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Discursive Violence: Context, Causation, and Prevention

Abstract: At the heart of the philosophical, legal and social science inquiry into hate speech and incitement are the questions of causation and the conditions under which speech constitutes harm in itself or results in subsequent harms. Our discussion will start with key concepts from philosophy of language that help to delineate practices and contexts that facilitate the uptake of speech that encourages violence. These issues have practical relevance for the regulation of hate speech or incitement through international human rights and domestic criminal law. We conclude with setting out an evidence-based approach to predicting and preventing hate crimes.