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The article is published with Open Access at: <http://e-journal.unipma.ac.id/index.php/SHE>**HATE SPEECH AND HUMAN SOCIETY: A CRITICAL ANALYSIS****Yusuf Musa** ✉; Imperial College of Advanced Studies, Kano, Nigeria**Gabriel Asuquo**; College of Social and Management Sciences, Achievers University, Owo, Nigeria

Abstract: This paper critically analyses the concept of ‘hate speech’ and interrogates the possibilities of its impact on human society. The task before the paper is to identify the nuances and underpinning issues that surround the concept and whether it has any socio-political impact. Though the concept of hate speech is regarded as a potential social problem that can cause violence, which poses a threat to mutual co-existence in human society. Nonetheless, in the twenty-first century, the concept has become a topic of discussion globally, as such so many people try to give it a definitional vacuum which is unscientific, it is due to this that this paper uses Raphael’s three models of concept clarification as a theoretical framework to elaborate on the concept and give it a philosophical definitional vacuum. Therefore, using Raphael’s model of analysis, the paper discovers that the concept of hate speech means any form of expression online or offline, spoken or written, which includes images, posters, symbols, memes, *emoji*, drawings, photographs, and films, etc. which include denying or justifying mass murder, genocide, ethnic cleansing, etc. As such the paper distinguishes hate speech which only targets groups and does not necessarily trigger violent conflict, with an offensive speech that targets individuals and dangerous speech which has all the potentiality of triggering violent conflict. Therefore, from an ethical standpoint, hate speech is an improper use of human communicative prowess because it threatens human relationships, which are the essential ingredient of human society. This paper prescribes that it should be discouraged in human society.

Keywords: Hate, Speech, Hate Speech, Humans, Society, Critical✉ yusufzazika@gmail.com

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INTRODUCTION

This paper seeks to give a critical analysis of the concept of 'hate speech' as its possible impact on human society. The paper will identify the nuances and underpinning issues that surround the concept and whether it has any socio-political impact. The paper uses philosophical analysis to critique the concept with particular reference to the philosophy of language.

Hate speech is one of the most used words today in both political and social circles (Swe 2020). The democratic clause, freedom of expression, which gives people the right to express their views, coupled with the incursion of social media in the hands of many has led to the misuse of the media in libel, defamation, obloquy, slander, and abuse of revered and respected symbols, especially of religion and tribe (Odey 2018; Odey 2019; Akpanika 2020; Odey 2020). By entering the term 'hate speech' into Google it returns more than eighty million results (Brown, 2017). A significant proportion of these results are about the concept of hate speech as it pertains to hate speech law. Indeed, it seems likely that the term 'hate speech' (and its non-English equivalents) often first come to the attention of ordinary people through television and radio programmes, newspaper and magazine articles, internet message boards, social networking websites, and internet news channels that mention the issue of hate speech in relation to high profile court cases, especially those involving already recognised public figures (Brown, 2017).

However, after a short while, most governments started implementing laws to ban hate speech across the globe. This opened a new phase of debate regarding this new concept. It is important to note that the concept of hate speech has no universally accepted definition which spontaneously led to a disagreement as to what should we call hate speech. This is why the concept has varying meanings across states and even disciplines. The domain is now left for philosophy to excavate.

However, one of the major concerns of philosophy from ancient to contemporary times has been the clarification of concepts, to foster understanding of reality and

meaning. This tradition finds more credence in Socrates (Classical Greek Philosopher) as he has been focusing on this approach in his philosophical analysis as a methodological pathway to attain clarity, pellucidity, and comprehensibility. The essence of clarifying a concept as Raphael (1990) claims is to subsume the species under a genus and then differentiate it from others, and as Hospers (1997) submits that it tells us what characteristics (features, qualities, properties) that a concept should have, and then philosophers try to distinguish by highlighting (both necessary and sufficient) elements that a concept should have.

The paper tends to examine hate speech as a concept and employs the tools of philosophy in its analysis. This method is efficient in the sense that it ensures accuracy through logical reasoning, critique, and analysis. In order to attain this, the paper employs the three principles used by the philosophy to clarify a concept i.e. analysis, synthesis, and improvement of concepts (Raphael, 1990). Analysis means the definition of a concept by specifying its elements, explaining all that it entails, and excluding all that it excludes, omit or eliminate. Specifically, an analysis will specify the essential elements that make up the concept. The synthesis on the other hand means showing logical relationships between the concept of hate speech and other related concepts like dangerous speech, this analysis will help to know the differentia and the connection of the concept with other similar related concepts. The final critique will be the improvement of the concept, which means recommending a definition or use that will assist in clarity or coherence (Raphael, 1990), improvement will recommend that the concept should be used only on some specified elements and no other elements or something of that nature.

