

## **Hate Speech in the Creation of Socio- Political Dominance in Kenyan Parliamentary Debates**

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### **Abstract**

*Speech can vary in meaning and implication. It can become something more than a vehicle for the communication of propositional knowledge. Speakers can manipulate language to evoke the emotions of recipients, hence becoming “damaging speech” that evokes negative emotions. What is said or written can have devastating effects on an individual and the society at large. The purpose of the study was to identify and discuss hate speech as a linguistic strategy used by parliamentarians in the creation of socio- political dominance. Sample texts were studied using Foucauldian Discourse Analysis. Data was collected from The Hansard using a guiding card to identify utterances that had the potential of being classified as hate speech. This was analysed. The research found that politically elected leaders use the immunity that they enjoy to manipulate language to create dominance.*

**Keywords:** Hate speech, Ideology, Political Dominance, Discourse Strategies.

### **1. Introduction**

Language is a group of ideas that are arranged in a way of thinking which can be in textual form or verbal communication (Lupton, 1992). It is a powerful tool that can be manipulated by the writer or the speaker to suit his need. It can be used to hide meanings or distort facts (Brock- Utne and Garbo, 2009). Language is integral to the construction of categories that show identity and differences, (Foucault, 1972). An important characteristic of language is that it is not merely concerned with written language but also with spoken language. The latter gets more emphasis, Manipulation of discourse is much more pronounced in speech than in other forms of language (Palmer, 2004).Speech has the advantage of instant effect on the listener and hate can easily be spread using this code.

Parliament is a privileged house and the members enjoy immunity and protection against many actions, including utterances in the course of a member’s legislative duties. In Kenya the Members of Parliament enjoy these privileges. With the repeal of Article 2A of the old Constitution and the promulgation of the new Constitution of Kenya in the year 2010, this freedom became evident (Habwe, 2010). The parliamentarians enjoy this especially in the precincts of the National Assembly. This liberty provides a conducive environment for hate speech to thrive. This was a major contributor to the spread of animosity that led to the post-election violence between 2007 and 2008 in Kenya (Okwengu, 2010, KNCHR, 2007). Since people’s lives revolve around their ethnic groups, politicians have been quick to retreat into their tribal cocoons in times of problems. This study will look at the discourse characteristics of hate speech in the Kenyan Parliamentary proceedings as recorded in the Hansard. It is the verbatim record of proceedings in the National Assembly. Hansard is a publication named after Thomas Curson Hansard, an early printer of the Parliamentary proceedings.

## **2. Literature Review**

### **2.1 Ideology**

An ideology is a set of beliefs which individuals or groups base their actions. A certain ethical set of ideals of a social group that explains how society should work. Political ideologies are concerned with many different aspects of society including power allocation. Ideologies are frameworks for organizing the social cognitions that are shared by members of a group. In a discourse, participants engage each other as individual or groups. In such situations, there can be domination by one group and resistance to this by the other (van Dijk, 2005). Players especially in a political discourse will tend to portray themselves as upright and good while placing the others in negative light. Ideology refers to how language accrues socio-political meaning (Kroskrity, 2000). It organizes and enables all cultural beliefs and practices as well as the power relations that emerge. Ideology emerges from social actors' habitual practice. Ideology refers to shared representation of people in a social setting (van Dijk, 2010).

Ideology can be either positive or negative (van Dijk, 2005). This usually depends on who is making the observation and what the individual's perspective is. Language in parliament during debate is political and in Kenya after the repeal of section 2A, there was government and opposition side. The members' discuss issues based on which side of the divide they belong. Generally this political discourse almost always places government and opposition on antagonistic fronts. The government would strive to defend its stand on an issue while opposition would strive to criticize and question government in an attempt to play the oversight role and speak for the neglected people. Ideology affects the structure of language such as speech presentation (van Dijk, 1995). A member of parliament from either side would have his personal view influence the way their team members argue on an issue in the August house. It is through the discussions in parliament that the groups' ideology is brought out.

