

Hate Speech Revisited

A Comparative and Historical Perspective on Hate Speech Law in the Netherlands and England & Wales

Criminal law on hate speech has become a hotly debated topic in the past decade. In the Netherlands and in England and Wales legislative changes and proposals abound, while cases such as the prosecution of MP Geert Wilders have received considerable attention. How to deal with hate speech in an increasingly pluralist society has become a pressing question. Moreover, with the attacks in New York, London and Madrid and the appearance of radical groups and individuals, such as Abu Hamza Al-Masri in England and the Hofstadgroep in the Netherlands, public debate has been dominated by the problems of terrorism and radicalisation. As a result, extreme speech - presumed to encourage radicalisation and terrorism - is a major issue. This comparative study deals with how ideas behind the law on hate speech and extreme speech in the Netherlands and England and Wales - including the influence of European and international law - have developed since 2001 and how this can be explained by reference to their historical origins. The aim of this research is to discover how Dutch, English/Welsh and international law have developed over time, but more importantly: why it has developed in that way.

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