

THE HATE FACTOR IN POLITICAL SPEECH

Where do responsibilities lie?

Warsaw, 18-19 September 2013

Boriss Cilevics, MP, Latvia, PACE

- Hate speech targeting ethnic, religious, sexual minorities, immigrants and other groups: a widespread phenomenon within Europe, including in political discourse
- Increasingly found not only in the political discourse of far-right parties, spreads into rhetoric of mainstream parties. Witness growing success of populist parties that widely use hate speech, as well as trivialization of its use
- Instrumentalised to increase the voter base – cynical but effective. Mobilizing effect of populism and scapegoating, often accompanied with conspiracy theories
- Freedom of expression vs prohibition of hate speech: vague boundaries, absence of clear-cut definitions
- Threats: may lead to acts of violence directed against certain vulnerable groups, undermines the constructive political discourse needed to effectively implement democratic decision-making
- Political effort to limit hate speech has its dangers, may encroach on the freedom of expression and be misused as a tool for intimidating and containing opposition
- What is actually prohibited, particularly in political discourse? Which ideas are too dangerous or too offensive to be included in the public discourse?
- Basically, anti-hate speech legislation designed to prevent and punish incitement to racial and religious hatred. The definition of what constitutes hate speech vary from country to country. More or less agreement that hate speech is a speech that intentionally attacks a group based on race, ethnicity, gender, disability, sexual orientation, or religion
- However, one should distinguish between the hate speech, on one hand, and even harsh criticism, on the other
- Criteria: call for violence or call for discrimination (?)
- Politicians: higher responsibility, particular protection, easier access to media, hence broader possibilities for spreading prejudice against certain groups
- Differences between European and American approaches – while hate speech is protected by the First Amendment, but changes - 45 states have already adopted anti-hate speech legislation
- Criminal vs civil liability: cannot rely on civil process. Criminal sanctions remain an important deterrent and a sign of society's disapproval of hate speech. Without punishment, these views can be seen as normal and acceptable
- Political correctness – informal rules?
- Code of conduct, ethics, house rules? Limits of effectiveness