### **2.2 Discourse Strategies**

Discourse is an institutionalized way of speaking that determines not only what we say and how we say it, but also what we do not say (Yasemin, 2010). Discourse signals are used in making interactions, control unbalanced use of politeness strategies, speech procedures, use of proverbs, evaluative accounts and explicit declarations of power and dominant informational structure amongst others (Uchenna, 2012). These should be studied in order to expose the hidden agenda and ideological bias, (Ilie, 2010c). In so doing one can examine different interpersonal positioning, rules and practices in parliamentary discourse. Politicians are sustained by persuasive or manipulative use of language. Specific discourse forms can be resolved into a play of pre-significations as opposed to overgeneralising form of analysis (Hook, 2005). In the present study, investigations focused on how the speakers used such manipulative language that was actualised in discourse elements such as hate speech and (de) legitimisation.

### **2.3 Concept of Hate Speech**

It is argued that there is no universally accepted definition of hate speech, (Hamm, 1994). But according to The Collins English Dictionary (10<sup>th</sup> edition, 2009), hate speech is a speech that attacks a person or group on the basis of race, religion, gender or sexual orientation. It is a speech disparaging a racial, sexual or ethnic group or a member of such a group. Hate speech is further defined as speech that inflicts emotional damage and contains inflammatory comments meant to incite other individuals to cause severe social dislocation and damage (Becker, Byers & Jipson, 2000). Hate speech is any propaganda of war and advocacy of national, racial or religious hatred (ICCPR, 1966). According to the Council of Europe's Community of Ministers, hate speech covers all forms of expressions which spread, incite promote or justify racial hatred, xenophobia and other forms of hatred based on intolerance. Hate speech is that utterance that is designed to promote hatred on the basis of race, religion, ethnicity or national origin (Rosenfeld, 2003).

### **2.4 Environment for Hate Speech**

In the 1980s and before, divisions in terms of ethnicity were not given a lot of prominence and the mass media such as newspapers and radio broadcasts, never mentioned tribal affiliation (Hirsch, 2013). But this trend shifted in the 1990s. The communities that used to live in relatively peaceful environments turned against each other. There arose discrimination on the basis of tribe, religion, and sexual orientation. This has led to hate speech which continues to spread (Murray, 2011).

Hate speech has taken new forms and avenues. These include the Internet, the media and even the entertainment industry where we have song, drama and dance which can be coined to express hatred. It is arguable that technological advancement has boosted the proliferation of hate speech because, unlike in the past when hate speech had incidents such as verbal and physical attacks on minority groups, hate speech has taken new platforms; the Facebook, twitter, YouTube and blogs among others. Further, the National Assembly is also a likely avenue for hate speech owing to the privileges accorded to Members of Parliament. In order for hate speech to flourish, there must be a source and an audience, or a hate speaker and a hate listener, (Murray, 2011).

### **2.5 Identification of Hate Speech**

It is not easy to identify hate speech (Weber, 2009.) Hate speech can be concealed in statements which, on the surface, may appear to be plain and harmless (Weber, 2009; Yasemin, 2010). A speaker may quote certain words used elsewhere or make use of metaphors that the listener has to decipher. Hate speech can be identified to be any careless or intentionally hurtful statements. Thus, any speech that criticizes another person's race, religion, gender, ethnicity, appearance, class, physical or mental capabilities or sexual preference can be identified as hate speech (Dershowitz, 1992).

### **2.6 Freedom of Expression**

Freedom of expression is a state of being allowed to say what you want to say. This includes the rights to express oneself the way they feel. The right should be enjoyed so long as they do not infringe on the rights of others and are not malicious, false and seditious (Harrower, 2007). The first amendment prohibits government officials from suppressing speech. It is not clear where the line is between hate speech and freedom of expression (Volkova, Silvestri, & Lopez, 2001). People often manipulate the freedom of speech to suit their interests and in the process inflict damage or hurt other people with their words. Hate speech holds important functional values that form the basis of common law which protects society (Cowan, Resendez, Marshal & Quist, 2002).

