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Hate speech as a tool in the hands of "standard" politicians

The Adverse Consequences of "Hate Speech" and Tools for Improved Responses in Poland, Hungary, the Czech Republic, Slovakia, Bulgaria and Romania

Let me start with a couple of quotations of leading Slovakian politicians, taken from their statements delivered between 1996 and 2015.

"Gypsies are best dealt with in a small courtyard and with a long whip."¹

"Kosovo Albanians (...) are multiplying like mice, just like mice."

"These few intellectual dogs, this scum - make sure you write that, scum - this manure, I'm ashamed that they call themselves Slovak".

"I have behind me a state of 5.5 million, of whom 500,000 are Hungarians and 500,000 gypsies. That's my problem, and the problem of the Slovak National Party."²

"Vote for Slovakia without parasites!"³

¹ Slovaks v Czechs on gypsies. The Economist, 5 November 1998.

² Quotations 2 – 4 taken from *"My problem": Hungarians and gypsies*. Interview by Tom Nicholson with Ján Slotá, leader of the Slovak National Party. The Slovak Spectator, 22 May 2006. Accessed online at <http://spectator.sme.sk/c/20002356/my-problem-hungarians-and-gypsies.html> on 15 May 2016.

³ A billboard of the Slovak National Party in the 2006 election campaign.

"We are negativist only in saying that parasites have to be eliminated, and parasites are simply those who don't want to work, and the fact that of all those people 95% are Gypsies is just reality."⁴

"I have to tell you a short story. Back in 1248 a Frank bishop visited the Carpathian basin and he said: As I was scanning this country, I was wondering how God could give such a beautiful land to such ugly people. He meant the "old Hungarians", because they were Mongoloid types with crooked legs and they owned disgusting horses."

"If the Slovak National Party is extremist, than Hungarians are radioactively extremists, they radiate more than Chernobyl. The best solution would be to backfill them with beton."⁵

"Hungarian schools should be closed down till the end of next year".

"Hungarians are the cancer of the Slovak nation, without delay we need to remove them from its body."⁶

"We will climb into tanks and go to flatten Budapest".⁷

"So that we do not feed those who do not want to work". (Text shown on a billboard featuring a bare-chested Roma man whose photo was digitally altered by adding tattoos and a thick golden chain.)⁸

"The draft legislation makes such perverts as homosexuals equal with the normal population".

These are just a few quotations of statements by Ján Slota, former leader of the Slovak National Party, whose present leader, Mr Danko's favourite activity is to teach others about democratic political culture and about what constitutes a "standard" political party. In the time when Mr Slota made his statements, his party was a member of that time government coalition led by

⁴ *SNS would rid country of 'parasites'*. An interview by Soňa Bellušová with Ján Slota. The Slovak Spectator, 24 September 1998.

⁵ Referred to in *Jan Slota's public statements*. Accessed at <http://www.hungarian-human-rights.eu/Jan%20Slota%20public%20statements.pdf> on 15 May 2016. The statement about the Hungarian schools is attributed to Mr Moric, that time Vice-Chairman of Mr Slota's party.

⁶ Quoted in Andrea L.P. PIRRO: *The Populist Radical Right in Central and Eastern Europe*. London and New York : Routledge, 2015. P. 93.

⁷ Said at a political rally in Kysucké Nové Mesto on 5 March 1999, soundtrack accessed at <https://www.youtube.com/watch?v=suwje1ir6mw> on 15 May 2016.

⁸ *Open racism rears its head*. The Slovak Spectator. Editorial by Beáta Balogová. 6 May 2010.

Prime Minister Robert Fico. Mr Fico never distanced himself clearly and unambiguously from the statements of Mr Slota.

At present, the Slovak National Party is once again member of the Slovakian coalition government. The party is now considered as a mainstream, standard democratic political party and a stabilising factor in the government coalition. Mr Danko plays a reconciliatory and facilitating role between Slovaks and the national minorities, between left and right. He is viewed as somebody who is expected to calm down social, political and ethnic tensions, curb extremism and hate speech, to function as a diversion dam against “genuine” extremists. Still, behind Mr Danko, one can observe ranks mentally stuck in the times of Mr Slota.

Mr Danko can easily play the role of a standard politician because he is much more refined than Mr Slota and a person of good manners. Nevertheless, the main reason why he can play the role is that a much more far-right and more extremist party succeeded to get in the Parliament. *Our Slovakia Peoples´ Party*, led by the Chairman of the Banská Bystrica self-governing regional unit, Marian Kotleba is considered by many politicians and political analysts as a fascist, with some hard-core neo-nazi members on his party list.

