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Freedom of Expression, Hate Speech and their Impact on Refugee Human Rights.

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Abstract.

This thesis looks at our right to freedom of expression. Through a philosophical and legal perspective, freedom of expression is examined. It highlights some of the key ideas of John Milton and John Stuart Mill who are notable defenders of this right. Through the case law of the European Court of Human Rights and different international human rights conventions, it displays how issues related to this right are addressed in the international arena. Furthermore, this thesis explores how the extreme right-wing political parties in Europe distort this right and how this distortion impacts the human rights of refugees. This implication on the human rights of refugees takes the form of social categorization and dehumanization through hate speech emitted on social media and political campaigns. Finally, this thesis ends with looking at the perception that the public have of freedom of expression and their attitudes towards the hate speech of refugees. Ultimately it portrays the harsh realities that refugees face at the hands of words that are used to describe them and their presence in Europe and how the public reacts to these words.

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*All Animals are equal, but some animals are more equal than others -
(Orwell. G, 1945)*

Introduction

A refugee is defined as a person who has a justified fear of prosecution in their country of origin for reasons related to race, religion, nationality, politics or membership of a particular social group and his/her formal request for asylum in another country has been accepted (European Parliament, 2017). According to the United Nations, today the world is witnessing the highest level of displacement among people that has ever been recorded. In 2015 and 2016 the European Union experienced a large influx of refugees and migrants who were seeking refuge from violence and natural disasters (European Commission, 2017). Particularly, more than one million Syrian refugees crossed the borders into the EU as a result of the ongoing civil war (European commission, 2017).

As a result of this, refugees have become targets of hate speech prompted by political leaders in Europe. Hate speech undermines the rights to equality and freedom from discrimination of the target and leads to dehumanization and social exclusion. As well as this it contributes to the rise of attitudes of xenophobia and islamophobia across Europe. This hate speech is being called freedom of expression.

This thesis looks at freedom of expression from the point of view of famous philosophers who have used their work to defend this right and highlighting its importance for the growth of a democratic country. Along with the case law of the European Court of Human Rights and other International instruments shows how this right is protected and should be used by its holders in a way that will not undermine the rights of anyone else but also still contributing value to a society.

However, examining the right to freedom of expression through a European political perspective today, it is obvious that this right has become a victim of distortion at the hands of the extreme right-wing political parties. It highlights the fears of terrorisms among many states and how some political leaders take advantage of this to promote their own racist and nationalistic agendas. In turn this promotes the use the Islamophobic and xenophobic language that has now also reached its way to mainstream politics and public discourse. This continues the dehumanization that refugees become victims to through the dissemination of hate speech or harmful acts of expression. Hence, contributing to the negative impact on their human rights as they lose their status as a 'human being' in society.

This thesis measures the attitudes that the public have towards freedom of expression. It highlights some of the lack in knowledge of their right to freedom of expression and their failure to use it in a time when it is vital. It measures their attitudes towards hate speech that targets refugees.

Overall, this thesis touches on hate speech and its dehumanizing effects, the rise to power of individuals who have distorted views of reality and the blatant disregard for the rights of individuals from the Islamic faith. All these elements echo past atrocities that occurred during World War II. This discussion meticulously hints at the inevitable repeat of history if European Citizens do not take responsibility for their abuse of freedom of expression on both a political and public basis.

Chapter 1

1.1 Philosophical Perspectives of Freedom of Speech.

When debating about whether freedom of expression allows hate speech to be articulated, it is important to look back at the history and philosophy of free speech. This helps us understand the essence of freedom of expression and allows us to examine from the beginning the distortions this fundamental right has suffered in its realization. More specifically the chapter will concentrate on the writings of John Milton and Mills two philosophers who are notable figures when looking at freedom of expression. Through their work they highlight the issues of restricting one's rights to freedom of expression while also acknowledging ways of tackling unwanted speech. Liberalism is taken into account and the values that surround freedom of expression and how they coincide with some of the beliefs of Milton and Mill.

1.1.1 John Milton and his defence of Freedom of Speech

John Milton is known for his defence of free speech during the 17th century. In 1643 the English Parliament instilled the Licencing Order (Moosa. T, 2012). This involved publication of pre-censored publications only, and it was primarily carried out by the Stationers, a publication organization or the Church. Milton's interest in this was evoked when he was penalized for circulating a pamphlet about divorce (McKenzie. P, 2018). This caused Milton to fight back with another pamphlet that focused on freedom of expression which became known as his 'Areopagitica' (McKenzie. P, 2018). This is Milton's most notable work within the realm of freedom of expression.

Despite Milton fighting against censorship in England, his work had great impact on the freedom of expression defence within philosophy. The main target of Milton's Areopagitica was the English Parliament, pleading with them to stop the tradition of the church of 'crowding free conscience and Christian liberties into canons and precepts of men' (Hoxby. B, 2011). Areopagitica argues that citizens should be able to make their own decision and think independently on certain issues rather than being forced to follow certain ideas and beliefs in the name of the church (Hoxby. B, 2011). One of the most notable lines from Milton's work is as follows:

'A man may be a heretic in the truth, and if he believe things only because his pastor says so, or the assembly so determines, without knowing other reason, though his belief be true, yet the very truth he holds becomes his heresy' (Milton. J, 1644)

One could argue that here Milton is stating that belief is not knowledge (Moosa. T, 2012). Rather knowledge should be found and not learned from institutions such as the church, or an authority figure

within Milton's time. Milton further highlights that a truth could be true, but it is the foundation of that truth that constitutes someone a heretic or not (Moosa. T, 2012). This statement from Milton also highlights his belief that if the foundation of a belief is based on a pastor or assembly, then he states that anything can be believed. (Moosa. T, 2012). A fear of Milton's regarding this sentence also, is that he feels that having this attitude of following what authority figures say and taking it at face value, it could turn people into those with a 'servile disposition' (Hoxby. B, 2011). Milton continues to believe that this and along with the censorship, denies the citizens of England the rights and responsibilities that people in the past had to make up their own beliefs and ideas (Hoxby. B, 2011). This is interesting when applying it to modern day politics and the new defence of free speech that European populist parties are using to promote racist ideas targeted at European Muslims, predominantly refugees. This will be discussed further within the discussion. However, for now, Milton's suggestion of 'anything can be believed' can be used to acknowledge the hateful discourse and the positive responses that it receives from the public, as these ideas are based on the ideologies of who Milton would believe to be an 'assembly' therefore adding little room for original thought.

When Milton mentions heresy in the above extract, he uses it in the sense that it is the 'complete domination of thought' (Moosa. T, 2012). He believes that the censorship in which the English Parliament is administering over the English citizens is locking the ideas and views of authors inside their heads for their ideas to 'rot' (Moosa. T, 2012). For Milton, this is hard to accept as he is a strong believer of intellectual freedom and makes a strong case for this in his *Areopagitica*. Intellectual freedom is regarded as imparting, holding and receiving information without any restrictions, Milton believes that having this type of freedom serves for the 'betterment of humankind' (McKenzie. P, 2018). For Milton this advancement of humankind is important to find the truths about the world and in terms of Milton these truths will help mankind grow closer to God (Moosa. T, 2012). One of Milton's beliefs is that the truth will always triumph (McKenzie. P, 2018), therefore, having the right to freedom of expression, in the eyes of Milton will only advance humankind.

However, another interesting aspect of Milton is his attitude towards the use of free speech of Englishmen. For Milton, his defence of free speech is for the purpose of citizens to voice their upset to their government, but it is also important, for citizens to know that having free speech does not give one the licence to offend (McKenzie. P, 2018).

'had anyone written and divulged erroneous things and scandalous to honest life, misusing and forfeiting the esteem had of his reason among men, if after conviction this only censure were adjudged him that he should never henceforth write' (Milton. J, 1644).

One could say that Milton touches on the true essence of free speech here. He acknowledges the importance of it for moving towards a greater level of knowledge but is aware of the distortion that it faces. However, Milton further acknowledges the power of free speech and despite him encouraging citizens to use free speech as it is their birth right (Hoxby. B, 2011, p. 232), he also recommends a period of 'probation' before they can earn this right (Hoxby. B, 2011, p. 236). Milton points out that instead of blaming others for one's troubles (Hoxby. B, 2011, p. 236) he believes that the citizens of a state should realize that:

'to be free is precisely the same as to be pious, wise, just, and temperate, careful of ones property, aloof from others, and, thus finally to be magnanimous and brave' for 'to be the opposite of all these is to be the same as a slave' (Milton. J, 1644)

This is an interesting approach towards censorship as on one hand Milton does not agree with pre-publication censorship but believes that censorship is necessary when the audience, exposed to the power of free speech, are too immature to handle it (Hoxby. B, 2011, p.235). Again, applying this to modern day free speech and the rampant hate discourse that floods online media and political discourse in Europe, one could argue in terms of Milton that the citizens are not equipped to exercise this right appropriately and should be trained just like pupils. In the end Milton leaned towards education and the power within this that will contribute to the growth of citizens in a moral sphere for them to engage in free speech and for Milton to publish new ideas (Hoxby. B, 2011 p.237). Education being important for the purpose of self-governance in order to exercise this right.

1.1.2 John Stewart Mill and his defence of Freedom of Speech.

John Stewart Mill is one of the most notable figures associated with defending free speech within philosophy. It is his published work 'On Liberty' released in 1859, that provides readers with his true insights and ideas that surround his perception of freedom of expression which adds value to the true essence of this right. Mill has many other works that somewhat add to his arguments, but it is 'On Liberty' that is believed to be Mill's most central writings on defence of free speech (Halliday. D, and McCabe. H, 2018, p. 71). 'On Liberty', today still adds value to certain debates that take place regarding issues of free speech.

Similar to Milton, Mill believes that having restrictions over freedom of expression can be classified as a ‘trans-generational wrong’ (Bradshaw. T, 2017, p. 18). Therefore, Mill believes that having limitations of free speech would have an impact on future generations. This distaste for censorship can be noted in Mill’s own definition of freedom ‘*doing what one desire’s*’ with the absence of coercion by law (Clausen. C, 2009, p.42).

‘the disposition of mankind, whether as rulers or as fellow-citizens, to impose their own opinions and inclinations as a rule of conduct on others, is so energetically supported by some of the best and by some of the worst feelings incident to human nature, that it is hardly ever kept under restraint by anything but want of power’ (Mill, J.S, 1859).

Despite the time this quote was written, one could also argue that it is still applicable today when looking at Europe’s political leaders and their thirst for power. This observation adds to the value that Mills arguments truly hold regarding the true essence of free speech.

Owing to the primary focus of ‘On Liberty’ and Mill’s defence of freedom of expression, Mill centres his focus around the diffusion of knowledge and through this, the growth of humanity (Halliday. D and McCabe. H, 2018, p. 71). This again is like Milton, however Mill loses the religious component and focuses on finding ‘living truths’ (Halliday. D and McCabe. H, 2018 p. 72). According to Mill it is impossible to find these truths when there are restrictions in place (Overgaauw. D, 2009). Therefore, Mill believed that it is important to defend freedom of expression in order to defend the ‘free exchange of ideas’ (Halliday. D and McCabe. H, 2018, p. 73). Mills defence of freedom of expression throughout ‘On Liberty’ is divided into positive and negative aspects. The positive sheds light on the role that freedom of expression has within society. It acknowledges that the ‘free expression of ideas’ is important for the growth of knowledge and is ‘quite the chief ingredient of individual and social progress’ (Halliday. D and McCabe. H, 2018 p. 73). Mill believes that this positive aspect of freedom of expression is vital for people to flourish together and individually (Bradshaw. T, 2017, p. 18).

Therefore, Mill believed it was important that all views and opinions are heard despite them being true or false. Mill claimed that for one to be right, there must be a possibility for one to be wrong (Overgaauw. D, 2009). Mill believed that freedom of expression was vital for the ‘truth to prevail’ and overcome the forceful grasp of what is regarded as ‘groupthink’ (Clausen. C, 2009, p. 43). Mills fear was that of the majority. Therefore, one could argue that he also feared that the ideas that were held by the minorities in societies would be diminished as a result of suppression by the bigger more powerful

groups in society. Thus, Mill believes that dialogue is important as it allows all groups in society to express their opinions and allows for the untrue opinions to be contested (Overgaaauw. D, 2009).

This owes to Mills underlying fear of ‘tyranny of the majority’ (Clausen. C, 2009, p. 42). This makes it obvious that Mill is against the absurd ruling of the majority and not their opinions per se.

Consequently, for Mill democracy contributes to this fear as it is based on the majority opinion (Clausen. C, 2009, p. 42). Viewing democratic countries today in terms of a Millian approach, one could conclude that this fear that Mill had has become legitimate. This can be interesting as Mills arguments started based on Utilitarianism. This is the idea that ‘the greatest happiness of the greatest number is the only rational foundation for morals and legislation’ (Clausen. C, 2009, p. 42). Which in turn added to the fear that Mill held.

As a result of the above fears, Mill leans on education to support free speech. Mill acknowledges that freedom of speech is not a natural position for humankind (Bradshaw. T, 2017, p. 18). Therefore, Mill argues for a form of formal education in order for society as individuals and collectively to build up tolerance as he is aware that this does not come natural to humans either (Bradshaw. T, 2017, p. 18). Mill further acknowledges that as a result of this unnatural component of free speech for humankind, free speech is not an absolute right (Bradshaw. T, 2017, p.18). Mill believes that freedom of speech leads to positive social benefits but in turn formal education is a necessity (Halliday. D and McCabe. H, 2018, p. 78). When looking at other works of Mill, he hints that over time the tolerance and rationality of humankind may increase, and the free exchange of ideas may increase in quality (Halliday. D and McCabe. H, 2018, p 78). In terms of Mills beliefs ‘the emergence of toleration is the central emergence of civilization’ (Bradshaw. T, 2017, p. 18). This belief of Mill has gathered some criticism. Rodger Crisp believes that Mills faith in the rationale of humanity is quite excessive and he sheds light on the propaganda that was used by Nazis during World War II (Halliday. D and McCabe. H, 2018, p. 78). Crisp touches here on the idea that Mill is too generous when looking at people and his believe that conflict can be resolved through dialogue. He uses the Nazi regime as an example of this as it demonstrates clearly the intolerance that groups have for each other and the extreme results that can come from propaganda as a result of this intolerance, taking the example of the Jews during Nazi Germany (Halliday. D and McCabe. H, 2018, p. 78). This claim is not far off from the contents that have been emerging today considering Europe’s refugee crisis. Looking at the way media and politics in Europe conduct themselves in terms of the refugee crisis, one could argue that this does not fit with a

Millian approach to freedom of expression. This can be seen through little contestation against the views of political leaders and also through the abuse of freedom of expression.

When acknowledging harmful discourses that arises against minority groups it is interesting to look at Mills insights into this. This section is attributed to the negative aspect of Mill's defence of free speech in 'On Liberty'. This has to do with censorship and Mill's belief that it should be used sparingly (Halliday. D and McCabe, H, 2018, p. 74). For Mill, men and women should be able to live freely within a society alongside each other, under the condition that they do not cause harm to others (Clausen. C, 2009, p. 44). Mill's Harm Principle is applied in cases where harm occurs as a result of free speech or expression. This principle is:

'the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others' (Bradshaw. T, 2017, p. 18).

Despite Mills Harm Principle and his acknowledgment that some acts of expression can inflict harm on to others, he still holds the belief that censorship should not be the ultimate option. Mill suggests that instead of total censorship, there should be restrictions where certain material should be distributed or expressed such as a neo-Nazi speech should not take place in a Jewish neighbourhood (Halliday. D and McCabe. H, 2018, p. 80). Within Mills defence of free speech, he admires diversity and believes that it is essential for the progress of the individuals and society (Bradshaw. T, 2017, p. 19). Therefore, it is understandable why Mill holds a high threshold to the Harm Principle, the only time when Mill believes that power can be used to restrict certain acts of expression is its aim is to prevent harm being administered on to others, as he is forever holding out for the 'emergence of a discursive society' which he has acknowledge it to be a slow process (Halliday. D and McCabe. H, 2018, p 80). Within Mills Harm Principle he uses the example of a drunk man and a drunk police officer (Bradshaw. T, 2017, p. 21). In terms of the drunk man, him yelling words of hate towards groups would classify as a 'contingent damage' (Bradshaw. T, 2017, p. 21). This is an inconvenience in which society can afford and deal within the hope of preserving the right to free speech (Bradshaw. T, 2017, p. 21). However, this contrasts with the drunk policeman who acts the same way as the drunk man. This would be regarded as a 'definite damage' in which there constitutes a risk to an individual within the public sphere (Bradshaw. T, 2017, p. 21). Taking from this, it is when people in power or authority figures cause the harm against others that the Harm Principle could be enacted. In light of this acknowledgment, one could argue that the Harm Principle is applicable among certain European

political parties who express their views in ways that constitutes harm towards certain groups in societies in Europe today.

“The extent of a man’s, or a people’s, liberty to choose to live as they desire must be weighed against the claims of many other values, of which equality, or justice, or happiness, or security, or public order are perhaps the most obvious examples. For this reason, it cannot be unlimited.” (Clausen. C, 2009, p. 44)

This extract is from the opinions of Isaiah Berlin who is a philosopher influenced by the work of John Stuart Mill (Clausen. C, 2009, p. 44). It can be seen to be in favour of a limited free speech therefore arguing that further restrictions within the Harm Principle can be necessary at times. This links up with the idea that untrue ideas should be contested. Mills approach to what could be considered hate speech within the political arena today would be to insist engagement rather than just listening to the rhetoric (Halliday. D and McCabe. H, 2018, p. 80). However, one can argue to what extent is it necessary to argue with a discourse that can result in serious harm for certain groups or even people who speak out against it.

Summing up on some of the ideas related to Mill and his defence on free speech. It can be concluded that although his argument of having a completely uncensored society can be justified, there are critics who believe that this is something of an ideal world, one in which we do not live in currently. Mill can be regarded as a notable figure within the free speech defence but may come across as somewhat too optimistic about some of the capabilities of humankind (Clausen. C, 2009, p. 45). Although Mills beliefs are inspiring, one can argue that more thought of what kind approach would be necessary to apply to the free speech defence today is needed.

1.1.3 Current debates on Freedom of Expression: Liberalism versus conservatism

If we are considering the ideas of Mill and Milton in relation to freedom of expression and looking at the status of this right in modern politics, it is important to consider liberalism and their presumptions around this debate. One could say it is important to acknowledge the liberal defence of freedom of expression, as it is believed that the right-wing parties in Europe have reshaped the liberal perspective of free speech to justify their own offensive language.

Liberals are known for protecting and improving freedom of individuals (Ball et, al. 2019). Liberalism has a long history and is regarded by many to be the strongest ideology (Browning. G, 2000, p. 152). Contemporary liberalism is associated mostly with reducing economic inequalities and helping the poor

(Ball. T, et al, 2019). The contemporary liberalists have come together with the focus of creating a free and equal society which allows individuals to grow rationally (Browning. G, 2000, p. 152). However, this once ‘dominant ideology’ is now under threat (Browning. G, 2000, p. 152). Contemporary liberalism is in crisis and this is a result of the rise of extreme right political parties and their populist agendas (Bagehot, 2018).