Free speech on the other hand, gives an opportunity for candid discussions. It is also an instrument that has contributed to development and advancement of minority groups by allowing open discussions on issues. Free speech affects different people in varied ways. For example, anti-gay language is seen by the gay as hateful while advocating gay lifestyles is also seen by Christians as being hateful (Dershowitz, 1992.) Information about contraception would be considered as hate speech by some people, whose faith discourages the use of contraceptives as a family planning method. In all these expressions, new ideas are spread and alternative viewpoints are raised through free speech (Cowan et al, 2002). Prohibition of hate speech is a limitation of freedom of expression. Freedom of speech should be enjoyed by all, but it can be limited to a point when it is necessary to protect other values such as human dignity (Stacic, 2011). According to Mill (1989), governments have no right to prescribe opinions and to determine what the citizens are allowed to hear. People have a right to do whatever they want as long as it does not infringe on the rights of others. Freedom of expression carries special duties and responsibilities; respect of the rights and reputations of others, the protection of national security or public order, health and morals (ICCPR, 1966).

### **2.7 Hate Speech and Parliament Proceedings**

Parliament has popularly elected leaders who have legitimately been chosen by the people through a democratic process. When such leaders speak, they make their electorate accept the discourse that they use and it influences the latter's actions. This can give way to wicked cultural insulting remarks that could damage and frighten certain groups of people (Hirsch, 2013). Parliamentary debates have a more immediate and powerful effect on the listeners. Although the speeches made in parliament are directly meant for a specific audience, it is nevertheless clear that all transactions and discussions in the house are made by representatives of the people. Their utterances are said on behalf of the people. On many occasions some speeches in the National Assembly have not augured well with the public. Hate speech has been known to lead to social rage and hatred in political rallies and on media talk shows. Arguably, such feelings could be transferred to other people. A speech such as the following on discrimination can cause a lot of animosity: sometimes, during Jomo Kenyatta's time, we had those problems. Worse ones were yet to be experienced during the Moi regime and, of course, the worst came early this year. That is because of one tribe discriminating against the others. (Hansard, 2008: 1653).

This statement is bound to elicit negative feelings against the one tribe that appears to be favoured and there is a likelihood that the members of the other tribes could gang up against the one tribe. Parliament proceedings are productive forces in a conflict.

During question time, the members have an opportunity to ask for clarification, make claims and allegations over what has been said by either a member or even a non-member of the house. Members of Parliament enjoy the privilege to express themselves freely and sometimes without weighing the words they use. More often than not the members go overboard in their contributions. They use language that may have greater ramifications than the intended information. The debates, being verbal, have a more immediate and powerful impact on the listeners as compared to written discourse. This is because the listener can react on the spot to what has been said.

## **2.8 Political Dominance**

Power is not just a negative concept of coercion or repression but it can be a productive and positive force (Gaventa, 2003). A group with more power is considered as the dominant one and it may control others in specific situation or domains. Since action is controlled by the mind, the dominant group strives to influence other people and this gives them power over the dominated group (Essed, 1991). Group based dominance is produced and maintained through discrimination at various levels which is integrated and co-ordinated by legitimizing ideology (Pratto, Sidanius & Levin, 2006). Overt statements of power and dominant interpretive frameworks are aspects of discursive signals used by elders to mark interactional power (Uchenna, 2012). This compares with implicit explanation used by speakers in parliament to respond to questions. This aspect of discursive formation is discussed under mode. Dominance can be conveyed by non-verbal cues such as body language. People knowingly develop and use this as a technique to exert control over others. MPs use this aspect consciously to achieve their desired goals. Dominance is also created through other discourse elements; stereotypes, implicature, hate speech, verbosity and presupposition. There has been a 'linguistic turn' (Stibbe, 2001) where there is a social principle that looks at how language is given a dominant role in social aspects (Fairclough, 1992).

Politics is a game of power and dominance. It is argued that power is a force that circulates in a web of social interactions between individuals who exercise as well as undergo power. Foucault (1980: 98) says:

Power is employed and exercised through a net-like organisation. And not only do individuals do circulate through its thread; they are always in the position of simultaneously undergoing and exercising this power. They are not only its inert or consenting target; they are always also the elements of articulation. In other words, individuals are the vehicles of power, not its point of application. It is the argument of this thesis that members of parliament see themselves truly as the elements just aforementioned; elements of power. They always want to be felt not only by the people they serve, but also by their fellow parliamentarians. That is why; therefore, they will use all that it takes for that dominance to be felt. This includes the language they use on the floor of the house. It is this language that this thesis sought to analyse. The Language that parliamentarians use during debates may, at times, be considered 'unparliamentarily'.

