



The Content and Context of Hate Speech: Rethinking Regulation and Responses

From Cambridge University Press

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The contributors to this volume consider whether it is possible to establish carefully tailored hate speech policies that are cognizant of the varying traditions, histories, and values of different countries. Throughout, there is a strong comparative emphasis, with examples (and authors) drawn from around the world. All the authors explore whether or when different cultural and historical settings justify different substantive rules given that such cultural relativism can be used to justify content-based restrictions and so endanger freedom of expression. Essays address the following questions, among others: Is hate speech in fact so dangerous or harmful to vulnerable minorities or communities as to justify a lower standard of constitutional protection? What harms and benefits accrue from laws that criminalize hate speech in particular contexts? Are there circumstances in which everyone would agree that hate speech should be criminally punished? What lessons can be learned from international case law?

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The Content and Context of Hate Speech: Rethinking Regulation and Responses From Cambridge University Press Bibliography

- Sales Rank: #1250280 in Books
- Published on: 2012-04-09
- Released on: 2012-06-21
- Original language: English
- Number of items: 1
- Dimensions: 8.98" h x 1.14" w x 5.98" l, 1.68 pounds
- Binding: Paperback
- 570 pages

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Editorial Review

Review

"The regulation of hate speech raises controversial questions about the limits of government authority over public discourse. The Content and Context of Hate Speech is a timely new collection that explores these issues ... The book's emphasis is comparative, with the authors drawing on examples from across the world. The collection explores not just broad issues related to hate speech laws but also the nuances, such as how hate speech should be defined. The clash among the various contributors over these issues is both lively and illuminating."

Harvard Law Review

"... a wide and encompassing look at hate speech in its various forms and the various factors (of which modern communications is but one) that push for a rethink of regulations. ... The Content and Context of Hate Speech is a useful and enjoyable book for anyone who is interested in the issue, whether as part of academic research, as a participant in the public debate or as a media professional. The book can be read through from beginning to end, to challenge the mind and get new ideas, or it can be used to go deeper on specific issues through the interesting sources referred to and the many new facts presented."

Katrin Merike Nyman-Metcalf, International and Comparative Law Quarterly

"The 'context' of anti-Gypsyism, and the connections between hateful words and heinous deeds pose profound and troubling questions for champions of free speech and opponents of content-based bans ... This stimulating collection of interviews and essays edited by Herz and Molnar provides a singularly comprehensive rethink on responses to the content and context of hate speech."

Bernard Rorke, European Roma Rights Centre (ERRC) blog

"[The title] The Content and Context of Hate Speech: Rethinking Regulation and Responses is well chosen for the collection of essays assembled by [Herz and Molnar] ... To the extent that this can be done in a few words, it encapsulates an important part of the debate over what to do about hate speech. The essays reflect a broad consensus that hate speech is one of the afflictions of our era and that there is a need to counter it. ... There is much to admire in the essays ..."

Aryeh Neier, International Journal of Constitutional Law

About the Author

Michael Herz is the Arthur Kaplan Professor of Law at the Benjamin N. Cardozo School of Law, where he also serves as Director of the Floersheimer Center for Constitutional Democracy. Previously, he clerked for Justice Byron White of the US Supreme Court and for Chief Judge Levin H. Campbell of the US Court of Appeals for the First Circuit. His publications include *Administrative Law and Regulatory Policy: Problems, Text, and Cases*, 7th edition (2011, with Breyer, Stewart, Sunstein and Vermeule), *A Guide to Judicial and Political Review of Federal Agencies* (2005, coedited with John F. Duffy) and articles on a variety of public law topics.

Peter Molnar is a Senior Research Fellow in communications law at the Center for Media and Communication Studies at Central European University, Budapest. A former member of the Hungarian Parliament, Molnar was one of the drafters of the 1996 Hungarian media law. He has been teaching communications law since 1994 at ELTE University and since 2007 at the Central European University, in Budapest. Molnar was a German Marshall Fellow, twice a Fulbright Fellow and a Shorenstein Fellow at

Harvard University, Massachusetts. In 2006, he drafted the Declaration for the Freedom of the Internet and in 2007 the staged version of his novel, Searchers, won awards for best alternative and best independent play in Hungary.

Users Review

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Junior Price:

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