Contemporary liberalism is heavily aligned to capitalism (Browning. G, 2000, p. 153). Capitalism encourages consumerism and individualism globally (Browning, G, 2000, p. 153). These elements are against extreme right-wing populist ideals. This is displayed through Viktor Orban’s comment ‘liberal blah blah’ (Bagehot, 2018), as it shows his distaste for the liberalist agenda which can be attributed to most extreme right leaders. Contemporary liberalism’s affiliation with capitalism today clearly depicts its change from its inclusive essence. The consequence of this allows liberalism only to be suited for a particular type of society (Browning. G, 2000, p. 153), a society that would appear to be more sophisticated and wealthier. One could argue that liberalism has lost its true meaning in this case. Contemporary liberalism has resulted in this ideology unwilling to take risks which has reduced its power (Browning. G, 2000, p. 153). Liberalism has simply pushed people away and has become the opposite of what it once was (Bagehot, 2018). This has contributed greatly to the reshaping of freedom of expression at the hands of the extreme right-wing parties in Europe.

Despite contemporary liberalism becoming weakened by modernity and the new wave of European politics, liberalism itself remains to be a concrete ideology in which freedom of expression is its foundation. However, it is common among conservatives to say that liberalism is a form of weakness (Princeton, 2006 p.15). An example of this tension between the two is demonstrated through the words of Bruce Bawer a columnist in the United States who argues that the liberals within Europe are weakened by the concept of multiculturalism and have ‘surrendered’ to the demands of the Muslims in Europe (Malik. M, 2018). Bawer proceeds to say that liberals have compromised their own values as a result of this concession towards Muslim integration into Europe (Malik. M, 2018).

These punitive accusation against liberals can come across as stripping liberals of their core beliefs. All efforts by traditional liberals are done to protect the rights of the individual (Bell et, al. 2019). These attitudes and morals of liberals are in line with the idea that Mill had with regards to freedom of speech. As mentioned above Mill was against suppressing any form of speech. Similarly, within the discourse of liberals, there is a tendency to favour unregulated speech (Soutphommasane. T, 2006 p.35). This presumption within the discourse of liberalism gives reason for the attitudes that they have towards

government and power. They believe that a government is important for the protection of individuals and their rights and to protect the individual from harm (Bell et, al. 2019). Liberals tend to oppose constraints posed by any single public figure or branches of government who may have power (Princeton, 2006 p.15).

However, a difference between liberals in the 19th century and those in the 20th century is that the purpose of the government in the 19th century was only to promote and protect freedom from power (Bell et, al. 2019). This contrasts with the 20th century liberals who believe that the government has the responsibility to remove any obstacles that could prevent the individual from living a life of freedom and be free from any discrimination (Bell et, al. 2019). This is one of the reasons why liberals are more in favour of international law and order. They believe that it adds to a countries national power and safeguards the states sovereignty (Princeton, 2006 p.17).

This is different to the conservatives who have stark contrasts within their discourses. They appear to lean more towards military power and are against the international community and law it imposes on its sovereign state (Princeton, 2006 p.17). Later in the discussion it will be demonstrated how this becomes more apparent in the right-wings reinvention of the liberal's stance on freedom of expression.

So far, the idea that no speech should be regulated has been presented in the context of Mill and liberals. However, an issue that arises is the tolerance of bad speech within the liberal sphere. A liberal defence of free speech has become known as a 'homeopathic machismo' (Soutphommasane. T, 2006 p34). This means that there should be exposure to all forms of speech, be that good speech, bad speech or ugly and hateful speech. This is in line with the belief that having this kind of speech is good for the public health (Soutphommasane. T, 2006 p.34). This tolerance of 'bad speech' gives the liberals a form of moral edification, this is a way in which the liberal show themselves to be superior to their comrades (Soutphommasane. T, 2006 p.34). According to John Durham Peters, through this idea of portraying themselves as superior when it comes to language that is offensive, liberals see themselves as 'facing evil and staring it down' (Soutphommasane. T, 2006 p.34). This is being a 'good liberal and is necessary to follow this down the 'path of self-fulfilment' (Soutphommasane. T, 2006 p.34). Once more, this can be attributed to Mills beliefs of freedom of expression as he believed that it helps people achieve their own individuality through using reason and judgement (Soutphommasane. T, 2006 p.35). Mill and liberals are very much on the same path when considering the idea of offensive and hate speech and using the freedom of both sides to come to a truth about the situations.

In theory this notion of using liberty to fight against offensive language is adequate and both Mill and Liberals have compelling arguments when discussing this. However, some critics are quick to show disapproval towards the openness of dialogue that liberals encourage. Liberals are quick to believe that all humans are rational and can have open debates and settling disputes and conflicts through dialogue and compromise (Bell et, al. 2019). Liberals from the 20th century use the United Nations and International Court of Justice as an example of this. Mill is on the same page as these liberals through his visions of moral progress and self-development as mentioned above. A liberal's response to the idea that hate speech can cause humiliation or dehumanization is that people should have 'thicker skins' (Soutphommasane. T, 2006 p. 36). This follows Mills notion of the Harm Principle. The idea of this principle is that harm lies only in actions that may occur as a result of speech and that harmful speech does not constitute any violent actions that come from it (Bradshaw. T, 2017, p. 18).

However, it is disputed by some that the idea that liberals have of speaking back in an effort to tackle speech in the form of racism or hate may not always work out. Critics believe that it is a rare occurrence that people can have rational discussions. The lack of dialogue that may occur as a result of harmful speech can sometimes lead to a 'silencing effect' (Soutphommasane. T, 2006 p. 36). This is when individuals will not speak back for many reasons, one being fear of retaliation or insufficient access to public media to get their voice across (Soutphommasane. T, 2006 p. 36). Despite liberals being an inclusive form of politics, their attitudes towards open discussion that involves harmful speech may not always be in the best interest of the group at the centre of the debate. This in turn can have a negative effect on free speech and the human rights of minority groups. This kind of dialogue can pose as a threat to minority groups, since it can incite violence through the form of riots or mobs (Princeton, 2006). One could argue that this therefore tarnishes the belief of both Mill and liberals that open dialogue brings about the truth and compromise. Considering some of the volatile situations that are increasing in Europe, one can question whether a liberal perspective is deemed a constructive approach towards the development of society or not, especially when the risk of hate speech is involved.

Summing up the liberal philosophy surrounding freedom of expression, John Stuart Mill is a key figure within this traditionally inclusive and free ideology but the challenges that are faced within this sphere of politics are increasing. Later the discussion will examine the way in which the fight for freedom of speech has been reinvented by the right in an attempt to save Europe's freedom of expression from an 'Islamic takeover'. This will demonstrate how, in one respect a liberal approach can be vaguely seen

within this reinvention, but also how it has a negative effect on certain minority rights therefore negating from the inclusive nature of liberalism.

1.2 The legal perspective of Freedom of Speech

Freedom of expression is one of the most fundamental components of a democracy. However, not all countries are democracies. Through this next section, freedom of speech will be looked at from a legal perspective in terms of International Conventions and treaties and through case law from the European Court of Human Rights.

1.2.1 International approach to protecting Freedom of Speech

Within International law the primary conventions that include provisions that constitute free speech but also touch on the ideas of providing limitations on this right are the Universal Declaration of Human Rights (UDHR) Article 19, International Covenant on Civil and Political Rights (ICCPR) Article 19 and 20 and the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) Article 4 which mostly sheds light on the obligation of the State to address any forms of hateful propaganda that is disseminated throughout society.

Freedom of Speech plays an important role regarding (Howie. E, 2018, p, 13) not only those rights that it paves the way such as the right to vote and the freedom of assembly, but it also provides ‘transparency’ and ‘accountability’ for other human rights abuses, by giving a voice to victims to speak out against certain elements of society without the risk of any punishment (Howie. E, 2018, p. 13).

Despite one of the primary foundations of democracy being equality among all citizens, it is interesting to note that during the drafting of the conventions listed above it was the Western democracies that advocated for no restriction on freedom of expression (McHangama. J, 2012, p. 46). This contrasts with the Soviet bloc who insisted on provisions that would limit ones right to freedom of expression (McHangama. J, 2012, p. 46).

One could argue that the dilemmas faced by the drafters of these conventions provide a profound insight to the risks that come along with hate speech laws. Hate speech laws are perceived as laws that are there to protect individuals or minorities against discrimination or hostility from the majority in society. However, one rarely looks at the negative effects that these laws could have over countries. Johannes Morsink acknowledged that the proposals provided by the Soviets at the time of drafting these conventions would be ‘targeted not just at Nazism but also against agitation in favour of capital and liberal democracy and in all likelihood against any other political ideology than the supposed real

democracy of communism’ (McHangama. J, 2012, p. 48). This presents the true risk that accompanies restrictions on freedom of expression in illiberal democracies.

Owing to this above concern, it complements the lack of a universal definition of hate speech among Member States of the United Nations (George. C, 2014). One could assume that having a universal definition of hate speech could create the same issues as outlined above in regard to having hate speech laws. Therefore, the definition of hate speech among States vary significantly (Pálmadóttir, J. and Kalenikova, 2018). Thus, allowing each State to combat it individually with respect to the provisions of freedom of expression within international treaties.

The following international human rights instruments will be discussed through a political perspective which sheds lights on the competition and friction between the Western states and the Soviet States. This competition clearly depicts the Soviets desire for restrictions on freedom of expression compared to the total freedom of expression that was advocated by Western democracies.

1.2.2 The Universal Declaration of Human Rights

The Universal Declaration of Human Rights is the core of international human rights law (Pálmadóttir, J. and Kalenikova, 2018) and provides the foundation of every other international human rights treaty. Within the UDHR, three articles can be applied to the issues that arise around freedom of expression.

Article 19 of the Universal Declaration of Human Rights states:

‘Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers’ (General Assembly, 1948)

This is the article that grants everyone the right to freedom of expression within International law. This article itself had much objections from the Soviet States as they felt that there should be limitations on this right, and as it was established above. More specifically they proposed prohibiting ‘expressions of intolerance’ (McHangama. J, 2012, p. 46). The UK representative also proposed limitations but in the attempt to protect national security and public order (McHangama. J, 2012, p. 47). However, the Soviets resistance to the lax acceptance of this article on behalf of the Western democracies resulted in Article 7 which is a general limitations clause of the whole declaration (McHangama. J, 2012, p. 48).

Article 7 of the Universal Declaration of Human Rights states:

All are equal before the law and are entitled without any discrimination to equal protection of the law.

All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination. (General Assembly, 1948)

During the drafting process of this article, the desire for the Soviet Bloc and their allies to limit freedom of expression was apparent. Rather than the word ‘protection’, it was proposed by the Soviet representation to use the word ‘prohibit incitement’ (McHangama. J, 2012, p. 49). The caution associated with this was that the use of the word ‘prohibit’ may be interpreted by States to use criminal law or force to carry out this obligation (McHangama. J, 2012, p. 49). One could argue that this went against the core values of the Declaration. This caution was demonstrated in what the representative of the UK stated in relation to this ‘the State should not be regarded as limiting the rights of individuals but as promoting the rights of all’ (McHangama. J, 2012, p. 49). The drafters believed that the positive obligations of the States’ party to this Declaration should be to educate, and correctly inform the public through campaigns about the rights of all (McHangama. J, 2012, p. 49). This obligation is constituted by the word ‘protect’. One could argue that this argument is still relevant today in terms of hate speech.

Article 30 of the Universal Declaration of Human Rights states:

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein. (General Assembly, 1948).

In terms of the issue between hate speech and freedom of speech in today’s world, one could argue that this article is of vital importance. This article reaffirms that nothing in this Declaration should be used in order to diminish the rights of another in society (Pálmadóttir, J. and Kalenikova, 2018). It is because of this article freedom of expression does not have the status of an absolute right but in fact this right can be limited as a result (Howie. E, 2018, p.13). Today in Europe, freedom of speech, in particular, is under attack as a result of hateful discourses and the normalization of hate (Howie. E, 2018, p. 13). However, it is through this last article of the Declaration that enables us to see that a right that is vital to the growth of democratic society can also cause that society to take away some of the rights of its inhabitants

1,2,3 International Covenant on Civil and Political Rights (ICCPR)

The International Covenant on Civil and Political rights was adopted in 1966 and entered into force on the 23rd March 1976. This covenant is ratified by 67 states and acceded succeeded by 100 states. The Covenant permits the rights that are enshrined within the Universal Declaration of Human Rights to become legally binding (McHangama. J, 2012, p. 50). In terms of this covenant, through Articles 19 and 20, it outlines the right to freedom of expression but also provides obligations of the States to prohibit hate speech (McHangama. J, 2012, p. 50).

Article 19 of the International Covenant on Civil and Political Rights states:

- 1. Everyone shall have the right to hold opinions without interference.*
- 2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.*
- 3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: (a) For respect of the rights or reputations of others; (b) For the protection of national security or of public order (ordre public), or of public health or morals. (General Assembly, 1966).*

This article guarantees freedom of expression (Mendel. T, 2010). However, the drafting process of both articles became another controversial situation for the drafters of this covenant (McHangama. J, 2012, p. 50). Along with the guarantee that Article 19 provides for one's freedom of expression, it also provides restrictions that are to be implemented by the States party to the Covenant (Mendel. T, 2010). This demonstrates the debate that occurred over the drafting of this article between the Western democracies and the Soviet Bloc and their Allies.

Article 20 of the International Covenant on Civil and Political Rights states:

- 1. Any propaganda for war shall be prohibited by law.*
- 2. Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law. (General Assembly, 1966)*

Article 20 prohibits hate speech (McHangama. J, 2012, p. 50) although it does not refer to it with this term. It is believed that both these articles conflict with each other (Mendel. T, 2010). As mentioned

above Article 19 reaffirms the right to freedom of expression while Article 20 of the same Covenant permits the restriction of speech (Mendel. T, 2010). Article 20 should be read while regarding the limits that are set out in Article 19 paragraph 3 (PRISM, 2016). However, despite this many States and prominent figures at that time such as Eleanor Roosevelt, were against the addition of Article 20 into the Covenant. Eleanor Roosevelt believed the language to be ‘extremely dangerous’ and believed that this article would ‘be exploited by totalitarian States for the purpose of rendering the other articles null and void’ (McHangama. J, 2012, p. 50). Other States agreed with this and it was Sweden who believed that the appropriate ‘prophylaxis lay in free discussion, information and education’ (McHangama. J, 2012, p. 50). Sweden’s ideals for combating hate speech can be seen as a direct translation of many of the western philosophers such as Mill who believed education to be vital to combat against intolerant speech. However, despite Sweden idealism one could argue that education is not always the appropriate way of fighting hate speech in a diverse society. This is echoed by Australia’s input to the drafting of this article, who pointed out that people could not be ‘legislated into morality’ (McHangama. J, 2012, p. 51).

In recent times there have been General Recommendations and Comments from the Human Rights Committee which interprets Article 20. These comments and recommendations help interpret the articles so that states can implement them efficiently. General Comment no 34, which was published in 2011 states:

What distinguishes the acts addressed in article 20 from other acts that may also be subject to limitations, is that for the acts addressed in article 20, the covenant indicates the specific response required from the state: their prohibition by law. It is then only to this extent that article 20 may be considered as law governing a specific matter with regard to article 19 (PRISM, 2016, p. 8).

This comment allows States to understand the severity of the act for it to be prohibited by law. When looking at this comment and article twenty together, an act can be anything that is hatred towards people of different race, nationality or religion and with which this hatred incites violence towards these people. Therefore, hate speech could be considered an act that is prohibited by law. Looking at article 20 paragraph 2 in terms of advocacy, the act that the comment mentions regards any public acts of expression when their sole aim is to incite a reaction that will not be favourable for the targeted group (PRISM, 2016, p. 8). Hatred, in this respect, constitutes the intense emotion of detestation towards a certain or targeted group in society (PRISM, 2016, p. 8). Incitement refers to the advocacy that is carried out in order to trigger hostility or violence towards certain groups or individuals (PRISM,

2016, p. 8). These insights provided by the Committee give the states guidelines to enact Article 20 in order to combat hate speech. However, the fears of Roosevelt and others who were against restrictions on freedom of expression because of the abuse that may come along with it in States who are led by regime such as totalitarian are still relevant in today's societies (McHangama. J, 2012, p. 51).

Considering the number of illiberal democracies and extreme right wing parties that are on a rise in Europe, it could be argued that the concerns felt towards these restrictions are still relevant as they can be used by states to suppress their citizens and use law to fight against their opposition to the regime. In the case of refugees, it can inhibit their right to express their own opinions and continue their suppression and constitute for their detention.

1.2.4 International Convention on the Elimination of All Forms of Discrimination (CERD)

The International Convention on the Elimination of All Forms of Discrimination has been ratified or acceded by 189 countries. It was adopted in 1965 and entered into force on 21st December 1965. It is the first convention to address hate speech at an international level (Mendel. T, 2012). Up until now the other instruments were more focused on protecting the right to freedom of expression whereas this convention protects against it.

Article 4 of the International Convention on the Eliminations of All Forms of Discrimination states:

States Parties condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination and, to this end, with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of this Convention, inter alia:

(a) Shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof;

(b) Shall declare illegal and prohibit organizations, and also organized and all other propaganda activities, which promote and incite racial discrimination, and shall recognize participation in such organizations or activities as an offence punishable by law;

(c) Shall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination (General Assembly, 1969).

This is believed to be one of the most ‘far reaching’ when it comes to tackling issues of hate speech at an international level (Mendel. T, 2010). The notable aspect of this Article in this Convention is that it obliges Member States who are party to the Convention to deem certain acts of expression and conduct them punishable (Pálmadóttir, J. and Kalenikova, 2018) and also insists for the State to implement ‘effective remedies’ for those who have become victims to discrimination (Pálmadóttir, J. and Kalenikova, 2018). As a result of this, it creates a positive obligation for the State to combat discrimination that could be disguised in the form of freedom of expression.