The members tend to incline toward the position taken by their side of the divide; There are always opposing sides even when the members debate legislative propositions (Bayley, 2004). This study focuses on the language used in Kenyan parliamentary debates to create socio- political dominance. While studying parliamentary debates, the role of context in the discourse is undisputable. Though parliaments are bound by strict rules of operation, the role of the context of culture and history is indisputable (Bayley, 2004.) The alignment has polarised Kenya since the formative stages of the nation and its effects have hounded the country with undesirable outcomes, including the Post-Election Violence (PEV) which rocked the country after the 2007 General Elections. Parliamentary language should be courteous, good tempered, and use moderate among other qualities. Language that does not have such qualities is considered un-parliamentary. It uses offensive, provocative or threatening approaches. Personal attack, insults and obscene language or words are not allowed.

## **3. Discussion**

During debates, some of the speeches made had the ability of inflicting emotional damage and also contained inflammatory comments meant to incite other individuals. Hate speech was evident in the forms of expressions used by the speakers. Such speech spread animosity and incited the listeners. The following are excerpts in which such language was used to exhibit socio- political dominance.

**Utterance 1**

Mr. Temporary Deputy Speaker, Sir, look at the situation obtaining at the Kenya Ports Authority (KPA). There is a Managing Director who did a commendable job there – Mr. Brown Ondego. He was removed and replaced with another docile one, merely because there was pressure coming from that region we are not recognising ability and capability! **(Hansard: 12<sup>th</sup> September 2007).**

This utterance was on the motion on imbalance in the distribution of public resources. The following is the classification of the utterance from the guiding card.

Elements of Hate Speech	Present/ not present
Speech that solicits disdain against a person/ group because of their ethnicity.	
Speech that encourages ethnicity.	
Incitement to hatred against a group of persons defined in terms of race, ethnicity, national origin, gender and religion.	
Use of cultural stereotypes.	
Any form of expression regarded as offensive to racial, ethnic and religious groups.	
Speech that promotes discrimination on the basis of tribe, colour, ethnic group, religious group.	
Use of abusive, negative and insulting language.	
Ridiculing of another person on basis of ethnicity, race or religious belief.	
Use of threatening, abusive words or behaviour towards a group to stir up ethnic hatred.	

The utterance here refers to the leadership of KPA. It is on the apparent wrong choice of the leadership of the corporation. There is a tribal and regional element to it. There is the use of diminutive language that shows bias against people from a certain region. The idea of incompetence comes up. There was a wrong choice based on “our” person. The topic here is the speech that solicits disdain against the group from certain regions because of their ethnicity. The speaker is inciting the others against a group. This utterance emboldens ethnicity.

**Utterance 2**

Mr. Temporary Deputy Speaker, Sir, look at the situation obtaining at the Kenya airports Authority (KAA). Eng. Mwangera, who actually fits in the job of being the managing Director of KAA-, I would imagine- is the Chairman of that Corporation! A former priest is the Managing Director. It is those kinds of scenarios that we would want to see corrected. **(Hansard: 12<sup>th</sup> September 2007).**

The utterance was a debate on the motion on distribution of public resources. It was categorized as follows:

Elements of Hate Speech	Present/ not present
Speech that encourages religious/ group violence.	
Incitement to hatred against a group of persons defined in terms of race, ethnicity, national origin, gender, religion and sexual orientation.	
Any form of expression regarded as offensive to racial, ethnic and religious groups.	
Speech that promotes discrimination on the basis of tribe, colour, ethnic group, religious group.	

The speaker in the utterance strives to draw everyone’s attention to the irregular ways that government distributes employment opportunities. Those in power use the position of authority to give jobs to their relatives and friends who may be unqualified for the positions. The speaker uses this opportunity to incite others to rise against these acts. In doing this, he uses language that is abusive, derogative and hateful. He belittles the calling of priesthood. The speaker takes advantage of the chance to delegitimize the government since he is in the opposition.