THE PHENOMENON OF HATE SPEECH

The word hate speech was first used by Mari Matsuda in her seminal article in 1989, titled "Public Response to Racist Speech: Considering the Victims Story". Her main reason for using the concept of 'hate speech' was to highlight how the legal system in the United States of America failed victims of

harmful racist speech by providing them with inadequate means of seeking redress. In the article, she mentioned several legal cases and also some examples not associated with actual legal proceedings and not easily actionable under current laws. But these examples were intended to show the limitations of the legal concept, hate speech, in the United States, as a form of protected speech. She contrasted the American-based legal concept of hate speech with an ideal type or model version of what the legal concept of hate speech could and should be (Brown, 2017). Because of the work of legal scholars like Matsuda, the term 'hate speech' has now been taken up by legislators, media and legal professionals (Brown, 2017).

In a similar vein, Jimeda (2021) succinctly defines the concept as any form of expression deemed offensive to any race, religion, an ethnic or national group (Naseri & Ekpen 2011; Naseri 2021). However, it was in the 1980s that it was broadened to include gender, age, sexual preference, marital status, physical capacity and other categories. In the 1920s and early 1930s, it was simply referred to as race hate and by the 1940s called "group libel". This goes to show that the phenomenon of hate speech has been with modern society before the age of social or new media.

As many concepts in social sciences 'hate speech have no universally accepted definition (Weber, 2009) and it is a complex concept to define (Ado, 2021, Pate and Ibrahim, 2021, Abimbola, 2021). However, scholars from different fields define it in relation to their fields of study, lawyers defining it within the legal circle, politicians giving it a political garb, and sociologists defining it in a social context. However, Weber (2009) defines it as any form of expression which spread, incite, promotes, or justifies racial hatred, xenophobia, antisemitism or other forms of hatred based on intolerance. Weber (2009) however narrow down his definition to consist of three elements i.e. incitement of racial hatred, hatred on religious grounds, hatred based on intolerance by aggressive nationalism, and ethnocentrism. Brown (2015) who confronts the concept from a legal perspective grappled with a unified definition but finally settled on some

clusters that warrant a concept to be seen as hate speech i.e. group defamation, negative stereotyping or stigmatisation, expression of hatred towards members of a group, denying acts of mass cruelty, violence or genocide, crimes or torts, violation of civil or human rights.

Benesch, Buerger, and Glavinic (2021) in their analysis of hate speech relate the use of the concept with dangerous speech. They opine to the fact that different vocabularies are used but dangerous speech is their preference which they define as any form of expression (e.g. speech, text or image) that can increase the risk that its audience will condone or commit violence against members of another group. Benesch, Carthy and Glavinic (2021) spelled out some reservations before a statement can be termed Dangerous speech, it should be aimed at a group, and it promotes fear, often false, harms indirectly. Probably Benesch, *et al.*, (2021) preferably subscribe to the use of the word dangerous speech since it is more specific (a statement that can catalyse conflict), compared to hate speech which might be general (any statement that incites dislike) and might not necessarily catalyse conflict. They further identified five hallmarks of dangerous speech as dehumanisation, accusation in a mirror, threats to group integrity or purity, an assertion of attacks against women and girls, and questioning in-group loyalty. Ibrahim (2021) defines hate speech as any speech act that denigrates people on the basis of their membership in a group, such as an ethnic or religious group, he however tries to draw a dichotomy between dangerous speech and offensive speech, offensive speech may be targeted on an individual or not a specified group, while dangerous speech is a speech that has reasonable chance of catalysing or amplifying violence by one group against another due to the circumstances in which it is made or disseminating or amplifying violence by one group against another due to the circumstances in which it is made or disseminated.

However, Ibrahim (2021) and Pate and Ibrahim (2021) use hate speech interchangeably with dangerous speech trying to show that the two concepts are the same. However, according to the Dangerous

Speech Project. Hate speech is offensive, painful and even threatening but it does not, very often, inspire violence by those who are exposed to it. Conversely, dangerous speech isn't always hateful. It often instills fear, which can be at least as powerful as hatred, in inspiring violence. So the two categories overlap only partly, another distinction is this, the most familiar way in which hate speech harms is directly by hurting the feelings, self-respect or dignity of people it purports to describe when they are exposed to it. By contrast, hate speech does much of its damage indirectly, by persuading one group of people to fear, hate, and eventually to condone violence against another group. Hate speech can also harm indirectly, by persuading one group of people to hate another group, the categories overlap.