During the drafting of this Convention, like Article 20 of the ICCPR, Article 4 was also quite controversial among the Member States (McHangama. J, 2012, p. 52). The US wanted to criminalize the incitement to racist hate speech that was likely to result in violence rather than incitement to racial hatred (McHangama. J, 2012, p. 52). This was supported by the UK as they were strong advocates of the belief that ‘speech should be free but incitement to violence should be repressed’ (McHangama. J, 2012, p. 52). This contrasts with the Soviets and their belief as to how hate speech should be tackled in regard to this article. The Soviets proposed to ‘prohibit and disband racist, fascist and any other organisation practicing or inciting racial discrimination’ (McHangama. J, 2012, p. 52) The use of ‘prohibit’ was believed to be too strong as it suggested the use of force to deal with such situation in which Western democracies were not in favour of. (McHangama. J, 2012, p. 52). However, it was Colombia who provided an insightful statement that demonstrated the reality of having provisions that would have implications on one’s freedom of expression. The representative from Colombia noted that it ‘is a throwback to the past. . . punishing ideas, whatever they may be, is to aid and abet tyranny, and leads to the abuse of power . . . As far as we are concerned and as far as democracy is concerned, ideas should be fought with ideas and reasons; theories must be refuted by arguments and not by the scaffold, prison, exile, confiscation, or fines’ (McHangama. J, 2012, p. 53). This again lends to the ideas of past philosophers who understood and fought for the true essence of freedom of expression to be recognised.

It was among illiberal democracies in which this article mostly appealed to. This can be understood from looking back at the drafting process of the past treaties in which fears of the abuse of these articles were high. The liberal democracies saw the dangers of providing States with the power to combat racism and intolerance and believed them to be more ‘dangerous than the evils that these measures

were employed to cure' (McHangama. J, 2012, p. 53). The drafting of these prominent conventions and treaties demonstrate the totalitarian States motives to use human rights language to justify their repression of their citizens (McHangama. J, 2012, p. 53). This concern is still here today in Europe as many extreme right-wing political parties are using their right to freedom of expression to justify and normalize their hateful discourse towards refugees that are coming to Europe.

1.2.5 The European approach to protecting Freedom of Speech

Despite opposition to hate speech bans and any limitations on freedom of expression on behalf of the western democracies in Europe, today it is apparent that there has been a flip within Europe's approach to hate speech. Through many general comments and recommendations and additional protocols there has been an active effort of the European Union and the Council of Europe to tackle hate speech against minority groups in Europe.

The European Convention of Human Rights (ECHR) was adopted in 1950 and entered into force on 3rd September 1953. The convention has 47 states who are party to it. Starting off with Article 10 it states:

'1) Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers' (Council of Europe, 1950)

This paragraph defines the freedoms that are protected by the article (Bychawska-Siniarska. D, 2017, p. 12). This paragraph is broken up into three parts. The components of this article relevant to this discussion are 'the freedom to hold opinions' and the 'the freedom to impart information and ideas without interference by public authority'.

According to a report issued by the Committee of Ministers of the Council of Europe 'any restriction of this right will be inconsistent with the nature of a democratic society' (Van Dijk. P and Van Hook. G, 1990, p. 413). This reaffirms the idea that freedom of expression is central to democratic societies. Information that may constitute as bias or 'one-sided' may prove to be a danger to the freedom to uphold opinions (Bychawska-Siniarska. D, 2017, p. 13). This danger especially holds to any authority figure within a democratic society as it would diminish the values held by democratic states.

Another aspect of this freedom is that it is looked at as a 'negative freedom' (Bychawska-Siniarska. D, 2017, p. 13). This means that there are no obligations for one to express the opinions that they hold under this freedom (Bychawska-Siniarska. D, 2017, p. 13). Therefore, along with freedom of expression according to this convention a person is entitled to their own private opinions in which they

are not obliged to disclose. This was demonstrated in the case of *Vogt v. Germany*, 26 September 1995, where the applicant was dismissed from her civil servant job in Germany as a result of her political association with the German Communist party. The Court deemed this was a violation of Article 10 of the convention, along with Article 11 ‘freedom of assembly and association’. (ECHR, 1995). The court believed that the interference on behalf of the German government was a ‘breach of Article 10’ (ECHR, 1995). The court within its reasoning for this case looked at the act and determined that this was not a situation which could cause harm to a democratic society (ECHR, 1995). Therefore, this is a clear violation of one’s right to hold their own opinions despite the nature of it. Regardless of the opposition to Germany’s values, as a democracy, a restriction of an individual’s opinion would also diminish the country’s inherent democratic values. Therefore, the court ruled in favour of freedom of expression.

The second aspect that is protected by this article is the ‘freedom to impart information and ideas. This component of the article can be subject to the restrictions that are outlined in paragraph 2 of the article. This freedom is important for the ‘political life’ and the ‘democratic structure’ of a state (Bychawska-Siniarska. D, 2017, p. 13). Acknowledging this fact, having the freedom to criticize the government is of vital importance in this respect. One could argue that this is quite an important aspect of freedom of expression as once again it firmly reiterates the true essence of freedom of expression as it demonstrates that it is the main ‘indicator’ of a ‘free and democratic society’ (Bychawska-Siniarska. D, 2017, p. 13). This was upheld in the case of *Handyside v. the United Kingdom*, 7th December 1976. The applicant published a book ‘The Little Red Schoolbook’ which encouraged young people to take a more liberal attitude towards sexual matters (ECHR, 1976). A prosecution was brought against the applicant under the Obscene Publication Act 1959 (ECHR, 1976). The applicant complained that this was a violation of Article 10 of the convention. The reasoning that was provided dwelled on the idea that not all information that is expelled through society will not be ‘favorably received’ (ECHR, 1976). This reasoning went on further, saying that information that is imparted by certain groups or individuals maybe information that ‘offend, shook or disturb the State or any sector of the population’ (ECHR, 1976). The European Court of Human Rights acknowledges the importance of such information to be able to be imparted and accepted by the State. The Court believes that information as such promotes ‘pluralism, tolerance and broadmindedness’ of the State which is vital for a ‘democratic society’ (ECHR, 1976). This is an important reasoning from the Court as it dwells on the idea that freedom of expression may not always be perceived as good expression but nonetheless, it is important for the growth of democratic societies.

From reviewing the first aspect of Article 10 one could conclude that there is a link between reasoning of certain cases and the way freedom of expression has been perceived within western philosophy, outlined in the first part of this chapter. The courts acknowledge information that will not be accepted by all in society, for philosophers this was vital in order to gain more knowledge and develop as a society and as an individual. Therefore, through philosophies' translation of freedom of speech into the jurisprudence of the court, one can argue that the true essence of freedom of speech is clearly outlined.

However, regardless of freedom of expression playing a central role in the foundation of democracies and protecting other rights such as freedom of assembly or freedom to vote, it also has the tendency to conflict with other rights (Bychawska-Siniarska. D, 2017, p. 11). Therefore, the European Court of Human Rights uses Article 10 paragraph 2 of the European Convention of Human Rights to assess whether an act is a violation of the convention. Article 10 (2):

'The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.' (Council of Europe, 1950)

This paragraph provides the circumstances in which a state may interfere with the exercise of freedom of expression (Bychawska-Siniarska. D, 2017, p.12). When looking at Article 10 paragraph 2 of the convention, it brings to light speech that is protected under this article and speech that is not protected. This article does not limit its protection to words that are written and spoken but also it protects 'pictures, images, actions' and 'cultural heritage intended to express ideas or to present information' (Bychawska-Siniarska. D, 2017, p.17). A case that demonstrates the use of protection of Article paragraph 2 is *Engels and Others v. the Netherlands* (ECHR, 1976). The applicant had published a paper that criticized his senior officers. According to The European Court of Human Rights this was a justified interference to the applicants right of freedom of expression as it was deemed that due to the nature of the group in which this publication was published in it would have a consequence towards the 'public order' (ECHR, 1976) The Court acknowledged that it should be looked within the 'confines of a specific social group' (ECHR, 1976). The court further acknowledged that due to this social group being the armed forces it could have an impact on the 'order of society as a whole' (ECHR, 1976). Therefore, the interference in the applicant's freedom of expression was 'necessary in a democratic

society' in order to prevent 'disorder' (ECHR, 1976). This also demonstrates that having this right to freedom of expression carries with it 'duties and responsibilities' in order to protect the circumstances that are outlined above in paragraph 2 of Article 10 (Bychawska-Siniarska. D, 2017, p 19). These provisions are interesting as they are the only ones of its kind found throughout the convention. One could argue that this indicates the idea that drafters of this convention perceived cases of speech that could potentially harm the values instilled in a democratic society.

Another important aspect of Article 10 of the convention is the speech that it does not protect. Protection of speech that is used to incite violence against an individual or a certain group within a society does not fall under the protection of Article 10 (Bychawska-Siniarska. D, 2017, p. 23). This type of speech moves away from freedom of expression that may not be appreciated by all in society but important for the growth of a democratic society as outlined in *Handyside v. the United Kingdom* but can constitute as hate speech that is aimed at diminishing the status of certain groups in a society.

Hate speech that is directed towards minorities is also not protected under the provisions of Article 10 of the convention (Bychawska-Siniarska. D, 2017, p25). In the case of *Le Pen v. France*, 20th April 2010, the president of the French 'National Front' party incited 'hatred', 'discrimination' and 'violence' towards members of a particular ethnic group as a result of remarks he made about 'Muslims in France' during an interview with *Le Monde*, a French daily newspaper (ECHR, 2010). The European Court of Human Rights found that interference with Le Pen's right to freedom of expression was justified in terms of conserving the values of a democratic society (ECHR, 2010). The Court believed that the applicant had portrayed the 'Muslim community as a whole in a disturbing light' which caused them to believe that it could result in feelings of hostility towards this minority in France (ECHR, 2010). Therefore, it is obvious that any acts or forms of expression that creates a hostile environment for minorities in countries that are party to the Convention constitutes as hate speech and are a clear violation of Article 10.

Another way in which the Court can justify a violation of Article 10 is by using it in association with Article 17 of the Convention. This article states:

'Nothing in this convention may be interpreted as implying for any State, group or person any right to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms set forth herein or at their limitation to a greater extent than is provided for the Convention' (Council of Europe, 1950).

This article determines that freedom of expression should not be used in order to negatively affect the rights and freedoms of others that are granted to all individuals in countries who are party to the convention (Bychawska-Siniarska. D, 2017, p. 12). This practice of the Court is demonstrated through the case of Garaudy v. France, 24th June 2003. In this case the court used Article 17 to demonstrate that freedom of expression cannot be used if there is a possibility that the rights and freedoms of others will be impacted (ECHR, 2003). This case law shows that in some cases, freedom of expression can impact on the rights of others. This can be attributed to the diminishing of the Human rights of refugees in Europe today.

Chapter 2

2.1 European Politics and their impact on free speech

Today in Europe, the rise of extreme right-wing political parties is evident. It is no secret that the political system is being transformed (Schain. M, 2018). This transformation can be linked to both terrorist attacks such as 9/11 and the many others that took place in Europe in recent years such as the Paris attacks, and the increase of refugees from the Middle East who are viewed mostly as Muslims... Cas Mudde a political scientist at the University of Georgia believes that the extreme right-wing has used the refugee crisis as an advantage (Einbinder. N, 2018) and has ‘metamorphize’ from ‘anti-Semitic’ to ‘anti-Islamic’ (Malik. M, 2018). This can be linked to the anti-Muslim discourses that emerged after 9/11 and reaffirmed in Europe through the attacks that were mentioned above. Owing to this and the reinvention of the extreme right-wing, refugees, asylum seekers and Muslim migrants who come to Europe have become under attack, with language and expression being the ammunition.

This next section will discuss the new wave of politics in Europe and how ‘freedom of expression’ can be easily used as a weapon during political debates and introduction of new political agendas. It will explore how the extreme right have taken on liberal values in a distorted way in order to target a certain group in society, the ‘European Muslims’ and the concept of migration. This in turn has a negative effect on the human rights of refugees and asylum seekers that have found themselves in Europe under these political regimes.

2.1.1 Mainstreaming Hate Speech.

Following European politics today, one gets the sense of a ‘crisis of identity’ among European states (Akbaba. S, 2018 p.200). Political discourse that targets Muslims making their way to Europe, appears frequently due to the growing numbers of extreme right-wing parties in government and their belief that mass migration will result in the loss of ‘European culture’ (Einbinder. N, 2018). Considering this transformation in the political arena in Europe, and the traditional and core values of liberalism being mutated by European extreme right-wing parties, the idea of immigration into Europe has been reshaped (Einbinder. N, 2018). As a result of these growing right-wing parties, hate speech and hateful discourses are growing throughout several European states such as Hungary, the Netherlands etc. However, some groups in Europe can argue that this reshaping is positive and justified and believe that refugees pose a threat to Europe and its values. The following discussions will demonstrate how the extreme right has attempted and, in some cases, achieved in mainstreaming a hateful discourse in relation to the refugees and Islam in Europe. Hate speech is a type of discourse that is used to attack, demonize and dehumanize a certain group or person based on their membership and affiliation to

certain groups (Ross. J, 2015). It was hate speech that prompted Andres Breivik to kill several left-wing politicians and also their children in Norway. His motive being against the policies supporting immigrants who were not of European decent and not Christian (Ross. J, 2015). Therefore, one can determine the potential threat that hate speech may have under some circumstances of high tension.

2.1.2 Populism in Europe and the Right-wing discourse

Populism is believed to be one of the underlying issues that have resulted in hateful discourse in Europe. Populism is a political strategy and is defined as ‘a society to be ultimately separated into two homogeneous and antagonistic groups’, in simple terms it is ‘the pure people vs. the corrupt elite’ (Akbaba. S, 2018 p. 202). However, because of populism’s impact in politics Betz describes this political strategy to be the ‘the mobilization of resentment’ (Akbaba. S, 2018 p.201). This concept can be attributed to both the left and the right (Van Prooijen, Krouwel and Emmer, 2017), but in the case of the refugee crisis and the current discourse rampant through the European political sphere, it is the extreme right-wing parties who are responsible for the hate that this discourse spreads.

Stemming from this concept of populism within European countries an anti-Islam and anti-immigration discourse is apparent, more so in countries such as Hungary, Finland, The UK and many more. European extreme right-wing leaders paint themselves as heroes who are on a rescue mission ‘fighting for freedom’ within a European context (Malik. M, 2018). Their political reasoning connects the issues within Europe with a current ‘Muslim problem’ (Malik. M, 2018). This becomes a threat to those who fall victims to this discourse, primarily refugees migrating into Europe.

The first threat posed is the fact that this discourse, which is made up of hate speech and xenophobic attitudes, has begun to enter the discourse of mainstream politics. ‘Mainstream’ meaning the ideas and attitudes that are shared among most Europeans in this case (Akbaba. S. 2018 p. 205). Ironically, it is European integration that has contributed to this problem (Akbaba. S. 2018 p. 205). The idea of ‘borrowing discourses’ is presented as a result of this integration (Akbaba. S, 2018 p. 207). Populists support each other. This is seen across all areas of politics, however, considering the current climate of politics in Europe this concept greatly works in favour of the extreme right-wing leaders. An example of ‘discourse borrowing’ is the Dutch Prime Minister Mark Rutte who took ideas from the Party of Freedom, the extreme right-wing party in the Netherlands, as he said ‘*immigrants don’t want to adapt, attacking our habits and rejecting our values*’ and he proceeded to warn them that they should ‘*behave normally or go away*’ (Akbaba. S, 2018 p.207). This can be looked at an extreme form of discourse borrowing considering that it is the Prime Minister of a country who is repeating the beliefs of the

extreme right-wing party in a hateful manner. It demonstrates the unwilling nature of the top bodies in government to tolerate certain issues in society therefore effecting the mainstream audience in the same way.

Populists, who in this case are the extreme right-wing leaders and parties, rely on mass mobilization that is formed around particular issues (Malik. M, 2018) and as a result of this strategy extreme right-wing parties have achieved mass following particularly on their opinions and views surrounding migration. The mainstreaming of this discourse continues as political leaders, not necessarily affiliated with extreme right-wing values, use some of the terminology and phrases that prevails extreme right-wing speeches and manifestos in order to achieve success in elections (Akbaba. S, 2018 p.208). Throughout this whole process of mainstreaming the discourse and different political leaders borrowing certain terminology, a new rhetoric is becoming normalized (Akbaba. S, 2018 p. 215). As a result of this discourse becoming normalized, a new style is introduced to the body of politics, this being in the form of hate speech within a 'European context' (Akbaba. S, 2018 p. 215). This is where language warfare is introduced another threat to European Muslims.

2.1.3 Weaponizing Language – a Political Strategy

This discourse can constitute a threat towards the human rights of refugees and immigrants in Europe. The way in which the hateful political discourse that targets refugees is projected into the public sphere is through what liberals would consider hate speech and what extreme right-wing populist would consider the truth.

The language that is used within the scope of populism is said to be 'ordinary language' simplifying the political issues that are otherwise ignored by centrist politics (Akbaba. S, 2018 p.203). The far right uses racial, religious and cultural language to address and explain social and economic issues. This use of language is appealing to the public's ear (Malik. M, 2018). This is how the populist parties draw supporters from the public. Along with this, other forms of appealing to the public is using slogans, cartoons to demonize Muslims (Malik. M, 2018). When a leader of a party is charismatic and expresses their empathy for the public saying phrases like 'I am suffering just like you' (Akbaba. S, 2018 p.203) there is a connection formed. As Pankowski puts it 'connections with the culture of the common ordinariness' (Akbaba. S, 2018 p.203).

From discussing the type of language that the extreme right-wing parties use it is important to understand that the way they use it can be seen as a tactical move in a form of weaponizing one of the most valued rights in any democratic state, that is freedom of speech. In Europe there is an ongoing debate about the threats to this right and the dilemma that it causes. According to Dr Stephen Smith, a British Holocaust studies expert, the European new extreme right parties are not considered to be heirs of Kant, Mill and Hayek, all notable figures when looking at free speech (Malik. M, 2018). They should also not be associated with the liberal parties' extremists who defend free speech against an 'illiberal Islam' (Malik. M, 2018). Freedom of expression for the extreme right is said to be a way for them to justify their racist speech and generalizations on extreme topical issues in politics (Mondon. A, 2016). Therefore, using an important right to diminish the rights of others.

Weaponizing of freedom of expression, is an obvious attempt from the extreme right-wing populists to achieve their goals and enforce their anti-Islam and anti-migration discourse. However, a dilemma is presented. The main goal of these political leaders is to restore the 'glory of Europe' (Akbaba, S. 2018 p.215) and protect and conserve European values from the 'invaders' or the 'misfits' who political figures such as Le Pen refers to refugees and Muslim immigrants as (Akbaba. S, 2018 p.215). These leaders use freedom of expression as a form of defending their values (Akbaba. S, 2018 p.215). However, a paradox is formed as it is clear from the above uses of words such as 'misfits' and 'invaders' which can be considered as 'toxic language' (Akbaba. S, 2018, p. 215) which can also be determined as hate speech targeted at Muslims in Europe and refugees and in which these parties use in order to protect their freedom of speech from illiberal Islam.

It is interesting to observe this and look at the extreme right parties' main argument which is 'fighting for freedom' particularly freedom of expression which they believe is under threat from the growing number of Muslim Europeans (Malik. M, 2018). The interesting aspect of this is the fact that the extreme right is actually defending freedom of expression despite using hate speech. It adds to the new wave of politics that have hit Europe in the last few years as the extreme right are seen to have entered the sphere of democratic politics through their defence of freedom of expression (Malik. M, 2018). Furthermore, this accurately display the contradictory situation that is apparent within the free speech debate in Europe (Mondon. A, 2016).