Even if it were true that the Slovak National party has changed radically to better, one should not forget the long lasting anti-Gypsy, anti-Hungarian, anti-immigration and anti-gay campaign that the party followed under Mr Slota. That campaign must have massively contributed to preparing fertile soil for that kind of support for genuine fascists and crypto-nazis that we could witness at the last parliamentary elections in Slovakia.⁹ It must have also contributed to that kind of outburst of hate speech, hate comments and posts that we can witness on social media and in the public discourse since approximately a year ago when the influx of refugees and migrants in Europe rose significantly.

I dwell upon the records of the Slovak National Party so extensively because the Slovak National Centre for Human Rights, which is the National Human Rights Institution under the Paris Principles of the U.N., made public its Annual Report on Human Rights in Slovakia for 2015.¹⁰ The report devotes considerable attention to the issue of racism, extremism and hate

⁹ Our Slovakia (ĽSNS) of Marian Kotleba scored 8.1 percent in the elections which resulted in 14 seats in the new parliament. Cf.: *Far right in parliament*. The Slovak Spectator, 6 March 2016.

¹⁰ Accessible in Slovak at http://www.snspl.sk/CCMS/files/1Spr%C3%A1va_o_dodr%C5%BEiavan%C3%AD_%C4%BEudsk%C3%BDch_pr%C3%A1v_za_rok_2015_FINAL.pdf, accessed on 15 May 2016.

speech; in fact, the rise of these phenomena is considered by the Centre as the most serious human rights problem of Slovakia of the last year.

Still, if one studies the recommendations proposed by the Centre, he or she must have a sense of missing something. Recommendations are formulated as follows:

- individuals are warned to be aware of the possible consequences of hate speech and should avoid resorting to it;
- law enforcement authorities are called to effectively monitor hate speech on social media and cooperate with the social media providers;
- parliament is requested to consider amending the Act on freedom of assembly to curb the unwanted activities of extremist groups;
- NGOs are encouraged to continue their activities confronting extremism;
- the media should attribute adequate attention to the phenomena of racism and extremism.

The report, in my view, omits three important points:

1. Responsibility of politicians & public authorities.
2. Effective action of courts and law enforcement authorities (police, Attorney General).
3. General education for democratic citizenship & human rights.

The Report focuses a lot on monitoring hate speech on the internet and on social media and draws the conclusion that radicalisation of the society is on the rise. However, is massive monitoring of social media and sanctioning all improper posts and comments the right path to follow in the future? You cannot permanently monitor everyone's public profile. You cannot monitor, sue, fine and try everybody who posts a crazy comment. It makes no sense. And it would not work.

It would not work, because it was the "standard" politicians who introduced hate speech into the public discourse, years ago, well before the refugee crisis started and it is up to the standard politicians to do something about it.

Those in Slovakia who nowadays refer to hate speech with disgust and sharp criticism usually pinpoint statements, comments, posts and campaign materials of Mr Kotleba, his party, his supporters and fans. To balance this view, it is very educative to analyse some of the campaign texts and video spots used by Mr Kotleba's party. In the election campaign, Mr Kotleba deliberately positioned himself against Prime Minister Fico, who has been engaged in Slovakian politics for 25 years and who has served as Prime Minister for 10 years now. Watching these videos, one can easily arrive at the conclusion that the extremist is Mr Fico, and not Mr Kotleba. Such an impression is not just a result of manipulation: what Mr Fico has been saying over the years might really be qualified as hate speech. Just consider:

"(We plan) to limit family allowances to three children in order to prevent that making kids would be a means of earning living for Roma families".

"We are courageous to speak about the irresponsible rise of the Roma population. We will do our best to ensure that the time bomb of the Roma population rise does not explode and that the ethno tourism of some adventurous groups of inhabitants does not discriminate against the whole Republic. "¹¹

"If we do not stop their population growth, then we have here a problem and these one million Roma will get on the move and will go to your countries. Now they got frightened and start to understand. "¹²

I can add another quotation which got famous over the years:

"It is becoming a tradition for minorities in Slovakia to be seen with outstretched hands demanding something, but without any responsibility to the state and with minimum cultivation of civic virtues. (...) We did not establish our independent state preferentially for minorities,

¹¹ Statements of Mr Fico at a campaign rally in Krupina in 2001. Mr Fico several times publicly warned those times that the number of Roma in Slovakia can exceed one million by 2010. Transcript of Mr Fico's words in *Fico dnes straší tisíckami utečencov, pred 15 rokmi miliónom Rómov*. www.aktuality.sk news portal, 18 January 2016. Accessible at <http://www.aktuality.sk/clanok/312070/video-fico-dnes-straši-tisickami-utecencov-pred-15-rokmi-milionom-romov/>, accessed on 15 May 2016. Krupina is the microregion where Mr Kotleba's party got the highest score in the elections of 2016: 15.3 %. Mr Fico several times warned that the number of Roma in Slovakia can exceed one million by 2010.