**Utterance 3**

Mr. Maore: So when the language is used that we all share the responsibility of bringing down the economy, I say no!... Today what has been happening for the last several years is that very many people are getting rich from the DOD after supplying air.  
 Mr An’ gwenyi: Is the honourable member from some part of Meru in order...”  
**(Hansard: 12<sup>th</sup> September 2007)**

The utterance was a debate on the rampant spread of corruption in the government. It was categorized as follows:

Elements of Hate Speech	Present/ not present
1. Speech that solicits disdain against a person/ group because of their ethnicity.	
2. Speech that encourages ethnicity.	
3. Incitement to hatred against a group of persons defined in terms of race, ethnicity, national origin, gender, religion and sexual orientation.	
4. Use of cultural stereotypes.	
5. Any form of expression regarded as offensive to racial, ethnic and religious groups.	
6. Speech that promotes discrimination on the basis of tribe, colour, ethnic group, religious group.	
7. Use of abusive, negative and insulting language.	
8. Ridiculing of another person on basis of ethnicity, race or religious belief.	
9. Use of threatening, abusive words or behaviour towards a group to stir up ethnic hatred.	

In utterance, the speech has words of loathing for some group. One speaker uses offensive and provocative language. The discourse conveys to the front the awareness of regionalism, the speaker strives to undermine the Meru people by presenting Meruland as an area where that does not create interest and so people do not aspire to go there.

The utterance was an appreciation of the presidential address. The speech has words of hate for some group. One speaker uses offensive and provocative language. The discourse brings to the fore the awareness of regionalism, the speaker strives to undermine the Meru people by presenting Meruland as an area that is not interesting and inspiring. This is a diminutive reference to the area. This is further captured in his statement: *Mr Speaker, Sir... member from some part of Meru in order...* The freedom that parliamentarians enjoy provides a conducive environment for hate speech to thrive and largely contributed to mobilizing people to spread animosity that led to the post-election violence between 2007 and 2008 in Kenya (Okwengu, 2010; KNCHR, 2007). In the utterance, the speaker uses such speech when he refers: In the statement... *from some part of Meru...* the speaker appears to look down upon the Meru region. This is a speech disparaging among other things, ethnic groups or a member of such a group. The speaker advances his dominance by using hate speech (Friedman, 2011). This can be related to who uses hate speech to derive cheap laugh by degrading an entire group of people in the following example:

Question: How was the Grand Canyon formed?

Answer: A Jew lost a nickel in a crack.

The speaker in this utterance also degrades Meru area and by extension its people. Whereas Friedman (2011) pokes fun at the Jews, the speaker in this utterance is forthright and refers to the region as if it is not of importance. Such a statement is a way of displaying the speaker’s socio- political dominance.

**Utterance 4**

Mr.Ojode: ...What I was saying is that heavily funded Ministries are given to people from a particular region. That disparity is what we want to rationalise. ...Ministry of Education alone, which has over 30 core functions, is headed by people from one particular region... It is worse, when the same Government is employing people who have attained the mandatory retirement age of 55 years. It is so absurd and so bad, yet the country is full of graduates from various regions...(Hansard: 12<sup>th</sup> September 2007).

The utterance was a debate on the public outcry on the nepotism that continued to thrive in the government. It was categorized as follows:

Elements of Hate Speech	Present/ not present
1. Speech that solicits disdain against a person/ group because of their ethnicity.	
2. Speech that encourages ethnicity.	
3. Incitement to hatred against a group of persons defined in terms of race, ethnicity, national origin, gender, religion and sexual orientation.	
4. Use of cultural stereotypes.	
5. Any form of expression regarded as offensive to racial, ethnic and religious groups.	
6. Speech that promotes discrimination on the basis of tribe, colour, ethnic group, religious group.	
7. Use of abusive, negative and insulting language.	
8. Ridiculing of another person on basis of ethnicity, race or religious belief.	
9. Use of threatening, abusive words or behaviour towards a group to stir up ethnic hatred.	