The main discourse and the perceived threat and how the extreme right wing portray Muslim Europeans to be, is that of taking away the Europeans' right to freedom of expression. They claim that Muslims will 'outbreed' Europeans and establish 'sharia law' in European states, while oppressing

what will soon be European minorities. (Malik. M, 2018). This type of discourse comes across as absurd and extreme. It clearly shows how the free speech debate in Europe is severely ‘flawed’ and ‘dangerous’ (Mondon. A, 2016). As a result of this the differential behaviour that targets refugees in a negative way, that has entered the public sphere is ignored. Therefore, this behaviour causes the public to act negative towards refugees and it is justified by their fear of them becoming outnumbered by Muslims (Mondon. A, 2016).

According to some writers on the matter, this discourse of protecting freedom of expression against foreign invaders fed to the public by extreme right-wing populists, it can be determined that through time it was the liberals who failed in their protection of freedom of speech (Malik. M, 2018). This is a result of the lack of transparency that is around the definition of this right and what constitutes as freedom of expression on behalf of the public. It was then a point of opportunity on behalf of the extreme right-wing who took advantage of these discrepancies and distorted the idea and used it for their own political gains (Malik. M, 2018). Therefore, one can conclude that it is the extreme right-wing who have taken over the liberal stance within the freedom of expression but distorting it in a way that is used as a weapon against vulnerable groups in society, primarily refugees traveling from Middle Eastern countries.

The ultimate concern about this is the increasing number of groups that may not be in the political sphere who use this right as a way to justify racist and vicious attacks towards Muslims and refugees being the primary stereotype of a Muslim individual in Europe (Mondon. A, 2016). Therefore, it is up to the liberals who have not yet been corrupted by the new idea of freedom of expression as a route of racist politics, to find their voices and rediscover their commitment towards a right that in the past they have cherished greatly (Malik. M, 2018). This will be in hope of reinventing the pureness of a right that has been reshaped in the eyes of an extreme right-wing bias.

2.1.4 Securitization of Migration in Europe.

In Europe today a common concern among many of its citizens is the fear of losing their cultural identity to the mass migration of individuals from outside of Europe, more specifically the Middle East who are predominantly Muslim. This fear is acquired through many elements some of which that have been discussed above. However, one element that has contributed greatly to the discourses and fears of non-Europeans is the notion of securitization that can also constitute another threat towards the human rights of refugees in Europe.

Securitization theory was developed by the Copenhagen school (Williams. M, 2003, p. 511) and establishes that certain political issues are presented as ‘extreme security issues’ and should be dealt with ‘urgently’ (Eroukhmanoff. C, 2017, p104). These issues are addressed with words that incite panic and worry such as ‘dangerous’ ‘threatening’ etc (Eroukhmanoff. C, 2017, p. 104). After developing this theory, the school succeeded in showing that security and all the national policies associated with are is not necessarily natural or given (Eroukhmanoff. C, 2017, p104). This idea is interesting when looking at it in terms of migration and the refugee crisis as most of the fear and hesitation that surrounds these concepts are dictated through the discourses of political leaders as touched on above.

An issue that is apparent with the idea that security was never natural, is that ‘security agenda’ is becoming larger (Williams. M, 2003, p. 513). Military is typically associated with the concept of security, however in the past and even in some current situation in countries, the military have become the source of the threat to the state that it is supposed to be protecting. (Williams. M, 2003, p. 513). However, due to recent discourses amounting from the aftermath of terrorist attacks such as 9/11 or the Paris attacks in November 2015, the notion of the ‘War on Terror’ has hit Europe. Hence a more robust approach to security has become developed through political annotations and the security agenda has widened (Eroukhmanoff. C, 2017, p. 104). This growing perception of security has resulted in including more factors into what people define as security, such as human security, culture and identity (Eroukhmanoff. C, 2017, p. 104). All these ideas move from a traditional sense of security of a military based one, towards new notions and ideas of how to deal with this growing threat. This moving away from military is interesting, when considering past arguments within this discussion, focusing on the notion of the reinvention of the extreme right and its adoption of certain liberal values such as avoiding military use to solve problems. This argument can be attributed to the idea that the extreme right-wing parties have been reshaped into a new form liberalism that contradicts many traditional liberals’ values.

Looking at the implications of freedom of expression regarding this theory, this concept in modern day Europe is brought about by attitudes that are in line with xenophobia which belong mostly to the populist extreme right-wing leaders in certain European states (Beck. M, 2017, p.3). It is the job of the actors who securitize these issues to get it to a position in which the issue can be considered ‘beyond politics’, but rather of a higher concern that would constitute a security threat (Eroukhmanoff. C, 2017, p. 104). This is done through the concept of what is referred to as a ‘speech act’ (Williams. M, 2017, p. 513). It is through this act that refugees are presented in a way in which they present a danger for European society. The way in which political leaders use this is through a ‘rhetorical structure’

(Eroukhmanoff. C, 2017, p.105). When framing or presenting an issue to an audience, the speaker attempts to rise this issue above typical politics and present it as a security issue (Eroukhmanoff. C, 2017, p. 105). The common rhetoric surrounding refugees and immigration in Europe for the last few years has been that these variables are linked to the ‘destabilization of public order’ (Huysmans. J, 2000, p.754).

The way securitizing works through speech acts involve profound dramatization and exaggeration on behalf of the populist political leaders (Eroukhmanoff. C, 2017, p. 105), in Europe today. Firstly, the issue is presented as a security issue, although it may not necessarily be one (Williams. M, 2003, p. 513). The words that the speakers use do not technically describe the true reality of the situation; in fact, they describe the possible reality of it which in turn triggers a response from their audiences (Eroukhmanoff. C, 2017, p. 106). An example of this would be when Viktor Orban, the Hungarian Prime Minister referred to migration as the ‘*Trojan wooden horse*’ of terrorism (Beck. M, 2017, p. 3). This is presenting the reality of migration as a threat of terrorism which an abundant of societies fear greatly. It is presenting a certain reality in a distorted light. Extreme right-wing political leaders are directly outspoken when they speak about migration and terrorism. They aim to build up a ‘causal relationship’ between the two as seen above by Orban’s comment. (Beck. M, 2017, p.3). The threats that are presented by the speakers would not constitute a threat within the sphere of nature but rather they are constructed as such through language (Eroukhmanoff. C, 2017, p. 106). Saying that a refugee camp is a ‘*jungle*’ portrays it as a place where there are no rules and the inhabitants are animals, therefore increasing the fear of interacting with an individual from a ‘*jungle*’ (Eroukhmanoff. C, 2017, p. 106). These phrases and presentations of refugees or any individuals from outside Europe, affect the way society sees them and have negative impacts on their equality and rights within that society.

Following from this stage of securitization the next stages are communicating to the audience a point of no return regarding the issue (Eroukhmanoff. C, 2017, p. 106). This would constitute as something that a leader would say to incite fear in their audience causing the reality to be permanently cemented in their perception of the issue (Eroukhmanoff. C, 2017, p. 106). Next to this the speaker would provide a solution (Eroukhmanoff. C, 2017 p.106). This is clever in the sense that it provides a calming blanket over the fear that was just instilled. An example of these elements comes from David Cameron the previous British Prime Minister who presented immigration and refugees as a threat by saying ‘*we have a fundamental threat to our security*’ referencing the Islamic State in relation to migration (Eroukhmanoff. C, 2017, p.108). He proceeded to point out a point of no return ‘*we should not wait*

any longer’ ending with a solution *‘not about whether we want to fight terrorism but about how best we do that’* (Eroukhmanoff. C, 2017 p, 108). This is a clear example how migration can be linked to terrorism and in turn become a matter of security within a country. To complete the securitization process, the audience are the ones who agree on the proportion of the threat (Williams. M, 2003 p. 514) and hence agree on the extraordinary measure that may be taken to protect society from it (Eroukhmanoff. C, 2017, p.106).

The effects of securitization have been seen in many European countries today. These include some hard policies that were introduced in order to protect states from what they believed to be the threat of immigration (Beck. M, 2017, p. 2). An example of such policies is the boarder’s fences built to keep refugees out of EU territory. The Hungarian Prime Minister became famous from his attempt to put up metal fences to discourage refugees from crossing the Hungarian boarder (Beck. M, 2017, p. 2). Another example of such policies is policing seas which are popular routes for refugees to gain access to Europe, leading to the drowning of a lot of refugees (Beck. M, 2017, p. 2). When migration is presented as a security problem, it develops a snowball effect in which different policies are triggered which examples can be seen above (Huysmans. J, 2000, p.757). Policies are used as means of protecting the states from dangers and in this case the danger being migration and terrorism. However, in terms of this form of danger and policies, it is evident that the problem comes first, and the policies are then created in the form of a reaction to this threat (Huysmans. J, 2000, p.757). This can be dangerous for refugees coming to Europe who are considered as threats. It may result in harsh policies being implemented that may affect the transit of the refugees or their entrance into European host countries which in turn can jeopardize their rights (Huysmans. J, 2000, p.757). As seen above sea policies have already resulted in drowning of refugees. Therefore, impacting the refugees’ right to life. Refugees, asylum seekers or anyone migrating to Europe, particularly those from the Middle East, are seen as security problems (Huysmans. J, 2000, p.575). Therefore, the policies developed are those to tackle security threats, completely disregarding any form of humanity towards them. This is a questionable approach as looking at the nature of their migration, a more human rights-based approach to policies would constitute better protection for both parties (Huysmans. J, 2000, p.575).

Despite this securitization of migration, some critics of this theory exist. Scholars believe securitization to be a long process. It is made up of social constructions and an ongoing dialogue and negotiation between the speaker and the audience (Eroukhmanoff. C, 2017, p.106). Hence, we can see that the securitization has been ongoing for years. It was in the mid 1980’s that migration and the attitudes

towards it changed. It was first presented as a positive way to increase work forces in Europe countries such as Germany who had a promotional migration policy (Huysmans. J, 2000, p. 754). However, the rhetoric changed through the means of politicization, and refugees and asylum seekers became associated with illegal immigration aiming to access economic immigration through a different means (Huysmans. J, 2000, p. 755). Along with fears of terrorism after 9/11 and the other attacks that occurred in Europe, and it was then in 2015 when an increased number of refugees were noticed entering Europe from the Middle East and the issue became securitized.

Summing up it is important to look at the issue that has been securitized. This theory does not provide the answers for ‘why’ something is securitized (Eroukhmanoff. C, 2017, p. 107). This theory dwells more on the conditions in which an issue has undergone securitization and asking ‘how’ language enabled the speaker or political leader to convince an audience that an issue is believed to be a profound security threat to the state (Eroukhmanoff. C, 2017, p. 107). Looking at the type of language one uses in and the current political climate and some of the examples given within this discussion, it is hate speech that this language can be regarded as. Not only impacting the victims of it, but also distorting the right to freedom of speech.

2.2 Freedom of Speech’s Impact on the Human Rights of Refugees in Europe

It was previously discussed how extreme right-wing political parties have normalized the hateful discourse targeting refugees into civil society. However, it is important to note the psychosocial processes that take place as a result of this normalization and the implications it has on the human rights of refugees in Europe.

2.2.1 Social Categorization

In Europe today new metaphors have entered the political sphere that categorize refugees not as an individual who are entitled to human rights and protection but as an ‘invasive other’ (Ignatieff. M, 2017, p. 223). It is the use of the word ‘other’ that displays the division between the ‘European us’ and the ‘Muslim other’ which the right-wing political parties are trying to enforce into mainstream politics and civil society’s perceptions.

This division is called ‘social categorization’. This is the process by which the social world is structured into groups (Augoustinos. M and Quinn. C, 2003, p. 30). These groups are mainly the ingroups and the outgroups i.e. ‘us and them’. Social categorization becomes powerful when there is an emotional element to the grouping (Jhangiani. R and Tarry. H, 2014). Emotionally grouping people creates groups that are liked and groups that aren’t liked (Jhangiani. R and Tarry. H, 2014). It is the

political leaders in Europe who are responsible for this differentiation between groups of refugees and Muslims in a negative tone.

Edwards describes social categorization as ‘something we do in talk in order to accomplish social actions’ (Augoustinos. M and Quinn. C, 2003, p. 31). This is what takes place among political leaders when creating groups. The social actions that are being accomplished is accusing refugees of taking away the Europeans’ right to freedom of expression. Therefore, hinting again at the difference between refugees and Europeans. Examples of this would include Viktor Orban closing the borders of Hungary as he believed refugees were a threat to the ‘European Civilization’ (Ignatieff. M, 2017, p. 223). One of the consequences of this is ingroup favouritism where members of the ingroup attribute more positive characteristics to those in the ingroup compared to those of the outgroup (Jhangiani. R and Tarry. H, 2014). This is when civil society becomes influenced when they associate negative traits with refugees and start to believe that they are actually a threat to the European Society.

The way political leaders approach this group division is through the power approach. This is a political strategy that conceptualizes groups of individuals of different races and ethnic backgrounds as groups that wish to maximize their power and sway society towards their way (Giles. W.M and Evans. A, 1986, p. 470). Therefore, this creates an ongoing competition among groups in this respect (Giles. W.M and Evans. A, 1986, p. 471). One could argue that the threat that is felt by the European extreme right-wing political parties is somewhat reflecting this power approach. One way this is retaliated by the rejecting of children who are refugees from attending schools in their host country despite it being a fundamental right. There is a belief among the populist extreme right-wing parties that there is a competition for control over economic, social, political structures which suggest a hostility among the groups (Giles. W.M and Evans. A, 1986, p. 471). However, it is evident that this competition and fear of a takeover is solely driven by the extreme right-wing parties and therefore is used to justify the negative categorization of refugees which clearly has a negative impact on their human rights.

Another way in which refugees are negatively categorized is through the labelling of their group. One of the most frequent terms used within political discourse, media and now public discourse is the term ‘illegal migration’ or ‘illegal immigrant’ (Augoustinos. M and Quinn. C, 2003, p. 30). Political leaders, mostly the extreme right-wing ones, today in Europe can be considered masters of a ‘metaphorical terrain’ (Ignatieff. M, 2017, p. 224), Viktor Orban being a primary example of this. This can be demonstrated by his referral to refugees and European Muslims as the ‘Trojan horse of terrorism’. When metaphors or language like such are used in negative connotations, there is harmful results for

the targets of those metaphors or words, these targets being refugees (Ignatieff. M, 2017, p.224). Under these circumstances metaphors about refugees and in particular the term ‘illegal immigrant’ become the categorized group in which refugees are fitted into. As a result of this continuous political discourse that boxes refugees into this group these categories become ‘objectified symbolic meaning systems’ (Augoustinos. M and Quinn. C, 2003, p. 31) through everyday discourse and validation. And according to Moscovici ‘once objectified such constructions can assume an independent and almost material and prescriptive reality’ (Augoustinos. M and Quinn. C, 2003, p. 31). This is where the danger lies for the targeted group, as this categorization becomes engraved into public discourse and refugees are only perceived as the label of the group i.e. ‘illegal immigrant’.

The political use of these categorizes truly highlights the social construction nature of these groups (Augoustinos. M and Quinn. C, 2003, p. 31). It has been demonstrated through discursive psychology that people who evaluate an issue, or an object can be influenced depending on how these issues or objects are constructed through speech (Augoustinos. M and Quinn. C, 2003, p31). This is interesting to note as it is the use of freedom of speech by which refugees are constructed in a demonized way to the public through political discourse. Therefore, having empirical evidence that speech influences the way people perceive certain issues, one can argue, this is an abuse of freedom of speech in order to attack the rights of the targeted groups. This is a direct violation of the Universal Declaration of Human Rights. However, despite little attention paid to this, it is the populist politicians of the extreme right in Europe who use these words to gain the ‘public consent’ to carry out inhuman treatment on refugees (Ignatieff. M, 2017, p. 224). Hence it is language such as ‘illegal immigrant’ that constitutes harmful actions against refugees.

Labels as such above have the power to falsely define a group (Augoustinos. M and Quinn. C, 2003, p, 32). The word illegal has negative implications associated with it. In the Collins English Dictionary, the term ‘illegal’ is defined as ‘forbidden by law’ (Augoustinos. M and Quinn. C, 2003, p, 32). Therefore, this implies that a refugee coming to Europe in search of refuge has somehow broken the law despite it being a right for any individual to seek asylum in countries (Augoustinos. M and Quinn. C, 2003, p, 32). Simply being labelled illegal, in the eyes of the public, strips one their right to apply for asylum, a right that is accorded to individuals within international human rights law. By using the term illegal, it paints refugees and asylum seekers as criminals (Augoustinos. M and Quinn. C, 2003, p. 32). This lends itself to criminal punishment rather than compassion for individuals who are fleeing from war or natural disaster. Situations of detention, forced repatriation, razor wire used at borders and or guard

patrols are used as inhuman ways of managing the situation (Ignatieff. M, 2017, p. 224). The use of the term ‘illegal’ is similar to the use of ‘terrorist’ that right wing political leaders also use to instil fear in European society in order to reject support for refugees and to reject them from their European countries (Ignatieff. M, 2017, p. 225). People are less likely to help those who they believe have broken the law or are a threat against them (Augoustinos. M and Quinn. C, 2003, p. 32). This rejection subjects’ refugees to harmful and degrading treatment that goes ignored by the public as a result of language therefore having severe implications on the human rights of these groups.

As a result of the language used within a political sphere, another way that the human rights of refugees are impacted on negatively is through dehumanisation.

2.2.2 Dehumanization.

Considering the political climate and the normalization of hate discourse targeting refugees and Muslims in Europe, another way in which the human rights of refugees are impacted greatly is through the process of dehumanization. This is the process by which individuals or groups are ‘rendered so radically other that their lives count for nothing’ (Oliver. S, 2011, p. 85). It is a psychological process where the targets of dehumanization are denied basic human qualities and are believed to be ‘less than human’ (Tipler. C and Ruscher. J.B, 2014, p. 214). Therefore, it can be argued that when one is denied of their human qualities, he or she is also in turn denied of human rights as the target is no longer seen as a human.

Dehumanization follows the process of group division. It is merely the consequence of being labelled as the “other” group. A study done by Hodson and Costello indicates that immigrants and refugees are among groups who are subjected to dehumanization (Haslam. N and Loughnan. S, 2012, p. 89).

