



Sedition and the Advocacy of Violence: Free Speech and Counter-Terrorism

Sarah Sorial

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This book employs the theoretical framework of 'speech act theory' to analyse current legislative frameworks and cases pertaining to sedition or the advocacy of violence and the issue of freedom of speech. An analysis of the relation between speech and action offers a promising way of clarifying confusion over the contested status of speech, which advocates violence as a political strategy. This account reflects an understanding of philosophical issues about both the nature of freedom and speech and how these issues can be applied to concrete legal problems.

This approach will shed new light on the problems of the sedition laws and how they might be remedied by providing a conceptual account of the nature of speech and its relation to action. On the basis of J.L. Austin's account of verdictive and exercitive speech acts, it is argued that while all speech acts are 'conduct' in a narrow sense, not all of them have the power to produce effects. This philosophical account will have legal consequences for how we classify speech acts deemed to be dangerous, or to cause harm. It also suggests that because speech can evoke or constitute action or conduct in certain circumstances, modern versions of sedition laws might in principle be defensible, but not in their current form. On the basis of this account, it is argued that the harms caused or constituted by speech can be located in the authority of the speaker.

Sedition and Violence Against the State: Free Speech and Counter-Terrorism will be of interest to students and scholars of philosophy of law and legal theory.

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