Ado (2021) defines it as an expression of discriminatory hate towards people. According to article 19 (2015), most of the proposed definitions of hate speech have been formulated in response to specific and perniciously discriminatory social phenomena or incidents. Most of the definitions have been adopted to address new situations and to accommodate shifts in language, shifting understandings of equality, and the harms of discrimination or development in technology. Moreover, Ado (2021) warns us that hate speech must be distinguished from criticism because intolerant people might view any criticism as hate speech. For example, the government can view an attack on its policy as hate speech, fanatics might view criticism of their belief or culture as hate speech.

Benesch (2014) draws a dichotomy between hate speech and dangerous speech by viewing dangerous speech as a segment of hate speech. She opines that dangerous speech is the speech that has the propensity of catalysing violence while not all hate speech is capable of catalysing violence. Saleem, Dillon, Benesch, and Ruths (2017) argue that the concept, hate speech is ambiguous, it is ambiguous in the sense that hate can be relative. Susan Benesch (2014a) draws a dichotomy in order to operationalize the concept of hate speech. She believes that hate speech is directed at a group, whereas offensive speech is directed at an individual, and beyond hate speech is

dangerous speech which is a speech that has all the tendency to catalyse violence. Benesch (2021) claims that a speech may be made in any number of forms and disseminated by myriad means: a shouted command, a song broadcast at a rally, a newspaper editorial, a tweet, poster, webs page, SMS blast, leaflet, film or photograph.

Yau (2021) operationalizes the concept of hate speech in the context that it is any speech that is in the context of insult on religion, abuse of ethnic or linguistic affiliation, contempt based on place of origin, intimidation based on gender, abuse of place of origin, abuse of symbols of cultural or religious practices, ridicule of traditional or cultural institutions.

United Nations Strategy and Plan of Action on Hate Speech (2015) submits that hate speech is any form of communication in speech, writing or behaviour that attacks or use pejorative or discriminatory language with reference to a person or a group on the basis of who they are. In other words, based on their religion, ethnicity, nationality, race, colour, descent, gender or other identity factors.

CRITICAL ANALYSIS OF HATE SPEECH

The need and necessity for this analysis are obvious in the sense that hate speech is mostly taken out of context. To the extent that even positive or intellectual criticisms are sometimes referred to as hate speech. Whatever somebody felt is going against his belief he will simply term it as hate speech. For example, the government can refer to any speech targeting its policy as hate speech, even when such policy is improper, faith can view any criticism laid against its teachings as hate speech, even if such teaching is inaccurate, movements can libel criticisms against its manifesto as hate speech even if such manifesto is mistaken, groups can view all criticisms against their beliefs as hate speech even if such beliefs are false, etc. These, therefore, create the need for intellectual and philosophical analysis, in order, to achieve clarity in the use of the concept.

The word hate speech is a combination of two different nouns coming together to form a compound noun, "hate speech". Hate

speech in its literal sense, means a feeling of dislike, while "speech" means communication by words of mouth. But does hate speech mean a feeling of dislike done by words of mouth? If we define hate speech this way, then under which definitional vacuum do we situate insult, abuse, vilification or revilement? Does this mean that hate speech is synonymous with insult, abuse, vilification or revilement since they are words showing hatred and dislike? Hate speech is a concept, by concept we mean a general idea or notion that applies to a number of things (Raphael, 1990), which is wider and broader than the terms mentioned above, it is a concept that might include insult, abuse, and all other derogatory statements in it, this is because all the elements of hate speech can be referred to as abusive words.

The word hate is blended with speech to denote the show of dislike, contempt, enmity by one person or persons to another. Any word that showed grudges to a certain group based on their membership to a particular group, like nation, tribe, and religion, etc. Moreover, the word speech in hate speech does not refer only to verbal communication. It also refers to any form of expression, we should take it broader to mean an online or offline expression in the form of words spoken or written, it includes images, posters, pictures, symbols, memes, emojis, drawings, photographs, and films, etc. It also includes denying any form of cruelty done to a group or trying to justify such acts, like denying or justifying mass murder, genocide, and ethnic cleansing. This can be categorised under hate speech because it has elements of hatred shown towards a certain group.