Dehumanization has a very negative effect on group dynamics. It reduces cooperation and helping between the ingroups and the outgroups (Tipler. C and Ruscher. J.B, 2014, p. 214) and people perceive their ingroup members as ‘more human’ than the outgroup members (Haslam. N and Loughnan. S, 2012, p. 91). The outgroup members are also perceived to be more animal like as being lower than the ingroup within society (Haslam. N and Loughnan. S, 2012, p. 91) and as a result of this it ‘excuses aggression’ that may prevail (Tipler. C and Ruscher. J.B, 2014, p.214), therefore subjecting the weaker outgroup to human rights violations. When considering the group dynamics of dehumanization, we can consider what Herbert C. Kelman believed dehumanization to be. Kelman believed dehumanization to be a ‘violation’ of the two qualities that a person should hold in order to be perceived as ‘fully human’ (Oliver. S, 2011, p. 87). These two qualities he concluded are ‘identity’ and ‘community’ (Oliver. S,

2011, p.87). As discussed above, putting individuals into groups and over generalizing their characteristics contributes to the loss of one's identity. According to Kelman, one's identity allows the individual to be independent and make choices for themselves while also distinguishing themselves from other group members (Oliver. S, 2011. P. 87). However, for Kelman, a loss of identity is 'the most devastating of losses' that victims of dehumanization endure (Oliver. S, 2011, p. 87). This is evident in the cases of refugees as they are not seen as individuals in need of help in a variety of ways but as 'swarms' coming to Europe (Shariatmadari. D, 2015) who are made out to be the 'enemy' through dehumanizing metaphors (Tipler. C and Ruscher. J.B, 2014, p. 214) threatening European culture.

The second quality that Kelman believes is essential for one to be consider a full human being is the idea of being part of a community (Oliver. S, 2011, p. 87). When one or a group is dehumanized, they are excluded from a community i.e. the ingroup (Oliver. S, 2011, p. 87). By excluding groups or individuals from a community it makes it possible to act 'inhumanly' towards them or in turn allow harm to be committed against them without having any feelings towards it (Oliver. S, 2011, p. 87). This can be seen in the case of refugees, who endure inhuman treatment within detention centres or unlawful push backs. Not only does this violate their human rights but it is also ignored by the European communities. This is like the atrocities that were committed against the Jews during World War II just meters away from Germany villages. Susan Opatow stated, 'harm befalls them does not prompt the concern, remorse, or outrage that occurs when those inside the scope of justice is harmed' (Oliver. S, 2011, p. 87). Ingroup favouritism along with dehumanization of the outgroup leads to the dismissal of the outgroup's fundamental rights.

Dehumanization has been evident through many historical events. It was used to justify slavery in the United States of America, where the white population dehumanized the African Americans and one of the most major acknowledgements of dehumanization was among the Nazi party in Germany and the way they described Jews at the time (Tipler. C and Ruscher. JB, 2014, p. 219). However, owing to these major historic events, it was Nick Haslam and colleagues who developed the theory behind it, allowing us insight into how groups are targeted and dehumanized.

Haslam identifies two 'metaphors of inhumanity' (Oliver. S, 2011, p. 88) that provide two types of dehumanization, 'animalistic and mechanistic' (Haslam. N and Loughnan. S, 2012, p. 92). The comparison of individuals or groups to nonhuman entities can be expressed through verbal metaphors

or also dehumanizing imagery (Haslam. N and Loughnan. S, 2012, p. 92). These and in particular metaphors are used tactfully to dehumanize refugees in right-wing political campaigns and debates.

When looking at Haslam's two metaphors of dehumanization, it is interesting to note how each contribute to dehumanization in different ways. Firstly, those who are compared to animals are usually denied 'uniquely human' qualities and are perceived to be 'uncivilized', 'unintelligent' 'amoral' and 'coarse' (Haslam. N and Loughnan. S, 2007, p.116). According to Haslam and colleagues (2012) being considered as animals is to be perceived as unevolved beings (Haslam. N, Loughnan. S, 2012, p. 95). Examples of this can be found in the Rwanda genocide where the Tutsis were regarded as cockroaches, in the Holocaust when Jews were called pigs, were kept in cages and medical experiments were being carried out on them (Oliver. S, 2011, p. 88). These examples can be equated to the referral of refugee camps as 'jungles' and the legal barriers that are placed over them as they are prohibited to leave these camps, therefore owing to the image of refugees as jungle animals being trapped in cages.

The other way in which Haslam present dehumanization is through his mechanic metaphor. This metaphor considers 'human nature' (Haslam. N, Loughnan. S, 2007, p. 116). Human nature is associated with qualities such as 'emotional responsiveness,' 'interpersonal warmth,' 'individuality,' and 'agency' (Oliver. S, 2011, p. 89). Therefore, within this domain of dehumanization people are perceived as objects (Oliver. S, 2011, p. 89). According to Haslam and his colleagues, the behaviour implications that come from this form of dehumanization remains unclear, however in theory it can be determined that it may involve emotional or moral distancing which could amount in a lack of concern for potential harm that may be endured by members of the outgroup (Haslam. N and Loughnan. S, 2012, p. 95). These individuals are perceived to be machine like by other groups (Oliver. S, 2011, p.89). This type of dehumanization can be attributed to the way people perceive refugees walking hundreds of miles across borders to reach Europe. They can be perceived as a machine type march in which members of the other groups stand by and watch.

From the theories outlined above it is clear that the dehumanization of outgroups is relevant in the current social context. In particular the dehumanization of refugees is demonstrated through the way the media and right-wing politicians talk about them in their campaigns or debates and the social categorization mentioned in the past section. It can be demonstrated that through the categorization of refugees into groups and the attribution of non-human qualities to them, dehumanization is engrained in society (Haslam. N, Loughnan. S, 2007, p, 117). This can be demonstrated also through the use of metaphors that are used daily in relation to refugees in Europe.

2.2.3 Using Metaphors to Dehumanize.

Metaphors are central to structuring thought around certain issues in society (Tipler. C and Ruscher. J.B, 2014, p. 215). Metaphors are used in order to understand abstract concepts; therefore, the target of the metaphor is grasped by comparing it to something else that appears to be more concrete (Tipler. C and Ruscher. J.B, 2014, p. 215). It is through the process of ‘conceptual mapping’ that mental associations are developed between the element of the metaphor and the target of the metaphor (Tipler. C and Ruscher. J.B, 2014, p. 215). Despite this being a useful way of understanding certain concepts within different contexts in life, it can also be dangerous when used to describe groups. It was George Lakoff and Mark Johnson who demonstrated how deeply certain expressions of speech are embedded into language (Shariatmadari. D, 2015). Some of the common metaphors that are used regarding refugees and Muslims in Europe are regarding them as a ‘swarm of people coming across the Mediterranean’ used by past Prime Minister of Britain David Cameron which caused refugees to be perceived as insects. (Shariatmadari. D, 2015). Gillian Duffy, who referred to refugees as ‘flocking’ giving animal characteristics to them (Shariatmadari. D, 2015). All which according to Haslam’s theory could be attributed to animalistic dehumanization.

Metaphors are dangerous as they become familiar through repetition within everyday discourse (Tipler. C and Ruscher. J.B, 2014, p. 215). The use of metaphors such as ‘swarm’ or ‘floods’ are used widely throughout political discourse, media and has translated itself into everyday lay discourse. This again leads to the loss of individuality and identity of refugees as they are categorized as one ‘swarm’ invading Europe. The dangerous use of metaphors as such can relate to past experiences of dehumanization which resulted in genocide therefore, indicating dehumanization is a requirement for genocide to be committed (Tipler. C, and Ruscher. J.B, 2014, p. 216).

Another common metaphor that is heavily associated with refugees coming to Europe is their link with terrorism. Among the western world, the western media and even in western politics Muslims are perceived as terrorists, as ‘a cancer’ and ‘a disease’ (Tipler. C and Ruscher. J.B, 2014, p. 216). As a result of these metaphors Muslims in Europe are perceived as killing and threatening European values and culture and because of this, military groups across Europe are expected to eliminate the disease by eliminating all Muslims (Tipler. C and Ruscher. J.B, 2014, p. 216). This can be demonstrated through a tweet ‘I have a more radical [idea]: allow them to come not closer than 500 m to the border, what is closer, shoot all’ (European Network Against Racism, 2016, p.10). This came from a journalist in Slovenia who was a member of the Slovenian Democratic Party. (European Network Against Racism.

2016, p. 10). After this tweet he was expelled from this party. Regardless of this, this is an example that shows the dangerous mind frame that exists among politicians and media professionals in Europe.

This tweet, among many other tweets, posts, speeches using dehumanizing metaphors and rhetoric have negative effects on refugee human rights as they justify hate crimes being carried out against them, it justifies them living in camps with poor conditions and even justifies European states to letting refugees drown in oceans on their way to seek refuge.

2.3 Attitudes

Attitudes are considered to be the ‘overall evaluations’ of certain objects or groups (Maio. G.R, et al, 2004 p.7). The ABC model can be used to describe how attitudes work. The Affective component refers to the feelings that an individual has towards the attitude object (McLeod. S, 2018), and in our case how people feel about refugees in Europe. This is followed by the behavioural part which the way in which the attitude influences individual acts (McLeod. S, 2018). Regarding refugees, this is how the public reacts to their presence such as using hate speech to portray their distaste of their presence. Finally, the cognitive component involves the belief of the individual or the knowledge of that attitude (McLeod. S, 2018). This is the awareness that the individual has of their like or dislike towards refugees.

When looking at attitudes it is important to also look at the relationship attitudes have with behaviours (Chaiklin. H, 2011, p. 31). It is through this relationship that it is clearly displayed how attitudes can result in discrimination and prejudice towards the attitude object. (Chaiklin. H, 2011, p.31). According to some research attitudes are a predictor for certain behaviour (Maio. G.R, et al, 2004, p. 9). When the attitude is strong it provides a good indication of the behaviour (McLeod. S, 2018). Therefore, it can be determined that when one has a negative attitude towards a certain group, a negative behaviour towards this group is its consequence. This is seen in the case of refugees as a societies’ attitudes towards refugees coming to their country have resulted in discrimination against them and therefore impacts their human rights.

The following research was aimed at gaining an insight into the attitudes that the public have surrounding hate speech targeting refugees. Considering the research that was carried out on attitudes some of the beliefs from psychologists and sociologists lead them to the conclusion that changing attitudes is necessary for changing behaviour (Maio. G.R, et al, 2004, p. 9). Therefore, it was important to uncover the attitudes that the public have towards the harmful speech against refugees in order to gain a further insight to why certain actions and violations of their rights are being inflicted on them.

Chapter 3: Methodology

3.1 Past Research on the Topic

The survey's primary focus is to explore the types of understanding the public have surrounding freedom of expression and their attitudes towards the hate speech that is prevalent within public and political discourse targeting refugees. Looking back on past research conducted in this area provided a basis for this research.

A survey conducted in Poland measured attitudes towards Muslims in their countries (Winiewski. M, et al, 2016, p. 98). It found that adults and younger people were aware of the hate speech targeting this minority group in the country but there was no great support on banning or regulating this type of speech (Winiewski. M, et al, 2016, p. 98). The survey also found that using violence in order to deal with the migration crisis was also highly supported among the respondents of the survey (Winiewski. M, et al, 2016, p.98) and older respondents had a greater prejudice towards Muslims than the younger ones (Winiewski. M, et al, 2016, p.97).

A second research was conducted in America by Cowan and colleagues. This survey focuses on the 'priming of values' of freedom of speech and equality regarding the perceptions of hate speech and the prioritization of values (Cowan. G, et al, 2002, p.247). This is relevant to the current survey as it provides a basis to the attitudes that the public have towards their rights of freedom of expression and equality. From this survey it was found that attitudes towards issues of free speech and the harm of hate speech are consistent with the values that the respondents are made aware of (Cowan. G, et al, 2002, p.259).

These two researches highlighted the negative attitudes that the public have towards different minority groups, Muslims being the primary one. They also shed light to the public's attitudes towards their fundamental rights and how important they regard them within different situations.

3.2 Questions

The questions of the survey are the foundation of it. One of the most important components of developing questions is identifying the subject and topics that will be covered in the survey (PEW, 2019). The purpose of this survey was to explore the public perceptions of freedom of speech and their attitudes towards hate speech regarding refugees in Europe. According to PEW Research Centre, looking at issues that are relevant to our nations and the current state of the world is beneficial to form questions on (PEW, 2019). It is important for a survey to understand the cultural, psychological and political context of its sample (Fink. A, 1995, p. 8) The topic of this survey is relevant as the distortion

of freedom of speech, as outlined in a previous chapter, is under attack from the extreme right-wing political parties in Europe. Therefore, it is interesting to see how the public's perceptions of this fundamental right have been shaped as a result of this.

The questions in this survey are mostly close ended. It is important to be aware that when creating closed ended questions the response given can dictate the respondent's answers (PEW, 2019). Since this is the case, the individual sections in this survey were not labelled in hope of not influencing the respondents when they completed the scales. The scales were also labelled in simple terms also not to impact the thought process of the respondent too much. Along with this it was repeatedly reinforced throughout the survey that all answers are the opinions of the respondents. This allowed the respondents to freely answer the questions as they wanted without the need for it to be correct. Therefore, resulting in some level of honesty among the respondents.

For PEW surveys, it is important to use language that is simple and easy to understand (PEW, 2019). This survey followed the same idea as each question was presented in colloquial terms. This made the questions easier to understand and allowed for a higher rate of answers to be recorded.

3.3 Procedure

The research aimed to include members of the public who come from many diverse backgrounds and social groups. The survey was posted online on social media platforms such as Facebook and Instagram using the researcher's acquaintances. As a result of this the sample is predominantly of Irish decent, however, it also includes many other European nationalities and a small portion of non-European nationals.

Information about the research was posted online through different Facebook accounts with a link to the survey, which was developed using Google Docs. Online research was determined as the most sufficient way of research due to budget and time limits.

The first page of the survey informed the participants about the type of research that is being carried out and the aims of it. It also included that it would be an anonymous survey with strict confidentiality. Participants were also told that this is a voluntary survey and it could be exited at any time they wished.

3.3.1 Measures

- **Definitions of freedom of speech scale:** This scaled measured the respondent's beliefs as to what freedom of speech is through several definitions presented to them. It could then be measured which definitions were most popular among the public.

- **Freedom of Speech Scale:** This section presented the respondents with different statements regarding freedom of speech either asking for restrictions or for of no restrictions. This resulted in deriving two factors (restrictions of free speech and no restrictions of free speech) through a factor analysis which will be discussed within the results of the survey. Cronbach Alpha figures were then calculated for the two factors. These figures are .801 for the restriction of free speech and for no restriction of free speech .680. This shows a large consistency among the respondents towards speech regulation.
- **Hate speech identification scale:** This scale was used to measure the attitudes the respondents had towards hate speech comments targeting refugees. These comments were taken from political speeches and public comments on social media sites. The respondents were asked to rate on a 5-point Likert scale with 14 items whether they agree or disagree certain comments to be hate speech or not. The Cronbach Alpha here is equated to .962. This shows a large consistency among the respondents of hate speech identification
- **Intensity of participations:** This scale measured the extent to which the respondents used their right to free speech to engage in social and political issues through several platforms such as town hall meetings, online social media and conversation.
- **Demographics:** The respondents were asked several questions about themselves such as age, gender, religion and nationality. From these the results of the survey can be broken up and evaluated in terms of the differences between each category in relation to their perceptions of free speech.

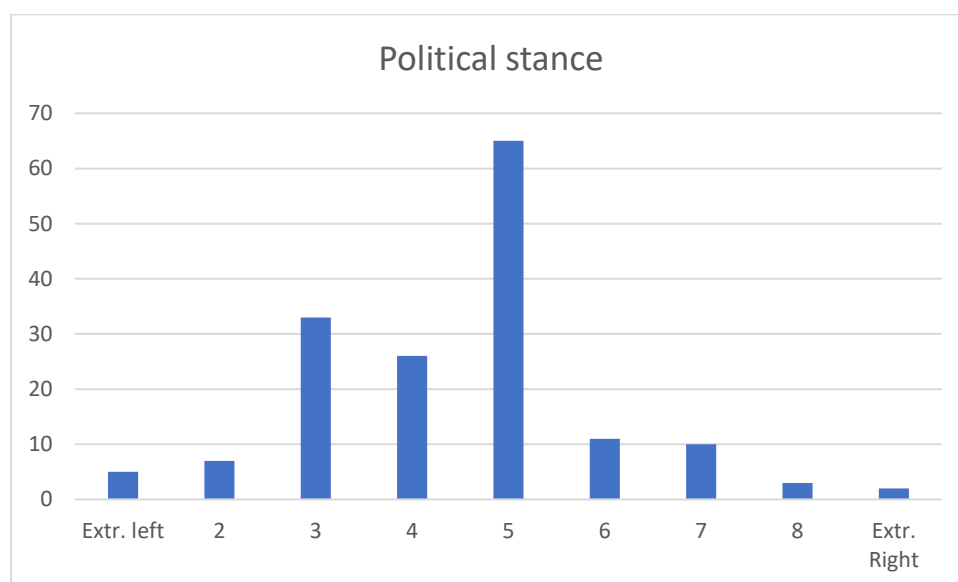
3.3.2 Sample

The sample of this research consisted of 175 members of the public. 134 females (76.6 %), 39 male (22.3 %) and 2 others (1.1%). In terms of religion, most of the sample were of Christian faith, 104 (60.5%). 62 (36%) were of no religion and 6 (3.5%) of the sample were other religions, such as Islam, Buddhism, and Jewish.

94 (53.7%) of the respondents came from Ireland. This followed with 48 (27.4%) coming from Western Europe and 14 (8%) coming from Eastern Europe. 9 (5.1%) of the respondents came from America and 5 (2.9%) came from other countries outside Europe and the US. 5 (2.9%) of the respondents were not accounted for as they did not answer this question.

The political stance of respondents was measured on a scale of one to ten. One being far left and ten being far right. The mean of the political stance appeared to be 4.475. This particularly reflects the large portion of Irish respondents and their centrist government.

Table 1. The Political Stance of the Respondents.



3.4 Results

3.4.1 Defining Freedom of Speech

The respondents were asked to rate how much they agree with six statements that define free speech. In general, the respondents scored high on definitions where free speech is defined as freedom to say what anyone wants but with respect to the rights of others. The highest mean is found on the proposed definition *‘to say what I want within the boundaries of law and respecting everyone else’s rights.’* (M=4.634). This is opposed to the lowest scoring definition *‘means to say whatever I want even if what I say may be disrespectful towards other people or groups’* (M=2.566). This helps determine that there is a belief among the public that freedom of speech does not allow one to disrespect others through their own expression within a public domain.

It is interesting to note that two definitions included among the options were derived from the European Convention on Human Rights (ECHR) *‘includes freedom to hold opinions and to receive and impart information and ideas without interference by public authorities and regardless of frontiers.’* and the American Bill of Rights *‘means that no government should make laws prohibiting our right to express opinions and practice our religion whatever way we want’*. The definition based on the ECHR score was average among all the definitions (M=4.206). This is interesting as most of the respondents come

from European countries who are all party to this convention therefore it highlights the little knowledge surrounding Human Rights conventions among the public. Whereas the American Bill of Rights derivative scored lower ($M=3.743$). This indicates there was a sort of detachment from this definition compared to the rest.