¹² See http://www.mojevideo.sk/video/2635b/robert_fico_o_ciganoch_v_roku_2001.html. Transcript by myself. Mr Fico is speaking about the way how Slovak officials should debate on the issue of Roma with Western Europeans. Mr Fico several times warned that the number of Roma in Slovakia can exceed one million by 2010, i.e. it can be doubled in 10 years. The estimated number of Roma in 2015 is about 400 thousand.

although we respect them, but mainly for the Slovak statehood nation. It is still valid that the state is a national and society civic. The tendency when the problems of minorities are deliberately protruded to the fore everywhere at the expense of the Slovak statehood nation is weird."¹³

If we put these statements under strict scrutiny, we can easily qualify them as including some incitement to racial hatred. Or, at least, it would be difficult to resist such an impression. Roma are considered as an inferior race, measures are envisaged to limit the birth rate of them as a whole ethnic group. This sounds almost like incitement to a “mild version” of genocide. Under the UN Genocide Convention, genocide means, inter alia, “imposing measures intended to prevent births within a national, ethnical, racial or religious group”.¹⁴

Mr Fico confesses to his sincere conviction that the Slovak Republic was established primarily for the Slovak kin, and minorities – although welcome – can aspire just to be kind of guests and not an integral part of the “statehood”. This is, surely, in contradiction to the normative part of the Slovakian Constitution, which claims in its Article 2 that “State power is derived from citizens” and in Article 12 states that fundamental rights and freedoms shall be guaranteed “to everyone regardless of sex, race, colour of skin, language, creed and religion, political or other beliefs, national or social origin, affiliation to a nation or ethnic group, property, descent, or another status.”¹⁵

Now I come to my second point. Law enforcement authorities and courts remained inactive vis-a-vis all these statements. Prosecutors did not take action on their own initiative. It was only human rights activists who sued Mr Slota and Mr Fico on several occasions; however, procedures were usually halted already in their initial phase by either the investigator or by the prosecutor.

In one of the prominent cases, an activist, Mr Dostál sued Mr Slota for his statement delivered on 5 October 2005 on the occasion of erecting a double-cross in the village of Pavlovce nad

¹³ Prime Minister Robert Fico speaking during a celebration of the 150th anniversary of the state-sponsored cultural organisation Matica Slovenská. *Fico lashes out at minorities, accusing them of 'blackmail'*. The Slovak Spectator, 27 February 2013.

¹⁴ Convention on the Prevention and Punishment of the Crime of Genocide. United Nations, 9 December 1948. Article II, d).

¹⁵ I refer to the translation shown on the portal Slovakia.com, <http://www.slovakia.org/sk-constitution.htm> accessed on 15 April 2016. This translation is the most correct one among the available versions.

Uhom in eastern Slovakia. Mr Slota said, inter alia, that “we are Slovaks and no one should eradicate us from the papers, those villains, those murderers, those, who are erecting all over Slovakia those disgusting ugly turuls, those Hungarian parrots, and when we are building our symbols of Christianity, we are spat on and we are being accused of doing something doggish, something evil”.

The prosecutor of the regional prosecutor’s office in Prešov halted the procedure after a couple of weeks. She argued that Mr Slota in his statement “distinguished between those who used to murder and rob (in the past) and between those who were erecting statues of turuls (in our times)”.¹⁶ She also argued that since there was no explicit mention in Mr Slota’s speech of the Hungarian nation, it could not be proved that he had referred to Hungarians as murderers and robbers. For everybody who understands Slovak, who has listened to the authentic audiotape and who is aware of Mr Slota’s political profile, it must be evident that the argumentation of the prosecutor is nonsense.