In the utterance, the language used by members of parliament during debates is a discursive act of discrimination that encourages inequalities (Gelber, 2002). In the speech, the speaker from the opposition side decries the manner in which the government is favouring people from certain communities. It uses its powers to create socio-political dominance. The speech contains expressions of hatred for some group. One speaker uses inciting and provocative language. The speech brings to the fore the idea of regionalism. It implies that the Mount Kenya region is favoured by those in power, to the disadvantage of the rest. This is hate speech, as the speaker strives to provoke the people from the areas that have not been favoured to rise up against those who have benefitted from these employments. From the guiding card, the speaker fulfils the reference to number 1: “Speech that solicits disdain against a person/ group and encourages negative ethnicity and regional misunderstandings”

**Utterance 5**

Mr.Ojode:... I wanted to appeal to the Government to take strategic steps, without victimising anybody... there was some skewed manner in which employment was done in that department....Look at the office of the President’s staffing. People from one particular region took charge of very good...which are heavily funded are given to people from one particular region...(Hansard: 12<sup>th</sup> September 2007).

The utterance was also a discussion on favourism and nepotism in employment. It was categorized as follows:

Elements of Hate Speech	Present/ not present
1. Speech that solicits disdain against a person/ group because of their ethnicity.	
2. Speech that encourages ethnicity.	
3. Incitement to hatred against a group of persons defined in terms of race, ethnicity, national origin, gender, religion and sexual orientation.	
4. Use of cultural stereotypes.	
5. Any form of expression regarded as offensive to racial, ethnic and religious groups.	
6. Speech that promotes discrimination on the basis of tribe, colour, ethnic group, religious group.	
7. Use of abusive, negative and insulting language.	
8. Ridiculing of another person on basis of ethnicity, race or religious belief.	
9. Use of threatening, abusive words or behaviour towards a group to stir up ethnic hatred.	

Hate speech is evident in the utterance. The utterance solicits social disdain against a group, this encourages negative ethnicity. The speech has the potential to stir up ethnic hatred. In context, there should be a distinction between statements of facts and value judgment when examining the utterance. The context in which an utterance is made, should address the social status of the speaker, the potential impact of the speech and the status of the targeted person. These circumstances influence listeners. This utterance shows how hate can be used in speech to stir up negative ethnicity. This has led to hate speech which continues to spread (Murray, 2011). Language that exhibits socio- political dominance, targets people or groups that a speaker considers as being inferior. It is a form of discrimination where one needs to look at communication action and validity claims. The latter represents: the claim to truth, to rightness of norms and values and to the speaker’s sincerity (Gelber, 2002). These may be present in MPs language or may not be there especially if the language used is meant to coerce or manipulate the listeners.

**4. Summary**

The paper presents the backdrop of the study which is premised on the following research objective; To identify and discuss hate speech as a linguistic strategy used by parliamentarians in the creation of socio- political dominance. There is a detailed literature review regarding the study in which the following areas have been discussed; Ideology, concept of hate speech, purpose of speech, spoken and written discourse, environment for hate speech, identification of hate speech, freedom of expression, hate speech and parliamentary proceedings, the power in language, political dominance, discourse analysis and Foucauldian discourse analysis

**5. Findings**

The research problem was that politically elected leaders use the immunity that they enjoy to manipulate language to create dominance. Members of parliament used explicit and implicit forms of hate speech in order to coerce others to support, embrace or reject some people and to incite others against the establishment. Using language in this way created socio- political dominance.

The findings of this study are presented alongside the three research questions: It was found out that in their endeavour to create social political dominance the members of parliament in Kenya used the hate speech as pragmatic strategies. It was observed that there were many instances where MPs used inflammatory statements that were offensive and provocative.

## 5. Conclusion

This study set to examine how parliamentarians used hate speech during parliamentary debates to create socio-political dominance. The research revealed that between 1992 and 2010, the Kenyan Parliament turned very vibrant as members freely enjoyed the freedom of expression especially after the repeal of the section 2A of the then Kenyan Constitution. It was evident that the ideology that the members ascribed to had a great impact on the kind of language they used during debates. They sometimes went overboard to create socio-political dominance. Evidently, the government and the opposition were always on an antagonistic stance in their response to the questions. The members' contributions were mainly geared towards power control over the weaker side. The MPs change their ideology depending on whether they are in government or parliament at the given time. Consequently, the contributions in parliament are more inclined towards dominance rather than focus on the matter at hand.

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