Table 2: Means and Standard deviations of Definitions of Free Speech

Definitions: Freedom of speech...	Mean	S. D.
‘means to say what I want within the boundaries of law and respecting everyone else’s rights.’	4.634	.7373
‘means to freely say something in hope to add value to public debate about social and political issues’	4.377	.8680
‘includes freedom to hold opinions and to receive and impart information and ideas without interference by public authorities and regardless of frontiers.’	4.206	.9785
‘means that no government should make laws prohibiting our right to express our opinions and practice our religion whatever way we want’	3.743	1.3507
‘means to say what I want when I want’	3.149	1.4307
‘means to say whatever I want even if what I say may be disrespectful towards other people or groups’	2.566	1.3625

3.4.2 Importance of freedom of speech

The respondents were asked to rate on a scale of 1-5 the importance of 6 items relating to the importance of freedom of speech. It included issues regarding being educated about their fundamental rights, issues of discrimination and also issues related to expressing their opinions. As it can be seen all items proved to be of great importance to the respondents. However, it is interesting to acknowledge the small difference on what one considers to be important. Over all the respondents believe that it is important to be educated about their fundamental rights ($M=4.851$).

Despite this, it is interesting to look at the items that focus on discrimination. *‘To be free from any forms of discrimination’* gets a higher mean ($M=4.754$) compared to *‘for your government to eliminate all forms of discrimination’* ($M=4.514$). It is interesting to note the use of language here. The first item mentioned hints at the respondent themselves being free from discrimination which scores higher than when the language hints at society as a whole being free from discrimination. Therefore, it could be argued that the respondents prioritize themselves when it comes to discrimination rather than looking

for equality among all. Therefore, it could be argued that there is an element of protecting oneself rather than everyone from discrimination. The position of '*for equality to exist among all groups in society*' (M=4.703) also received a lower rating therefore contributing to the above argument. There is no major sign of the universality of equality among the respondents results particularly when you compare it to the importance of '*being free to express your opinion*' (M=4.789). Owing to this, one could determine that the right of the majority comes before the right not to be discriminated in terms of the public perception of what is important regarding free speech and its consequences.

Table 3: Means and Standard Deviations of the Importance of Freedom of Speech

It is important...	Mean	S. D
'to be educated about your fundamental rights'	4.851	.4298
'to have freedom to expression your opinions.'	4.789	.4498
'to be free from any forms of discrimination'	4.754	.6714
'for your government to protect your right to free speech'	4.749	.5516
'for equality to exist among all groups in society'	4.703	.7371
'for your government to eliminate all forms of discrimination'	4.514	.9088

3.4.3 Extent of Freedom of Speech

A factor analysis (principal components) with two factors and varimax rotation was applied to the scale dealing with the range of freedom of speech. Results indicated that the two factors account for 46.095% of the variance. The first factor includes items that favour restrictions in free speech whereas the second one includes item that suggest that no restrictions should be imposed to the free speech right.

According to these findings two new variables were computed by the average of the items that were included in each factor.

1. Factor 1: Restrictions to Freedom of Speech
2. Factor 2: No Restrictions to Freedom of Speech.

Cronbach Alpha for the first factor (Restrictions to Freedom of Speech) which consists of 8 items was .801. Cronbach Alpha for the second factor (No Restrictions to Freedom of Speech) which consists of 4 items came to .680. This figure is under .7 therefore, indicating that there is a greater consistency with

restrictions to freedom of speech opposed to no restrictions among the respondents. The mean of the Restrictions to free speech ($M=3.7386$) contrasts with the mean of the support for No restrictions on free speech ($M=2.8957$) which comes out as lower. Therefore, most respondents had the tendency to agree with elements where restrictions were hinted.

Table 4: The Extent of Freedom of Speech?

Factor analysis	1	2
Anyone should not be allowed to express his or her opinion if it will incite violence towards a certain group in society.	,439	
Hate speech should be regulated by the country's government.	,757	
Censoring harmful speech creates equality among all groups in society.	,643	
To have free speech we don't need hate speech	,644	
Freedom of speech can exist even when hate speech is regulated.	,673	
One person's right to free speech can impact another person's status in society.	,525	
Hate speech can be used as a weapon against minority groups online thus it should be restricted.	,716	
Social media allows me to exercise my right to free speech thus restrictions should be imposed.	,524	
All free speech is good speech		,719
Being in a democracy means that I can say whatever I want.		,683
Regulating speech is a violation of human rights of a country's citizens.		,627
All forms of speech give opportunity for cultures and societies to grow.		,758
Politicians should be free to express their views however they choose to do so.		,517

3.4.4 Hate Speech Identification

All the means are seen to be high ($M < 3.000$), this indicates that all the items were recognized as hate speech. The reliability analysis produced a Cronbach Alpha figure of .962, indicating that there is a large consistency of hate speech being identified by the respondents.

A new variable was calculated using the average score of the items that was labelled Hate Speech Identification (HS_IDENTIFICATION). It was calculated among 170 respondents who answered all questions in this section on a 5-point scale, determining if they agree or disagree with the statement being a form of hate speech. The mean is considerable high ($M = 4.2277$). This shows that the respondents reacted to these comments as hate speech.

Due to the comments listed above originating from social media feeds or political debates and considering the results that were produced it is interesting to look at the participation rate of the respondents towards social and political issues both online and within daily life.

Table 5: Means and Standard Deviations of Attitudes towards Hate Speech Comments

Hate Speech Identification	N	Mean	S. D
'He is a Muslim cunt'	171	4,520	1,0865
'Refugees should have drowned'	172	4,506	1,1108
'Third world immigrants and refugees are rape gangs because of their backward	172	4,494	1,0788
'These migrants are like cockroaches'	172	4,488	1,0948
'Europe should only have white people'	172	4,436	1,1605
'Refugees are Muslim invaders'	172	4,360	1,1385
'No immigrant should have a position of power, especially Muslims'	172	4,355	1,1223
'We have taken enough rubbish from these immigrants and refugees, get them all out now'	172	4,343	1,1259
'Every single migrant poses a public security and terror risk'	172	4,169	1,2428
'Refugees are destroying our country'	171	4,099	1,2398
'Build a wall around Ireland, keep refugees out'	172	4,047	1,3148
'Refugees are con artists looking for a free ride'	172	4,029	1,2724
'So many of those so-called asylum seekers are bogus and that's a fact'	172	3,831	1,2568
'There is no war in Syria, they can all go home'	172	3,576	1,4750

3.4.5 Participation Intensity

Intensity of participation was also measured using a 5-point scale with 5 items asking the respondent how often they engage in different activities that relate to using their right to freedom of speech, 1 being never and 5 being all the time. Some of the activities presented to the respondents included commenting on social media posts regarding social or political issues, voting, and participating in

public debate about social or political issues. The Cronbach alpha was equated to .694 which indicates that there is a consistency between the items.

According to these results when respondents were asked to rate on a 5-point scale the amount that they participate in online discussions and public meetings regarding social and political issues, over all the intensity of this was low ($M=2.9131$).

It could be argued that this is a type of ‘bystander’ effect that is taking place here. The respondents, made up of the public, are aware of the hate speech that is being used against refugees ($M=4.2277$) but do very little about it in ways that they could voice their opinions.

Table 6: Means and Standard Deviations of Participation Intensity

	N	Mean	S.D.
Comment on social media posts about social and political issues.	175	2,126	1,1872
Participate in local debates on social and political issues by taking part in demonstrations.	175	2,023	1,2032
Participate in local debates on social and political issues by attending town hall meetings in your local community.	175	1,851	1,1197
Voting in different referendums and elections. (Please ignore if not of voting age)	175	4,417	,9842
Talking to family and friends about social or political issues.	175	4,149	1,0508

3.5 Differences according to Gender, Age, Religion and Nationality

3.5.1 Differences according to Gender

For looking at the gender of the respondents and how they interacted with the variables of the research a t-Test was carried out. This highlights the difference between genders and whether these differences are by chance or not.

In the table below we include only the variables that present statistically significant differences among men and women.

As shown in the table there are differences between men and women in two of the definitions of free speech provided at the beginning of the survey.

The first definition is the one derived from the European Convention of Human Rights, according to which freedom of speech ‘*includes freedom to hold opinions and to receive and impart information and ideas without interference by public authorities and regardless of frontiers*’ ($t=2,211$, $p=.028$). It is

apparent that there is a difference in the way that males answered this question to females. Males scored higher here ($M=4.513$) and looking at the nature of this derivative, it mentions only freedom for one to act or speak as they please, with no indication towards considering the rights or others or being aware of the rights of others.

Owing to this it is also interesting to look at the values of the following definition on this table. Freedom of speech *'means to say whatever I want even if what I say may be disrespectful towards other people or groups.'* ($t=3.000$, $p=.003$) This definition displays a clear disrespect for human rights in exchange for one to be able to use their own right to freedom of speech. Within this definition it was also the males who scored higher ($M=3.103$). There is an obvious difference here as women ($M=2.381$) were less likely to score high on this definition. This may be indicative of the more nurturing stereotypical side of women as studies have shown that women are more compassionate. It shows that men are more likely to advocate for freedom of speech definitions in which freedom is fully protected over the rights of others.

Analysis showed also that there is statistically significant difference between male and female respondents regarding Importance of free speech (FS_IMPORTANCE), Restrictions on free speech (FS_RESTRICTIONS) and Identification of hate speech (HS_IDENTIFICATION). Females scored higher on free speech restrictions ($M=3.8274$) ($t=-2.211$, $p=.029$) and hate speech identification ($M=4.3339$) ($t=-2.270$, $p=.024$). This implies that males are less likely to label as hate speech comments that are degrading or harming. Besides over all females believe that the right to freedom of speech is important ($M=4.7761$) more than men ($M=4.5855$). One could conclude from this that females have strong tendencies towards the importance of freedom of speech but are more aware of the implications that having this right could have when it comes to hate speech.

Table 7: Means, Standard Deviations and t-Test Values for Differences According to Gender.

	Gender	N	Mean	S.D.	t
... includes freedom to hold opinions and to receive and impart information and ideas without interference by public authorities and regardless of frontiers.	Male	39	4,513	,6833	2,211
	Female	134	4,134	1,0022	
...means to say whatever I want even if what I say may be disrespectful towards other people or groups.	Male	39	3,103	1,3726	3,000
	Female	134	2,381	1,3081	
FS_IMPORTANCE	Male	39	4,5855	,52964	-2,768
	Female	134	4,7761	,32257	
FS_RESTRICT	Male	39	3,5288	,99648	-2,207
	Female	134	3,8274	,65336	
HS_INDEDIFICATION	Male	39	3,9341	1,20322	-2,270
	Female	129	4,3339	,88023	

3.5.2 Differences According to Religion

The respondents were asked to specify their religions or lack thereof. This was then used to be analysed against the different variables with One-way Anova test. Once again, we present only the variables where statistically significant differences according to religion can be found. As a result, within the section of defining free speech there was found to be a statistically significant difference ($f=3.810$, $p=.024$) among the three religious groups when it came to defining freedom of speech as *‘that no government should make laws prohibiting our right to express our opinions and practice our religion whatever way we want.’* It is interesting to note in this respect that respondents who identified themselves with the Christian faith ($M=3.981$) have a higher tendency to believe that freedom of speech includes the right to practice religion freely without any barriers. Comparing this to the respondents who are of different religions ($M=3,500$) who were less likely to associate the definition of

freedom of speech with religion. This is similar to the respondents who do not practice any religion (M=3.403).

However, looking at the intensity of participation of the respondents when asked about the different times that they could potentially exercise their freedom of speech within a public dimension, there is also a statistically significant difference ($f=3.717$, $p=.026$) when it comes to comparing it with religion. The respondents who identified as Christian (M=2.8019) do not participate as much as do the ones who do not identify with any religion (M=3.1129). However, the respondents who identify as having other religions (M=2.7000) besides Christians participate less than both other groups.

One can conclude that those who identify as Christians include their right to practice religion as a component of the freedom of speech definition, however, participate less within public debate on and offline on social issues. This could be indicative of the sample being predominantly Irish as Ireland is mostly a Catholic country and therefore Christians living in Ireland have not, in recent years, faced difficulties in practicing their religion. This can be compared to other minorities who may feel oppressed in a country where one religion is dominant.

Table 8: Means and Significance for Differences according to Religion

		Mean	F.	Significance
.... means that no government should make laws prohibiting our right to express our opinions and practice our religion whatever way we want.	Christian	3,981	3,810	,024
	No religion	3,403		
	Other religion	3,500		
Participation Intensity	Christian	2,8019	3,717	,026
	No religion	3,1129		
	Other religion	2,7000		

3.5.3 Difference According to Nationality

The respondents of the survey were asked to specify their nationality. It is interesting to note the differences that were produced among the different nationalities and the variables of this survey.

As noted in the previous section the relationship between respondents of the Christian faith when defining freedom of speech as *'that no government should make laws prohibiting our right to express our opinions and practice our religion whatever way we want'* can be also related to different nationalities' responses to it. When looking at nationalities there is a statistically significant difference ($f=4.351$, $p=.002$). It is the Irish respondents who scored higher on this ($M=4.085$). This can be related back to the idea that Ireland is a predominantly a Catholic country.

It was also found among the definitions of freedom of speech, that there are many statistically significant differences. However, it is interesting to note that for the definition *'means to freely say something in the hope to add value to public debate about social and political issues.'* ($f=2.894$, $p=.024$) with regards to Eastern European countries ($M=4.714$) and respondents who are from other countries out of Europe, i.e. Asia, North Africa and the Middle East ($M=4.800$) scored higher on this scale. This contrasts with Western countries i.e. Ireland ($M=4.468$), America ($M=4.556$) and some European western countries ($M=4.083$) who scored lower. This may be indicative of some countries struggles with freedom of speech. The respondents from countries who had higher scores regarding this definition may feel that adding value to their acts of free speech is important for the growth of their countries. In contrast to this the western countries outlined above are mostly liberal democracies, therefore the belief is that free speech is a given and it may cause respondents from these countries to put less thought into their acts of free speech.

When looking at the respondents scores for the definition *'means to say whatever I want even if what I say maybe disrespectful towards other people or groups'* a statistically significant difference was produced ($f=2.622$, $p=.037$). Although it is not as big as the above difference however some observations can still be taken from it.

Despite Eastern European countries having a high score when measured against the definition of free speech which highlights speech that adds value to social and political issues, looking at the above definition in the context of nationality respondents from Eastern European countries also scored higher ($M=3.500$). It could be argued that this is a result of the current political climate that is growing within

certain Eastern European countries. In countries such as Hungary and Poland where right wing politics are rampant, political debates often involve speeches or comments that are not favorable to all groups in societies. Therefore, adding value to public debates on social and political issues through speech and the context of that speech may be perceived in a different way compared to other countries.

Regardless of this, the rest of the nationality groups all scored low on this scale ($M > 3.000$). However, it is interesting to look at the respondents who are from countries that are outside Europe ($M = 2.200$). These respondents scored lower, displaying less of a tendency to allow freedom of speech to harm others. However, it can be acknowledged that a lot of the countries that came up in this group are predominantly Muslim countries. This could lead one to the assumption that as a result of the strict laws that citizens face in Islamic countries, speaking ill against other groups in society is not a norm.

When looking at nationalities and their attitudes towards restrictions and no restrictions to freedom of speech the biggest statistically significant difference ($f = 4.194$, $p = .003$) is associated with no restrictions. Again, it is the category of other countries ($M = 2.700$) that score lowest in regard to no restrictions on free speech, therefore indicating that respondents from these countries are more likely to agree with speech regulations. Again, the political state of such countries can be considered here.

It is interesting to note that America ($M = 2,500$) also scored lower on this meaning that respondents from this country would also lean towards regulations. This is interesting considering the American 1st Amendment protects all speech including hate speech. This contrasts to Ireland ($M = 3.0106$) and Eastern Europe ($M = 3.3929$). These countries lean towards no restrictions on speech.

In terms of the relationship between nationalities and the identification of hate speech there is also a statistically significant difference ($f = 2.451$, $p = .048$). It is not as big as the previous differences discussed above but it is still interesting to note. Both Ireland ($M = 4.4348$) and America ($M = 4.3571$) have high scores when it comes to identifying hate speech. When relating it to the above observation of no restrictions, one can assume that the respondents from these countries, particularly America, although they are more accustomed to an environment where all speech is protected and anything can be said, they are more competent to detect hate speech. This is due to a variety of viewpoints within this environment creating an even speaking ground for all. In contrast Eastern European countries ($M = 3.9863$) and other countries outside of Europe ($M = 3.7143$), seem less able to be willing to identify hate speech as such probably due to the fact that the main discourses within these countries are more biased and tend to target refugees.

Table 9: Means, Frequencies and Significance Values for the Difference According to Nationality.

		Mean	F	Sig.
.... means that no government should make laws prohibiting our right to express our opinions and practice our religion whatever way we want.	Irish	4,085	4,351	,002
	W. Europe	3,229		
	E. Europe	3,786		
	America	3,000		
	Other	3,400		
...means to say what I want when I want	Irish	3,415	3,859	,005
	W. Europe	2,667		
	E. Europe	3,786		
	America	2,333		
	Other	3,000		
...means to freely say something in the hope to add value to public debate about social and political issues.	Irish	4,468	2,894	,024
	W. Europe	4,083		
	E. Europe	4,714		
	America	4,556		
	Other	4,800		
...means to say whatever I want even if what I say may be disrespectful towards other people or groups.	Irish	2,351	2,622	,037
	W. Europe	2,667		
	E. Europe	3,500		
	America	2,889		
	Other	2,200		
FS_NORESTRICT	Irish	3,0106	4,194	,003
	W. Europe	2,5729		
	E. Europe	3,3929		
	America	2,5000		

	Other	2,7000		
HS_INDEDIFICATION	Irish	4,4348	2,451	,048
	W. Europe	3,9863		
	E. Europe	3,9341		
	America	4,3571		
	Other	3,7143		

3.5.4 Differences According to Age

The respondents were asked to specify their age on a 7-point scale. It is interesting to look at the different attitudes towards certain variables considering age.

Regarding the definition *‘means that no government should make laws prohibiting our right to express our opinions and practice our religion whatever way we want’* there was a statistically significant difference ($f= 2.589$, $p=.02$). Both the youngest age group, the respondents under 18 years of age ($M=4.750$) and the oldest age group 46 years and older ($M=4.167$) scored higher than the rest age categories. This definition is derived from the American 1st Amendment. The high scoring groups are interesting as it could be argued that the older are drawn towards no laws, therefore no government interference. It may be indicative of suppression experienced by some groups in the past as many of the countries in which the respondents come from have a history of suppression. This is in contrast to the younger age group who would be more accustomed with more liberal views on society.

