Hate speech regarding race, religion, ethnic or national origin, poses vexing constitutional challenges. Most democracies prohibit speech that incites to hatred whereas the United States draws the line at speech that incites to violence. Critics find the American approach too permissive and its counterpart too restrictive. Given the present worldwide surge in racism, xenophobia, Islamophobia and anti-Semitism; and given the novel challenges posed by the spread of hate speech through new media such as twitter and facebook; it becomes imperative to reexamine the extant approaches to hate speech and to explore suitable alternatives better adapted to evolving political and technological trends.

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