After such a history, who might have been surprised that the Slovakian courts, including the Supreme Court, ruled in favour of Mr Kotleba in 2013? In proceedings against Marian Kotleba, the Supreme Court ruled that leaflets containing phrases like “gypsy parasites” could not be considered racial defamation¹⁷. Activists sued Mr Kotleba for distributing campaign leaflets bearing the slogan “with your support I can surely do away with the unjust advantages for not only gypsy parasites”. The Supreme Court dismissed the ministerial appeal against the lower-instance court ruling, which claimed that Kotleba did not intend to refer to all ethnic Roma, but “only those particular [individuals] who leech on the benefits that society provides them”, and by using the words “not only”, his use of the word “parasites” also referred to ethnically non-Roma individuals. The court also maintained that the word “gypsy” had not been used in a defamatory way, because Roma people sometimes referred to their own kin as “Gypsies”, too.

Irresponsible politicians as well as irresponsible and politically influenced and dependent courts and law enforcement authorities have contributed to a situation when the threshold of sensitivity towards hate speech has been significantly lowered over the years in Slovakia and other Central European countries.

¹⁶ Mr Dostál’s appeal against the decision of the prosecutor. Accessible at http://www.oks.sk/upload/doc/Staznost_proti_uzneseniu_prokuratury_20081201.pdf

¹⁷ *Top court: 'parasite' not racist term*. The Slovak Spectator, by Michaela Terenzani, 20 May 2013.

Now I come to my third point.

As a liberal, I am not in favour of very strict limitations on the freedom of speech. The restrictions on the freedom of expression in European democratic political culture developed after WWII are justified by the principles of protection of human dignity, protection of the most vulnerable and by the lessons learned from the tragedy of minority populations that suffered most in the course of the 20th century. All violent conflicts started by hate speech and discriminatory measures against those who were distinct or differing from the majority “ideal”. Consequently, these restrictions are legitimate and understandable. Still, I do not believe that sanctioning any manifestations of offensive speech is the right path to follow. The best tool against hate speech and extremist views should be more freedom of speech. However, this would only be possible if the limits of what is tolerable and what is not would be internalised in the individuals. This is, in turn, is not possible without systematic education to democracy, democratic citizenship and human rights.

Democracy is not a self-reproducing system. Only democrats can make democracy work. People are not born as democrats, as they are not born as Magyars or Slovaks or Poles (in the ethno-cultural sense). They should be raised and educated to be democrats. The politics are delivered by the elites, but voting rights are universal. Since fortunately everybody is free to vote, this in turn implies that voting rights, as other human rights, should be exercised in a responsible way with limits set by respecting rights and freedoms of others. It is simply not sufficient that a couple of dozen of NGOs in the country are engaged in the process of fostering democracy, intercultural dialogue and human rights: they cannot produce the critical mass. The absence of a systematic education to democratic citizenship and European awareness is one of the biggest failures of the new EU members from Central Europe.

Intercultural education should constitute an important dimension of education to democratic citizenship, as well. Intercultural education is, however, almost non-existent in Slovakia. Majority children know next to nothing about the life, history, culture and language of the minorities with whom they share their homeland. A survey funded by IOM in 2009 showed that Béla Bugár, the leader of a political party representing the Hungarian minority in Slovakia was viewed by 14- and 15-years old pupils as the second best known *alien* (foreigner) living in

Slovakia after Mr Maiga, a showman from Mali.¹⁸ The Roma and the Hungarians received the lowest level of acceptance among the inquired teenagers out of various ethnic and migrant groups listed in the survey.¹⁹ Hungarians and the Roma, the two largest traditional minority groups, are not viewed by a considerable proportion of Slovaks as an integral part of the society, for many of them these compatriots are “aliens”. Can the Slovak society be prepared to integrate tens of thousands of immigrants from Asia or Africa under these conditions?

Extremism is a direct assault on fundamental principles of democracy and on human rights. If public speech contests these two principles or incites to action aimed at violating them, it can be qualified as extremist. Now, my question is whether the following two statements can be qualified as extremist, too:

Ján Slota, former Chairman of the Slovak National Party, member of the Slovak Government Coalition 2006 – 2010: "I think democracy is all about who gets the most votes".²⁰

Pavol Paška, former Speaker of the Parliament for the Smer – Social Democracy party: "Win the elections and you can do everything!"²¹

Do these statements sound familiar to you, too?

¹⁸ VAŠEČKA, Michal: Postoje verejnosti k cudzincom a zahraničnej migrácii v Slovenskej republike. (Public attitudes to aliens and immigration in the Slovak Republic.) International Organisation for Migration, Bratislava, 2009. P. 55.

¹⁹ Ibid, p. 27.

²⁰ The Slovak Spectator (2006), cf. note 2.

²¹ The Slovak Spectator, 14 November 2014, accessed at <http://spectator.sme.sk/c/20056187/quote-of-the-week.html> on 15 May 2016.