The definition *‘means to say what I want when I want’* also produced a statistically significant difference ($f=3.319$, $p=.004$) among the age groups. Again, the youngest age group ($M=3.000$) and the oldest age group ($M=3.683$) scored higher on these. This contrasts with the age group of 19 to 24-year-olds ($M=2.771$) who scored one of the lowest. It shows that it is in between ages when the boundaries are created around freedom of speech,. This is also reflected in the scores produced by the age groups of 25 to 29-year olds ($M=2,649$) and the 36 to 40-year-olds ($M=2.500$).

There are some similarities in terms of hate speech identification. There was a large statistically significant difference ($f= 5.269$, $p=.000$) produced here. The youngest age group ($M=2,4464$) scored the lowest when it came to identifying hate speech. This can be related back to their attitudes to the above definitions which are associated with being free to say whatever they want. Therefore, a sense of

immaturity could be argued here as the younger respondents may label hate speech as free speech which in turn loses the true essence of free speech. This contrasts with the rest of the age groups who all score relatively high in this regard.

Table 10: Means, Frequencies and Significance for the Differences According to Age

		Mean	F	Sig.
.... means that no government should make laws prohibiting our right to express our opinions and practice our religion whatever way we want.	-18	4,750	2,589	,020
	19-24	3,667		
	25-29	3,270		
	30-35	3,200		
	36-40	3,500		
	41-45	3,583		
	46+	4,167		
...means to say what I want when I want	-18	3,000	3,319	,004
	19-24	2,771		
	25-29	2,649		
	30-35	3,500		
	36-40	2,500		
	41-45	3,500		
	46+	3,683		
HS_INDEDIFICATION	-18	2,4464	5,269	,000
	19-24	4,2340		
	25-29	4,1131		
	30-35	4,0159		
	36-40	4,7143		
	41-45	3,5357		
	46+	4,5591		

3.6 Correlations

3.6.1 Political Stance

Respondents were asked to rate on a scale of 1 to 10 what they believe their political stance to be, 1 being far left and 10 being far right. Most respondents appeared to lean towards the left more than the right. The correlation between the political stance of the respondents and restrictions on speech showed a significant negative correlation between the two ($r = -.204$, $p = .009$). This demonstrates that more participants positioned themselves to the right the less they favoured restrictions to free speech. This again is showed through the significant positive correlation between the political stance of the respondents and their attitudes towards no restrictions of speech ($r = .297$, $p = .000$). The more respondents adopted a right-wing stance the more they were in favour of no restrictions in free speech.

In accordance to the previous findings one more significant positive correlation found is this between the proposed definition of free speech '*means to say what I want, when I want (D3)*' ($r = .287$, $p = .000$). Right wing supporters tend to favour more these type of definition of freedom of speech with no restrictions. Political stance has a significant positive correlation with the proposed definition '*means that no government should make laws prohibiting our right to express our opinions and practice our religion whatever way we want (D2)*' with political stance ($r = .164$, $p = .037$). This is interesting as this is the definition that is derived from the American Bill of Rights and because America is a country that is heavily associated with protection of all speech.

3.6.2 The Importance of freedom of Speech

Analysis showed that there is a significant positive correlation between the importance of free speech and restrictions on speech ($r = .397$, $p = .000$). The items that were addressed within the importance of free speech section included situations of discrimination, education of fundamental rights and restrictions on speech in order to protect the rights of others.

There is also a significant positive correlation between the importance of free speech and the identification of hate speech ($r = .300$, $p = .000$). The more respondents feel that free speech issues are important the more they are able to identify hate speech.

Analysis also showed that people who consider freedom of speech more important also favour more the proposed definition of free speech as '*means that no government should make laws prohibiting our right to express our opinions and practice our religion what ever way we want (D2)*', ($r = .274$, $p = .000$) and the proposed definition '*means to freely say something in the hope to add value to public debate about social and political issue (D4)*' ($r = .247$, $p = .001$). This indicates that the respondents believed

that the situations outlined in the section of the importance of free speech are important in accordance with their right of freedom of speech. On the contrary, the more respondents think that free speech is important the less they favour the proposed definition of *'means to say whatever I want even if what I say may be disrespectful towards other people or groups (D6)'* ($r = -.195$, $p = .010$).

3.6.3 Restrictions on Freedom of Speech

The respondents were presented with situations such as inciting violence through speech, regulations on speech and hate speech targeting minority groups. As seen from the previous analysis, two factors were developed restrictions on speech and no restrictions on speech. It is obvious that there is a significant negative correlation between the restrictions on speech and no restrictions ($r = -.481$, $p = .000$). This is a result of the two being opposing factors.

There is a significant positive correlation between restrictions on speech and the identification of hate speech ($r = .279$, $p = .000$). This indicates that the more respondents are able to identify hate speech the more they are support restrictions on speech and the less they support no restrictions on speech ($r = -.144$, $p = .060$).

There was two significant negative correlations between restrictions on speech and the proposed definitions of *'includes freedom to hold opinions and to receive and impart information and ideas without interference by public authorities and regardless of frontiers (D1)'* ($r = -.173$, $p = .022$) and *'means that no government should make laws prohibiting our right to express our opinions and practice our religion whatever way we want (D2)'* ($r = -.174$, $p = .021$). However, looking at the definitions but in regard to no restrictions on speech there are significant positive correlations *'includes freedom to hold opinions and to receive and impart information and ideas without interference by public authorities and regardless of frontiers (D1)'* ($r = .262$, $p = .000$) *'means that no government should make laws prohibiting our right to express our opinions and practice our religion whatever way we want (D2)'* ($r = .382$, $p = .000$). This indicates that more respondents show a disapproval for government restrictions on freedom of speech the more they favour no restrictions..

There is a significant negative correlation between restrictions on speech and the proposed definition *'means to say whatever I want even if what I say may be disrespectful towards other people and groups (D6)'* ($r = -.473$, $p = .000$). This indicates that the more respondents are in favour of restrictions of speech the less they endorse a definition of free speech that allows for discrimination against other groups. This again is reaffirmed by the significant positive correlation between this definition and factor of no restrictions on speech ($r = .409$, $p = .000$).

3.6.4 Hate Speech Identification.

It was found that there was a significant negative correlation between hate speech identification and the intensity of their participation on social media or within their public sphere regarding opportunities where they could exercise their right to freedom of speech ($r = -.174$, $p = .024$). This indicates that the respondents would be less likely to use their freedom of expression online or in public if they identify a certain expression as hate speech.

There is also a significant negative correlation between the respondents identifying hate speech with supporting the proposed definition '*includes freedom to hold opinions and to receive and impart information and ideas without interference by public authorities and regardless of frontiers (D1)*' ($r = -.170$, $p = .026$).

Similarly, there is also a significant negative correlation between hate speech identification and supporting the proposed definition '*means to say whatever I want even if what I say may be disrespectful towards other people or groups (D6)*' ($r = -.157$, $p = .040$).

3.6.5 Intensity of Participation

The respondents were given conditions such as commenting on social media, participating in debates and so on. However, there is a significant positive correlation between the intensity of the respondent's participation and the proposed definition '*means to say what I want within the boundaries of law respecting everyone else's rights (D5)*' ($r = .168$, $p = .027$). This indicates that more respondents, participate within public debate, be it online or in public, the more they are aware of the rights of others and how their comments may affect certain groups within society.

3.6.6 Correlations between Definitions.

The definition '*includes freedom to hold opinions and to receive and impart information and ideas without interference by public authorities and regardless of frontiers (D1?)*' has a positive correlation with the definitions '*means that no government should make laws prohibiting our right to express our opinions and practice our religion whatever way we want (D2)*' ($r = .340$, $p = .000$), '*means to say what I want when I want (D3)*' ($r = .302$, $p = .000$), '*means to freely say something in the hope to add value to public debate about social and political issues (D4)*' ($r = .213$, $p = .005$) and '*means to say whatever I want even if what I say may be disrespectful towards other people or groups (D6)*' ($r = .253$, $p = .001$). All the above definitions lean towards freedom of speech having no boundaries. Despite this the relationship between the definition demonstrates that more respondents hope to add value to debates

around social issues when exercising their right to freedom of speech but are also willing to impede on the rights of certain groups in society when doing this.

The definition *'means that no government should make laws prohibiting our right to express our opinions and practice our religion what ever way we want (D2)'* has a significant positive correlation with the definitions *'means to say what I want when I want (D3)'* ($r=.475$, $p=.000$) and *'means to freely say something in the hope to add value to public debate about social and political issues (D4)'* ($r=.171$, $p=.023$). This indicates relationships between the first definition and each of the two out lined above. The first definition is the one that is derived from the American Bill of Rights. It is interesting therefore that it correlates with the definition of *'means to say what I want when I want (D3)'* as it is attributed to America to be very loose when it comes to unprotected speech, therefore indicating that anything goes.

The definition *'means to say what I want when I want (D3)'* has a significant positive correlation with the definitions *'means to freely say something in the hope to add value to public debate about social and political issues (D4)'* ($r=.329$, $p=.000$) and *'means to say whatever I want even if what I say may be disrespectful towards other people or groups (D6)'* ($r=.337$, $p=.000$). This is clear to understand why these would have a relationship as they present free speech in a way that one can really say what they want to despite hurting or demeaning others.

The definition *' means to freely say something in the hope to add value to public debate about social and political issues (D4)'* has a significant positive correlation with the definition of *'means to say what I want within the boundaries of law respecting everyone else's rights (D5)'* ($r=.226$, $p=.003$). This portrays both definitions in the light of using freedom of speech to add value to a society rather than using it in a negative sense. It also demonstrates that more respondents consider the rights of everyone within the society.

Table 10: Correlations

	PS	FS_I	FS_R	FS_NR	HS_IND	INT-PAR	D1	D2	D3	D4	D5	D6
PS	R	-,136	-,204**	,297**	-,086	-,164*	,074	,164*	,287**	,064	-,042	,070
	P	,084	,009	,000	,284	,037	,352	,037	,000	,420	,596	,379
	N	162	162	162	159	162	162	162	162	162	162	162
FS_IMP	R		,397**	-,039	,300**	,072	,064	,274**	,127	,247**	,144	-,195**
	P		,000	,610	,000	,345	,400	,000	,094	,001	,058	,010
	N		175	175	170	175	175	175	175	175	175	175
FS_R	R			-,481**	,279**	,142	-,173*	-,174*	-,144	,077	,287**	-,473**
	P			,000	,000	,062	,022	,021	,058	,311	,000	,000
	N			175	170	175	175	175	175	175	175	175
FS_NR	R				-,144	-,057	,262**	,382**	,473**	,198**	-,114	,409**
	P				,060	,452	,000	,000	,000	,008	,132	,000
	N				170	175	175	175	175	175	175	175
HS_IND	R					-,174*	-,170*	,017	-,012	-,023	,089	-,157*
	P					,024	,026	,825	,874	,768	,248	,040
	N					170	170	170	170	170	170	170
INT_PAR	R						,064	-,146	-,143	,141	,168*	,046
	P						,400	,055	,059	,062	,027	,542
	N						175	175	175	175	175	175
D1	R							,340**	,302**	,213**	-,007	,253**
	P							,000	,000	,005	,930	,001
	N							175	175	175	175	175
D2	R								,475**	,171*	-,008	,058
	P								,000	,023	,912	,449
	N								175	175	175	175
D3	R									,329**	,008	,337**
	P									,000	,914	,000
	N									175	175	175
D4	R										,226**	,091
	P										,003	,233
	N										175	175
D5	R											-,108
	P											,157
	N											175

KEY

PS: Political Stance (1 being extreme left, 5 being centre, 10 being extreme right)

FS_IMP: FS_IMPORTANCE

FS_R: FS_RESTRICT

FS_NR: FS_NORESTRICT

HS_IND: HS_INDEDIFICATION

PAR-INT: INTENSITYPARTICIPATION

D1: ... includes freedom to hold opinions and to receive and impart information and ideas without interference by public authorities and regardless of frontiers.

D2.... means that no government should make laws prohibiting our right to express our opinions and practice our religion whatever way we want.

D3...means to say what I want when I want

D4...means to freely say something in the hope to add value to public debate about social and political issues.

D5...means to say what I want within the boundaries of law respecting everyone else's rights.

D6...means to say whatever I want even if what I say may be disrespectful towards other people or groups.

4. Conclusion

Freedom of expression is important for the development and sustainment of any democratic society. It is evident from this thesis that this right has lost its essence in Europe. Something that was once used as a way of expanding one's knowledge and fighting for equality has become the instrument used to suppress certain groups in European society.

It was through the work of John Milton and John Stuart Mill that its importance is made clear. They focus on the essence of this right and its importance for the growth of humanity. It is Milton who dwells on its importance as he believes that it will allow humanity to grow closer to God. Mill furthers this idea and believes it will allow humanity to gain knowledge of all the truths in the universe. Both

defenders of freedom of expression believe that it is also important that everyone in society can express their opinions. This is particularly through for Mill, who goes against the majority and believes that an individual's opinion has the same worth and importance than a dominant group when looking for absolute truth. Both also reflect on the misuse of this right and how it should be treated with respect.

Through the inclusive politics of liberalism freedom of expression was explored. Similar to above, liberals see freedom of expression as a tool to fight against the oppressor. Liberals rely highly on Mills views, however contemporary liberalism in a way has lost its grasp on this right. In the liberal's absence this right has become a victim of distortion at the hands of the extreme right-wing political parties in Europe. These political parties have used this right along with other factors such as the fear of terrorism to enhance their agendas and exclude refugees from an easy integration into European societies.

As a result of the extreme rights take over of freedom of expression, it has amounted in a negative impact on the human rights of refugees in Europe. This is done through the normalization of hate speech among mainstream politics that has also translated into the discourse of the public in most European countries. From the results of the survey provided, it is evident that hate speech is easily identified among the public, but little is done on their behave to fight back against this harmful speech. Therefore, it can be argued that freedom of speech is losing its power of fighting back the oppressor, the most important element of this right.

This continues the cycle of human right violations that refugees face as a result of this distortion of freedom of expression. Through the process of dehumanization and social categorization refugees are excluded from society and are seen to be less human. Therefore, if an individual or a group are perceived to be less than human they will not be perceived to be entitled to their 'human' rights.

Owing to all that is discussed throughout this thesis, one could argue that this abuse of freedom of expression creates a vicious circle. It has taken the form of an instrument that has negative consequences on the human rights of refugees but can also be used as a tool to fight for their equality. Therefore, an important aspect to insert in this circle is education. If a society is educated about issues such as migration, countries in crisis, globalisation and much more, it could make for more inclusive societies in the future. As Mill points out this does not happen overnight, but it may provide hope for a future of tolerance and acceptance.

The End.

Bibliography

1. Akbaba, S. (2018). Re-narrating Europe in the Face of Populism: An Analysis of the Anti-immigration Discourse of Populist Party Leaders. *Insight Turkey*, 20(3), pp.199-218.
2. Altman, A. (1993). Liberalism and Campus Hate Speech: A Philosophical Examination. *Ethics*, 103(2), pp.302-317.
3. Amnesty International (2012) *Written contribution to the thematic discussion on Racist Hate Speech and Freedom of Opinion and Expression*: Amnesty International .
4. Augoustinos. M and Quinn. C (2003) 'Social Categorization and Attitudinal Evaluations: Illegal Immigrants, Refugees, or Asylum Seekers', *New Review of Social Psychology*, 2(1), pp. 29-37.
5. Bagehot (2018) *Some thoughts on the crisis of liberalism-and how to fix it*. *The Economist*., Available at: <https://www.economist.com/bagehots-notebook/2018/06/12/some-thoughts-on-the-crisis-of-liberalism-and-how-to-fix-it> (Accessed: 20th June 2019).
6. Ball. T, Dagger. R, Girvetz. H.K and Minogue. K (2019) *Liberalism*, *Encyclopaedia Britannica*, Available at: <https://www.britannica.com/topic/liberalism/Contemporary-liberalism> (Accessed: 7th July 2019).
7. Beck, M. (2017). Securitization of the Recent Influx of Refugees from the Middle East to Europe. *E-International Relations*.
8. Bhat. A (2018) *Quantitative Research: Definition, Methods, Types and Examples*, Available at: <https://www.questionpro.com/blog/quantitative-research/amp/> (Accessed: 9th June 2019).
9. Boyle K. (1992) Overview of a Dilemma: Censorship versus Racism. In: S. Coliver, ed., *Striking a Balance, Hate Speech, Freedom of Expression and Non-discrimination*, 1st ed. [online] Essex: London Human Rights Centre, pp.1-9. Available at: <https://www.article19.org/data/files/pdfs/publications/striking-a-balance.pdf> [Accessed 12 May 2019].
10. Bradshaw. T (2017) 'John Stuart Mill: Freedom of expression and harm in the 'post-truth' era', *Ethical Space: The International Journal of Communication Ethics*., 14(1), pp. 15-25.
11. Browning. G (2000) 'Contemporary Liberalism ', in Browning. G, Halcli. A and Webster. F (ed.) *Understanding Contemporary Society: Theories of the Present*. : SAGE Publications Ltd., pp. 152-162.

