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Sinopsis

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A commitment to free speech is a fundamental precept of all liberal democracies. However, democracies can differ significantly when addressing the constitutionality of laws regulating certain kinds of speech. In the United States, for instance, the commitment to free speech under the First Amendment has been held by the Supreme Court to protect the public expression of the most noxious racist ideology and hence to render unconstitutional even narrow restrictions on hate speech. In contrast, governments have been accorded considerable leeway to restrict racist and other extreme expression in almost every other democracy, including Canada, the United Kingdom, and other European countries. This book considers the legal responses of various liberal democracies towards hate speech and other forms of extreme expression, and examines the following questions:

What accounts for the marked differences in attitude towards the constitutionality of hate speech regulation?

Does hate speech regulation violate the core free speech principle constitutive of democracy?

Has the traditional US position on extreme expression justifiably not found favor elsewhere?

Do values such as the commitment to equality or dignity legitimately override the right to free speech in some circumstances?

With contributions from experts in a range of disciplines, this book offers an in-depth examination of the tensions that arise between democracy's promises.

Readership: Academics, scholars, and advanced students of Human Rights; Comparative Human Rights; Freedom of Information & Freedom of Speech; Media, Information, & Communication Industries; Censorship; Extreme Speech & Hate Speech

Features

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Examines highly topical issues raised by extreme speech in liberal democracies such as incitement to terrorism, homophobic speech, Holocaust denial, veiling controversies and the Danish cartoons depicting the Prophet

Confronts difficult philosophical and political questions faced by democracies in their commitment to equality and fight against hate speech

Includes interdisciplinary approaches from law, philosophy, history, psychology, and literature

Provides comparative perspectives from several countries including the US, UK, Canada, France, Germany and Hungary

Reviews

"What are the appropriate limits to freedom of expression in societies that wish to be democratic, multi-cultural, and committed to the human rights of all? Ivan Hare and James Weinstein have assembled a dazzling array of talent from a variety of disciplines, jurisdictions, and viewpoints to explain and debate a controversy that is intellectually complex, politically explosive, and as current as today's news. *Extreme Speech and Democracy* is a mine of information and argument that will be quarried for years to come. This is quite simply the most sophisticated, penetrating, and ambitious study of these issues available."

--Christopher McCrudden,

FBA, Professor of Human Rights Law, University of Oxford

"The papers in this book bring a penetrating scholarship to the law relating to extreme speech and to the political philosophy which is the subject's real challenge. Whether you believe in free expression warts and all, or in censorship for the sake of public tranquility, you will find these contributions a major intellectual resource."

--Lord Justice Laws,

High Court of Justice of England and Wales, Queen's Bench Division

"This is a book of the sort that you feared the internet might have driven off our bookshelves. It is compendious, thoughtful, learned and very well produced and laid out. The topic is both provocative and important, being no less than the future of our liberal culture and the task it faces in accommodating itself to the challenge of extremism without destroying all that is good about itself in the process. The thirty one contributors - an all-star, generally Anglo-American cast but with strong Continental and Canadian input from time to time, the whole presided over by the high priest of liberal values Ronald Dworkin (who contributes an excellent introduction) - generally rises to the challenge. The book is one to be read through from start to finish or enjoyed in bite-sized chunks grabbed as the opportunity arises. Almost all of it leaves the reader with much to savour."

-- CONOR GEARTY (London School of Economics)

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