej Skrzypczak, 2023-03-14 Minorities Free

Speech and the Internet explores the regulation of free speech online and offline Views are divided as to how much regulation of the Internet is appropriate Some argue that it should be an unregulated space for free content On the other hand in many democracies online hate speech harassment and xenophobia are prohibited and punished This book provides a forum for leading international scholars to address domestic and comparative dimensions of this complex legal conundrum First the authors analyse the free speech and Internet regulations in different legal cultures including the United States Europe China and Russia Second they study fake news extreme right speech and the implications of hate speech on pluralistic society Third they examine different case law addressing minority sensibilities historical discriminations offensive propaganda and other issues particularly concerning minorities and free speech This book will be of interest to students and scholars interested in the topics of hate speech and minorities democracy misinformation and debates about the Internet as well as political science researchers

The Politics of Hate Speech Law Alexander Brown, Adriana Sinclair, 2020 **Hate Speech in Asia and Europe** Myungkoo Kang, Marie-Orange Rivé-Lasan, Wooja Kim, Philippa Hall, 2020-03-16 This edited collection provides a timely review of the current state of hate speech research in Asia and Europe through the comparative examples of Korea Japan and France Extending the study of hate speech studies beyond the largely western emphasis on European and US contexts dominant in the field this book's comparative framework aims to examine hate speech as a global phenomenon spanning Asian and European contexts An innovative range of nuanced empirical case studies explore hate speech by analyzing gendered hate speech and nationality French cartoon humour official counter radicalization narratives and the use of international law to inform domestic legislation in the Philippines and Japan A fresh perspective on Asian and European hate speech this book's evaluation of current of hate speech research also identifies future directions for the development of theory and method Filling a critical gap in the literature *Hate Speech in Asia and Europe* will appeal to students and scholars of law politics religion history social policy and social science more broadly as well as Asian Studies

Hate Speech and the European Court of Human Rights Natalie Alkiviadou, 2025 This book argues that the European Court of Human Rights ECtHR should reconsider its approach to hate speech cases and develop a robust protection of freedom of expression as set out in the benchmark case of *Handyside v the United Kingdom* In that case the ECtHR determined that Article 10 of the European Convention on Human Rights ECHR safeguarding the right to freedom of expression extends protection not only to opinions which are well received but also to those deemed offensive shocking or disturbing However subsequent rulings by the Court have generated a significant amount of contradictory case law Against this backdrop this book provides an analysis of hate speech case law before the ECtHR and the now obsolete European Commission on Human Rights Through a jurisprudential analysis it is argued that these institutions have adopted an overly restrictive approach to hate speech which fails to provide adequate protection of the right to freedom of expression It also demonstrates that there are stark inconsistencies when it comes to the treatment of some forms of hate speech versus others

The study further contends that in reaching its decisions on hate speech cases the Court disregards empirical evidence on matters related to free speech restrictions Viewing the ECHR as a living instrument the book places this analysis within the current state of affairs vis vis the handling of hate speech particularly online by European countries the European Union itself and social media platforms actions which the author argues are contributing to a free speech demise The book will be a valuable resource for academics researchers and policymakers working in the area of law political science European studies and sociology

A Republican Theory of Free Speech Suzanne Whitten, 2021-10-22 This book offers the first comprehensive philosophical examination of the free speech battles of the last decade arguing for a critical republican conception of civility as an explanatory and prescriptive solution Issues such as no platforming and safe spaces the increasing influence of Far Right rhetoric on internet forums the role of Twitter as a site of activist struggles and the moral panics that surround ill judged comments made by public figures all provide a new set of challenges for society which demand a careful critical analysis The author proposes a republican theory of free speech demonstrating how a conception of critical civility one which combines the importance of expressive respect with the responsibilities of contestation and vigilance is required if we are to combat some of the most contentious speech related conflicts facing contemporary society today

Immerse yourself in the artistry of words with is expressive creation, **Hate Speech Law A Philosophical Examination Routledge Studies In Contemporary Philosophy** . This ebook, presented in a PDF format (*), is a masterpiece that goes beyond conventional storytelling. Indulge your senses in prose, poetry, and knowledge. Download now to let the beauty of literature and artistry envelop your mind in a unique and expressive way.

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