12. Bychawska-Siniarska. D (2017) Protecting the Right to Freedom of Expression Under the European Convention on Human Rights, *A handbook for legal practitioners*, Strasbourg: Council of Europe
13. Chaiklin. H (2011) 'Attitudes, Behaviour, and Social Practice', *The Journal of Sociology & Social Welfare*, 38(1), pp. 31-49.
14. Clausen. C (2009) 'John Stuart Mill's "Very Simple Principle"', *The Wilson Quarterly*, 33(), pp. 40-46.
15. Council of Europe (1950), *European Convention for the Protection of Human Rights and Fundamental Freedoms, as amended by Protocols Nos. 11 and 14*, ETS 5,
16. Council of Europe (1997) *Council of Europe, Committee of Ministers Recommendation on Hate Speech*, Strasbourg: Council of Europe.
17. Cowan. G, Resendez. M, Marshall. E and Quist. R (2002) 'Hate Speech and Constitutional Protection: Priming Values of Equality and Freedom', *Journal of Social Issues*, 58(2), pp. 247-263.
18. Einbinder, N. (2018). *How the Far Right Has Reshaped the Refugee Debate in Europe*. [online] FRONTLINE. Available at: <https://www.pbs.org/wgbh/frontline/article/how-the-far-right-has-reshaped-the-refugee-debate-in-europe/> [Accessed 25 Apr. 2019].
19. Emily Howie (2018) Protecting the human right to freedom of expression in international law, *International Journal of Speech-Language Pathology*, 20:1, 12-15
20. European Commission (2017) *The EU and the Migration Crisis*, Available at: <http://publications.europa.eu/webpub/com/factsheets/migration-crisis/en/#what-is-refugee-crisis> (Accessed: 16th June 2019).
21. European Network Against Racism (2016) *Racism and Discrimination in the Context of Migration in Europe*, Brussels : European Network Against Racism (ENAR) with the support of the Rights, Equality and Citizenship Programme of the European Union, the Open Society Foundations and the ENAR Foundation..
22. European Parliament (2017) *EU migration crisis: facts and figures*, Available at: <http://www.europarl.europa.eu/news/en/headlines/society/20170629STO78630/eu-migrant-crisis-facts-and-figures> (Accessed: 16th June 2019).
23. Fact Sheet- Hate Speech. (2019). *Press Unit*, [online] pp.pp.1-18. Available at: https://www.echr.coe.int/Documents/FS_Hate_speech_ENG.pdf [Accessed 16 Feb. 2019].
24. Fink. A (1995) *How to Ask Survey Questions*, 1st edn: SAGE Publications

25. Fisher MJ & Bloomfield J. (2019) Understanding the research process. *JARNA*; 22(1):22-27
26. George, C. (2014). Hate Speech Law and Policy. *The International Encyclopaedia of Digital Communication and Society*, [online] pp.pp.1-10. Available at: <https://onlinelibrary.wiley.com/doi/full/10.1002/9781118767771.wbiedcs139> [Accessed 22 Feb. 2019].
27. Giles. W.M and Evans. A (1986) 'The Power Approach to Intergroup Hostility ', *The Journal of Conflict Resolution*, 30(3), pp. 469-486.
28. Halliday. D and McCabe. H (2018) 'JOHN STUART MILL ON FREE SPEECH ', *The Routledge Handbook of Applied Epistemology*, (), pp. 71-8
29. Haslam. N and Loughnan. S (2012) 'Prejudice and Dehumanization', in Dixon. J and Levine. M (ed.) *Beyond Prejudice: Extending the Social Psychology of Conflict, Inequality and Social Change*. Cambridge: Cambridge University Press, pp. 89-97.
30. Hoxby. B (2011) 'AREOPAGITICA AND LIBERTY', in Nicholas McDowell and Nigel Smith (ed.) *The Oxford Handbook of Milton*. England: Oxford University Press, pp. 218-237.
31. Ignatieff, M (2017) 'The Refugee as Invasive Other', *Social Research*, 84(1), pp. 223-231.
32. Incitement in media content and political discourse in EU Member States. (2016). *Contribution to the Second Annual Colloquium of Fundamental Rights*, [online] pp.1-16. Available at: <https://publications.europa.eu/en/publication-detail/-/publication/7e4ee36e-ad65-11e6-aab7-01aa75ed71a1/language-en> [Accessed 13 May 2019].
33. Jayasuriya. L (1998) 'Opinion: Old Racism, New Racism', *AQ: Australian Quarterly*, 70(5), pp. 4-5.
34. Jhangiani. R and Tarry. H (2014.) *Principles of Social Psychology-1st International Edition*, 1st edn., : BCCampus Open Education.
35. Leach. C.W (2005) 'Against the Notion of a 'New Racism'', *Journal of Community & Applied Social Psychology*, 15(), pp. 432-445.
36. Lemmens K. (2015). Hate Speech in the case law of the European Court of Human Rights - Good Intentions make Bad Law. In: Ellian A., Molier G. (Eds.), *Freedom of Speech under Attack*, Chapt. 8, (135-162). Eleven

37. Loughnan. S and Haslam. N (2007) 'Animals and Androids: Implicit Associations between Social Categories and Nonhumans', *Psychological Science*, Sage Publications, 18(2), pp. 116-121.
38. Maio. G.R, Esses. V.M, Arnold. K and Olson. J.M (2004) 'The Function-Structure Model of Attitudes: Incorporating the Need for Affect. ', in Haddock. G and Maio. G.R (ed.) *Contemporary Perspectives on the Psychology of Attitudes*. East Sussex: Psychology Press, pp. 7-29
39. Malik. M, (2018). Freedom's Fascists: Hate Speech and the New European Far Right. [online]. The Immanent Frame Secularism, religion, and the public sphere. Social Science research Council. Available at: <https://tif.ssrc.org/2018/12/21/freedoms-fascists-hate-speech-and-the-new-european-far-right/>
40. McHangama. J (2012) 'The Sordid Origin of Hate Speech Laws', *Policy Review*, pp. 45-58.
41. McKenzie. P (2018) *John Milton: Smug Liberal and Free-Speech Warrior*, Available at: <https://unherd.com/2018/09/john-milton-smug-liberal-free-speech-warrior/> (Accessed: 23rd May 2019).
42. McLeod. S (2018) *Attitudes and Behaviour*, *Simple Psychology*, Available at: <https://www.simplypsychology.org/attitudes.html> (Accessed: 5th July 2019).
43. Mendel, T. (2010). Hate Speech Rules Under International Law. *Centre for Law and Democracy*, [online] pp.p.1-10. Available at: <http://www.law-democracy.org/wp-content/uploads/2010/07/10.02.hate-speech.Macedonia-book.pdf> [Accessed 26 Feb. 2019].
44. Mondon. A (2016). Free Speech, Islamophobia and the Rise of Racism in Europe. [online]. Extremism. Published in Newsweek. Available at: <https://extremism.hypotheses.org/453>
45. Moosa. T (2012) *On the Areopagitica: Why Milton's Defence of Free Speech Remains Almost Unsurpassed but Not Secular*, Available at: <https://www.3quarksdaily.com/3quarksdaily/2012/01/on-the-areopagitica.html> (Accessed: 23rd May 2019).
46. Oliver. S (2011) 'Dehumanization: Perceiving the Body as (In)Human', in Kaufmann.P, Kuch. H, Neuhauser. C and Webster. E (ed.) *Humiliation, Degradation, Dehumanization Human Dignity Violated*. Library of Ethics and Applied Philosophy Vol. 24: Springer, pp. 85-101.
47. Orwell. G (1945) *Animal Farm*, 16 edn., London, England: Penguin Books.

48. Ospina, S (2004) *Qualitative Research, Encyclopaedia of Leadership*, London: SAGE Publications pp. 1-11.
49. Pálmadóttir, J. and Kalenikova, I. (2018). Hate speech an overview and recommendations for combating it. *Icelandic Human Rights Centre*, [online] pp.pp.1-27. Available at: <http://www.humanrights.is/en/moya/news/hate-speech-an-overview-and-recommendations-for-combating-it> [Accessed 19 Feb. 2019].
50. Partsch, K. (1992). Racial Speech and Human Rights: Article 4 of the Convention on the Elimination of All Forms of Racial Discrimination. In: S. Coliver, ed., *Striking a Balance, Hate Speech, Freedom of Expression and Non-discrimination*, 1st ed. [online] Essex: London Human Rights Centre, pp. 21-29. Available at: <https://www.article19.org/data/files/pdfs/publications/striking-a-balance.pdf> [Accessed 12 May 2019].
51. Pathak V, Jena B, Kalra S. (2013) Qualitative research. *Perspect Clin Res.*;4(3):192. doi:10.4103/2229-3485.115389
52. PEW Research Centre (2019) *Questionnaire Design*, Available at: <https://www.pewresearch.org/methods/u-s-survey-research/questionnaire-design/> (Accessed: 10th June 2019).
53. Price. PC, Jhangiani. R and Chiang. ICA (2015) *Research Methods in Psychology*, 2nd edn., Canada: The Saylor Foundation.
54. PRISM (2016) *Hate Crime and Hate Speech in Europe: Comprehensive Analysis of International Law Principles, EU-wide Study and National Assessments*, : PRISM Project.
55. Report of the Committee of Ministers, (1990) “Theory and Practice of the European Convention on Human Rights”, P. Van Dijk and G. Van Hoof, Kluwer, p. 413.
56. Ross, J. (2015). *Hate Speech is going mainstream*. [online] The Washington Post, Democracy Dies in Darkness. Available at: https://www.washingtonpost.com/news/the-fix/wp/2015/12/12/hate-speech-is-going-mainstream/?utm_term=.fe5b11678e7a [Accessed 14 May 2019].
57. Schain, M. A, (2018). *Shifting Tides: Radical-Right Populism and Immigration Policy in Europe and the United States*. Washington, DC: Migration Policy Institute.
58. Shariatmadari. D (2015) *Swarms, Floods and marauders: the toxic metaphors of the migration debate*, *The Guardian*, Available at:

<https://www.theguardian.com/commentisfree/2015/aug/10/migration-debate-metaphors-swarms-floods-marauders-migrants> (Accessed: 16th June 2019).

59. Stanley, J. (2018). *What John Stuart Mill Got Wrong about Freedom of Speech*. [online] Boston Review. Available at: <http://bostonreview.net/politics-philosophy-religion/jason-stanley-what-mill-got-wrong-about-freedom-of-speech> [Accessed 2 Mar. 2019].
60. Stets, J.E and Burke, P.J (2000) 'Identity Theory and Social Identity Theory', *Social Psychology Quarterly*, 63(3), pp. 224-237.
61. Tim Soutphommasane (2006) 'Liberalism, Harm and the Limits of Free speech', *Australian Quarterly*, 78(5), pp. 33-37
62. Tipler, C and Ruscher, J.B (2014) 'Agency's Role in Dehumanization: Non-human Metaphors of Out-groups ', *Social and Personality Psychology Compass*, 8(5), pp. 215-228.
63. UN General Assembly (1948), *Universal Declaration of Human Rights*, 217 A (III),
64. UN General Assembly, (1966) *International Covenant on Civil and Political Rights*, United Nations, Treaty Series, vol. 999, p. 171, [accessed 5 May 2019]
65. UN General Assembly, (1965) *International Convention on the Elimination of All Forms of Racial Discrimination*, United Nations, Treaty Series, vol. 660, p. 195, available at: <https://www.refworld.org/docid/3ae6b3940.html>
66. United Nations (2013). *Preventing Incitement: Policy options for action*. The Office on Genocide Prevention and Responsibility to Protect.
67. van Prooijen, J., Krouwel, A. and Emmer, J. (2017). Ideological Responses to the EU Refugee Crisis. *Social Psychological and Personality Science*, 9(2), pp.143-150.
68. Williams, M. (2003). Words, Images, Enemies: Securitization and International Politics. *International Studies Quarterly*, 47(4), pp.511-531.
69. Winiewski, M, Hansen, K, Bilewicz, M, Soral, W, Swiderska, A and Bulska, D (2016) *Contempt Speech, Hate Speech*, Poland: Report from reserch on verbal violence against minority groups
70. Zubcevic, A.R, Bender, S, Vojvodic, J, (2017) *Media Regulatory Authorities and Hate Speech*, 2nd edn., Belgrade: The Council of Europe

Caselaw

1. Judgement on the merits delivered by a Chamber.
Vogt v. Germany, no. 17851/91 ECHR 1995.
2. Judgement on the merits delivered by a Chamber.
Handyside v. The United Kingdom, no. 5493/72 ECHR 1976
3. Decision on admissibility delivered by a Chamber.
Garaudy v. France, no. 65831/01 ECHR 2003
4. Decision on admissibility delivered by a Chamber.
Le Pen v. France, no. 18788/09 ECHR 2010
5. Judgement on the merits delivered by a Plenary.
Engel and Others v. The Netherlands, no. 5100/71 ECHR 1976

Annex Survey

Perceptions on Free Speech

The following research is conducted in the context of the European Masters degree in Human Rights and Democratisation with the Global Campus of Human Rights. The following survey was developed and will be analysed by Rachael O'Hehir with the purpose of conducting research regarding a thesis focused on the free speech dilemma in Europe.

Freedom of speech is a fundamental part of any democratic society. However, today in Europe the dilemma between hate speech and freedom of speech is increasing and the line between the two is becoming blurry. This survey aims to gain knowledge of the ideas that the public have around freedom of speech.

This survey is entirely down to the opinion of the person taking the survey therefore there are no right or wrong answers to any of these questions.

If at any point you wish to leave the survey please do so by clicking the exit button on the top right of your screen. Participation within this survey is completely voluntary. This survey is also undertaken anonymously so please do not attach your name to any of the questions.

Thank you in advance for participating in this survey.

Section 1

The following statements are some common definitions of free speech. To what extent do you agree or disagree with these statements. Please rate on the scales provided. 1 being 'Completely Disagree' and 5 being 'Completely Agree'.

This survey is opinion based, therefore, there are no right or wrong answers.

The right to freedom of speech.....

... includes freedom to hold opinions and to receive and impart information and ideas without interference by public authorities and regardless of frontiers.

Completely disagree

Completely Agree

1

2

3

4

5

....means that no government should make laws prohibiting our right to express our opinions and practice our religion whatever way we want.

Completely disagree

Completely Agree

1 2 3 4 5

...means to say what I want when I want

Completely disagree

Completely Agree

1 2 3 4 5

...means to freely say something in the hope to add value to public debate about social and political issues.

Completely disagree

Completely Agree

1 2 3 4 5

...means to say what I want within the boundaries of law respecting everyone else's rights.

Completely disagree

Completely Agree

1 2 3 4 5

...means to say whatever I want even if what I say may be disrespectful towards other people or groups.

Completely disagree

Completely Agree

1 2 3 4 5

How would you define Free Speech?

Section 2

The following statements are in relation to the importance freedom of speech has within your life. Please rate on a scale how important you believe the following statements to be. 1 being 'Really Not Important At All' and 5 being 'Very Important'.

This survey is based on opinions, therefore, there are no right or wrong answers.

How important is it...

....to be educated about your fundamental human rights?

Not Important At All

Very Important

1 2 3 4 5

....to have freedom to express your opinions.

Not Important At All

Very Important

1 2 3 4 5

....for your government to protect your right to free speech.

Not Important At All

Very Important

1 2 3 4 5

....to be free from any forms of discrimination.

Not Important At All

Very Important

1 2 3 4 5

....for your government to eliminate all forms of discrimination.

Not Important At All

Very Important

1 2 3 4 5

....for equality to exist among all groups and individuals in society.

Not Important At All

Very Important

1 2 3 4 5

Section 3

The following statements are issues that arise when dealing with freedom of speech. Please rate on a scale 1-5, to what extent you agree with each statement. 1 being 'Totally Disagree' and 5 being 'Totally Agree'.

This survey is opinion based, therefore, there are no right or wrong answers.

Anyone should be allowed to express his or hers opinion even if it will incite violence towards a certain group in society.

Totally Disagree				Totally Agree	
1	2	3	4	5	

Free Speech always means inciting violence.

Totally Disagree				Totally Agree	
1	2	3	4	5	

All free speech is good speech

Totally Disagree				Totally Agree	
1	2	3	4	5	

Being in a democracy means that I can say whatever I want.

Totally Disagree				Totally Agree	
1	2	3	4	5	

Hate speech should be regulated by the countries government.

Totally Disagree				Totally Agree	
1	2	3	4	5	

Regulating speech is a violation of human rights of a countries citizens.

Totally Disagree				Totally Agree	
1	2	3	4	5	

All forms of speech give opportunity for cultures and societies to grow.

Totally Disagree

Totally Agree

1 2 3 4 5

Censoring harmful speech creates equality among all groups in society.

Totally Disagree

Totally Agree

1 2 3 4 5

To have free speech we need hate speech.

Totally Disagree

Totally Agree

1 2 3 4 5

Freedom of speech can exist even when hate speech is regulated.

Totally Disagree

Totally Agree

1 2 3 4 5

One persons right to free speech can impact another person's status in society.

Totally Disagree

Totally Agree

1 2 3 4 5

Politicians should be free to express their views however they choose to do so.

Totally Disagree

Totally Agree

1 2 3 4 5

Hate speech can be used as a weapon against minority groups online thus it should be restricted.

Totally Disagree

Totally Agree

1 2 3 4 5

Social media allows me to exercise my right to free speech thus no restrictions should be imposed.

Totally Disagree

Totally Agree

1 2 3 4 5

Section 4

The following statements are phrases that have appeared within public debates and online forums in regards to refugees. Please rate on a scale 1-5, to what extent you agree or disagree with the statements being regarded as hate speech.

1 being 'Definitely not Hate Speech' and 5 being 'Definitely Hate Speech'.

This survey is opinion based, therefore, there are no right or wrong answers.

****Please note****

The following statements involve some sensitive language, please do not feel obliged to continue this survey if you do not feel comfortable with the following comments.

'Refugees should have drowned'

Definitely not Hate Speech

Definitely Hate Speech

1 2 3 4 5

'There is no war in Syria, they can all go home'

Definitely not Hate Speech

Definitely Hate Speech

1 2 3 4 5

'These migrants are like cockroaches'

Definitely not Hate Speech

Definitely Hate Speech

1 2 3 4 5

'Every single migrant poses a public security and terror risk'

Definitely not Hate Speech

Definitely Hate Speech

1 2 3

4 5

'Refugees are Muslim invaders'

Definitely not Hate Speech

Definitely Hate Speech

1 2 3

4 5

'Europe should only have white people'

Definitely not Hate Speech

Definitely Hate Speech

1 2 3

4 5

'Refugees are con artists looking for a free ride'

Definitely not Hate Speech

Definitely Hate Speech

1 2 3

4 5

'Build a wall around Ireland, keep refugees out'

Definitely not Hate Speech

Definitely Hate Speech

1 2 3

4 5

'Refugees are destroying our country'

Definitely not Hate Speech

Definitely Hate Speech

1 2 3

4 5

'We have taken enough rubbish from these immigrants and refugees, get them all out now'

Definitely not Hate Speech

Definitely Hate Speech

1 2 3

4 5

'No immigrant should have a position of power, especially Muslims'

Definitely not Hate Speech

Definitely Hate Speech

1

2

3

4

5

'He is a Muslim cunt'

Definitely not Hate Speech

Definitely Hate Speech

1

2

3

4

5

'Third world immigrants and refugees are rape gangs because of their backward mentality'

Definitely not Hate Speech

Definitely Hate Speech

1

2

3

4

5

Section 5

The following activities are common ways in which people can exercise their right to free speech. Please rate on a scale of 1 to 5 how often you partake in the following activities.

1 being 'Never' and 5 being 'All the Time'

This survey is opinion based, therefore, there are no right or wrong answers.

Comment on social media posts about social and political issues.

Never

All the Time

1

2

3

4

5

Participate in local debates on social and political issues by taking part in demonstrations.

Never

All the Time

1

2

3

4

5

Participate in local debates on social and political issues by attending town hall meetings in your local community.

Never

All the Time

1 2 3 4 5

Voting in different referendums and elections. (Please ignore if not of voting age)

Never

All the Time

1 2 3 4 5

Talking to family and friends about social or political issues.

Never

All the Time

1 2 3 4 5

Section 6

Demographics

You are now at the final section of this survey. Please give some details about yourself. All survey takers will be anonymous.

Thank you for taking this time to complete this survey. All results are very helpful.

What age are you?

18 or under

19-24

25-29

30-35

36-40

41-45

46 or older

Gender

Female

Male

Non-Binary/Third Gender

Other

Nationality?

Country you are currently living in?

Religion?

Christianity

Islam

Buddhism

Hinduism

Atheist

Agnostic

Nothing in particular

Occupation

Political Stance

Extreme Left

Extreme Right

1 2 3 4 5 6 7 8 9 10

