

## When does hate speech become dangerous speech? Consider Kenya and Rwanda

The forthcoming trial of Kenyan broadcaster Joshua Arap Sang poses vital questions about the connections between words and violence, argues Katherine Bruce-Lockhart.



Hate speech, or [speech](#) that denigrates people on the basis of their membership in a group, has long troubled policy makers, causing the boundaries of free speech to be constantly renegotiated. Debates about hate speech regularly cover newspaper headlines, with recent cases including the anti-gay protests of the [Westboro](#) Baptist Church at military funerals, and the African National Congress Youth-League Leader Julius Malema's promotion of the song "Shoot the Boer." Although such uses of hate speech cause considerable offense, they do not always directly incite violence. Scholars who research free speech are increasingly trying to discern when hate speech becomes "[dangerous](#) speech:" speech that has a "reasonable chance of catalyzing or amplifying violence by one group against another." Political scientist Susan [Benesch](#) has come up with five key qualitative variables to discern the dangerousness of speech, offering a useful model for analyzing hate speech case studies. These include the level of a speaker's influence, the grievances or fears of the audience, whether or not the speech act is understood as a call to

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violence, the social and historical context, and the way in which the speech is disseminated.

Rwanda and Kenya, both countries that have experienced considerable violence in the past two decades, are useful case studies to discern when and how hate speech becomes dangerous speech. The inflammatory role of the radio station Radio Télévision Libre des Mille Collines (Radio RTLM) in the Rwandan genocide has been widely [documented](#), and offers a definitive example of dangerous speech. “The radio encouraged people to participate because it said ‘the enemy is the Tutsi,’” remarked one genocide [survivor](#). “If the radio had not declared things, people would not have gone into the attacks.”

Such views have since been backed up by quantitative evidence, showing how hate speech from Radio RTLM increased participation in genocidal violence. In a study on Rwanda, David Yanagizawa-Drott, a political scientist from Harvard, used datasets on genocidal violence from over one thousand villages to discern the impact of radio coverage on participation in violence. His [findings](#) are instructive for scholars studying hate speech. In communities that had complete radio coverage, civilian violence increased by sixty-five percent and organized violence by seventy-seven percent. Overall, he estimates that nine percent of genocidal deaths, or the deaths of forty-five thousand Tutsis, can be attributed to violent acts incited by Radio RTLM. This statistic indicates the power of dangerous speech to translate words into actions, the consequences of which can be fatal for those living in violent environments.

To prevent dangerous speech, perpetrators must be held accountable - a task that requires concrete proof that speech can be shown to induce violence. There are legal precedents for this, including the International Criminal Tribunal for Rwanda, where prosecutors found members of Radio RTLM guilty of calling “explicitly for the extermination of the Tutsi ethnic group.” The International Criminal Court (ICC) is currently dealing with its first case of dangerous speech, involving Kenyan radio [broadcaster](#) Joshua Arap Sang. After the widespread post-election violence in 2007 and 2008, Sang was one of four Kenyans called to trial by the ICC for crimes against humanity. A broadcaster for the Kalenjin language radio station Kass, Sang is the only defendant who is not a politician (both the current president Uhuru Kenyatta and Vice-President William Ruto have also been indicted), making his case particularly interesting for scholars concerned with free speech. He was [charged](#) with murder, deportation or forcible transfer of a population, and persecution.

Commencing on May 28th, Sang’s trial is an important litmus test of the ICC’s ability to prove the correlation between speech and violent actions. On many fronts, Sang’s case seems to fulfill Benesch’s requirements as an example of dangerous speech. As a speaker, he holds considerable clout with the Kalenjin ethnic community. His show reaches a daily Kenyan [audience](#) of four and a half million and further listeners in the Kalenjin diaspora. His audience also had particular grievances, as they believed the election had been rigged against Raila Odinga, the candidate supported by most Kalenjin. The manner of Sang’s speech is also argued to be a call to arms. He is linked to [statements](#) such as “the war has begun” and “the people of the milk” should

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“cut the grass,” colloquial terms referring to the cattle-raising Kalenjin (Sang’s ethnic group) and the agricultural Kikuyu (the ethnic group that was targeted by Sang’s supporters). The social-historical context also favoured conflict, as Kenya has experienced violence during every [election](#) since 1992, and the Kalenjin and Kikuyu have long-term disputes over land. Finally, the radio is a powerful tool of communication in Kenya, as it is the main media source available in vernacular languages, and is thus more accessible than other forms of media to citizens who are less educated or live in rural areas.

Though Sang’s case seems to fit the categorization of dangerous speech, the outcome of his trial is far from definite. Unlike the case with RTLM in Rwanda, few transcripts of Kass’s radio [program](#) during the election exist. [According](#) to Human Rights Watch, the hate speech on Kass stemmed largely from guest speakers, not broadcasters, blurring the lines of guilt. Sang is adamant about his innocence, and has drawn on the principle of free speech to defend himself. As quoted in Keith Somerville’s *Radio Propaganda and the Broadcasting of Hatred* (2012), Sang argues that a guilty verdict would have a deleterious effect on free speech: “If they take me to the Hague and I know that I was doing my job professionally, then what are they telling journalists?” The outcome of Sang’s trial will likely have a major impact on the freedom of vernacular radio stations in Kenya, and contribute to wider understandings of dangerous speech in violent contexts.

Ultimately, more research and debates on discerning the difference between hate speech and dangerous speech is necessary. Whether in Rwanda, Kenya or other countries that have recently experienced massive violence, clarifying the category of dangerous speech is a vital endeavor. Determining when, why and how speech serves as a springboard to violence remains a challenging yet crucial issue in debates about free speech and efforts to prevent violence.

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