However, to attain certainty and clarity we must distinguish hate speech from other speeches like the speech which does not catalyse violence and is hate-free which Heller and Magid (n.d) called critical speech. You can criticise a dictatorial regime, a dangerous movement, and a disastrous belief. This distinction is seen in the process and context in which the speech is made. For example, it is perfectly okay to criticise the views of Jews, Muslims, Christians, Europeans, Africans, etc. However, such speech should be framed critically and

devoid of targeting the faith or belief or symbol of worship. For example, it is okay to condemn black Americans by saying most of them are outlaws and violent but do not centre the criticism on their skin colour, it is hate speech when you ascribe their violence to their skin colour. A speech is a hate speech when it is targeted at a belief, race, tribe, and custom, etc. Thus, it is hate speech to call Africans or their culture barbaric, but it is okay to criticise any African culture which is dangerous, harmful, or unsafe. More so, on the synthesis, it is expedient to note that some concepts are used along with hate speech, sometimes interchangeably, i.e., dangerous speech and offensive speech. Dangerous speech as the word implies is that form of speech that is disastrous or dangerous, dangerous in the sense that it has all the chances of leading to violence. It is just like hate speech, targeted at a group but the distinguishing factor is that hate speech has less tendency of leading to conflict, unlike dangerous speech.

On improving the concept, hate speech as we define it above, it should only be used within the context of an expression targeting group, all expressions that are targeting individuals cannot be regarded as hate speech. However, it is expedient to know that when a speech is used against someone based on his affiliation to a group it is hate speech. For example, if you call an African a monkey or a barbarian, it is hate speech because the abuse has a relationship with his region or skin colour even though the speech is targeted on him as an individual.

Having outlined the essential components of hate speech, it is pertinent to cast our searchlight on its socio-political impact or effect on human society. The question is that does hate speech have the necessary capacity to cause an individual or social harm? Does the mere act of speaking have any consequences on social relations? Finally, does hate speech generate any threat to interreligious and intercultural dialogue? These questions beg for objective and dispassionate answers, in order to make sense of the possible effect or impact of hate speech on human society.

HATE SPEECH AND HUMAN SOCIETY

Human society is the aggregation of individuals' relationships which is made possible due to mutual trust, respect, communication, and care (Nwagbara *et al.*, 2009; Odey 2019). It is the climax of the evolution of modern humans (*Homo sapiens*) and it is what gave modern humans the comparative advantage over other species in the cosmos. Society provides the ethical and social environment for human mutual flourishing (Emeng 2007; Naseri 20017a; Naseri 2017b; Aslakesan, 2018). Hence, the preservation of human society is necessary for human group survival (Emeng 2009; Emeng 2012). The ethical question is that we need to ask if hate speech is harmful to society? Hate speech is a form of dehumanization that is rooted in a lack of tolerance to differences between and among cultures, races, and religions (Vollhardt *et al.*, 2006). This form of dehumanization can take the 'animalistic' or 'mechanistic' variant whereby a group is characterized as an animal without human qualities such as labelling Africans as monkeys and other symbolic representations of a group and their beliefs. The consequences of this can result in violent attacks and reprisals which can trigger social instability. Hate speech promotes violence or hates crime if not managed properly. Like every hate crime, hate speech is an outward manifestation of intolerance due to cognitive incapacity to understand and manage human differences.

Hate speech breaches the requirements of argumentative integrity (Heinze 2016). For instance, the arguments advanced by target groups are often misstated and various other groups are usually blamed for political events or social issues for which they are not responsible. Perpetrators of hate speech offer existing subjective arguments as unbiased reality, as well as they, often reject reasonable discussion of strong ideological statements (Vollhardt *et al.*, 2006). Without reasoned arguments, society cannot thrive and therefore hate speech blocks reasoned arguments.

More so, hate speech promotes half-truth and misinformation that is fuelling social unrest in many parts of the globe. For instance, the activities of few terrorists who chant Islamic slogan has been elevated to the

situation of branding all Muslims as potential terrorists. This has resulted in Islamophobia and another group's hate against the Muslim population where they are in the minority (Emeng 2014; Osim & Eteng 2021).

CONCLUSION

Hate speech is one of the most spoken words today, especially on media. One contributing factor to that is globalisation which has brought the world together into a small village, the intermingling of race, religion, culture, etc., has led to the rise of hate speech in the world, and this made it a very important concept to address using a philosophical discourse. Even though strict laws are introduced globally to it, its vivid and explicit meaning is still a myth. However, a philosophical analysis will ease the debate and render a suitable approach. The critique we render here, based on the perception of experts and backed by robust theory will certainly address the phenomena.

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