

Why 'hate speech' and 'hate preachers' are distinct phenomena



Using the term 'hate preachers' to describe jihadist extremist speakers is problematic, writes [Katharine Gelber](#), with serious implications for counter-terrorist policymaking. One of the outcomes of this confusion is a misconception that policy designed to address hate speech can be used to address terrorism.

To date, scholarly analysis of these provisions has suggested that their primary purpose is to protect vulnerable communities. Analysing the context and justifying discourse of key policymakers during debates, I argue by contrast that their primary purpose is as a counter-terrorism measure, and that both the public debate and the provisions themselves evince and entrench an enduring epistemic confusion.

In the 2017 UK election campaign, the Conservatives promised that, if elected, they would seek to introduce new measures to counter terrorist extremism. A focus of these measures was the activities of 'hate preachers', by which was meant religious leaders who preach radical extremism that can contribute to the risk of terrorist attacks. The term hate preachers has been used before, but [it is confused](#). It is a misleading and unhelpful term, and unlikely to assist in the development of policy that can successfully curb the risks of terrorist violence.

The primary reason for this confusion is that the term 'hate preachers' suggests that what radical jihadist preachers are doing is akin to the more common way in which the term 'hate' is used in public policy, namely in regard to hate speech. It suggests that the phenomenon of radical extremist preaching is like the phenomenon of hate speech, and correlatively that policy designed to address one can be used to address the other.

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Hate speech policy is designed to enhance social cohesion by providing protection to vulnerable communities from harmful speech. When used in this way, hate speech means speech that is directed against individuals who are identified by targets as being members of a group which has suffered from historically identifiable, systemic discrimination on the basis of an arbitrary feature. Hate speech instills, or incites, discrimination against members of the group, and in doing so harms the individual who is targeted. By extension, it also harms the community to which targets are perceived to belong. It is critical to the capacity of hate speech to harm its targets that it re-enacts prejudice, marginalisation and discrimination in this way. This is the defining feature of hate speech, as distinct from other forms of offensive speech.

Contemporary radical religious extremist speech of the kind engaged in by 'hate preachers' stands in contrast to this. The kinds of things that hate preachers say do not target systemically marginalised groups in society. Rather, hate preachers reserve their virulence for an anti-Western ideology that can encourage and incite hatred against innocent targets in the West. This means that the two phenomena target quite different kinds of people, and target people for very different reasons. This suggests that they require discrete explanatory tools, and that effective policy designed to address either or both of these phenomena ought to take this differentiation into account.

Eliding the differences between hate speech and religious extremism

To examine this topic, it is helpful to look at the debates surrounding the introduction of a recent hate speech law in the UK, the [Racial and Religious Hatred Act 2006](#). There was a range of arguments cited as the impetus underpinning this law. The three most common suggest that it was introduced to ameliorate hate speech against targets who were from vulnerable groups in the community. In other words, on the face of it, it looks like a law designed to ameliorate hate speech against the vulnerable, precisely the way a hate speech law is designed to.

The first argument cited as the reason for the introduction of this law was that it would [remedy existing gaps in the coverage of hate speech laws](#) with regard to religion. Extending coverage to all religious groups would render the laws fairer. The second is that there was a need for government policy [to respond](#) explicitly to increases in attacks against Muslims in the context of terrorist concerns. Providing protection in the form of a new religious hatred law was said to send a message to the Muslim community that the government was concerned to protect their interests. The third is that the law was needed to ameliorate the [disproportionate impact](#) of counter-terrorism policy on the Muslim community, including in increased surveillance, tracking, and scrutiny.

These rationales are convincing to a point. However, these explanations overlook a fourth argument located in a broader rationale that was extant in policy discourse at the time. Law-making was (and arguably still is) taking place in the context of a strong counter-terrorism mandate: a strategy in which the government explicitly and repeatedly stated its desire to devise policy that could intervene against, and prevent, [the indirect enablers of terrorism](#).

[Analysis of counter terrorism policy making debates](#) over time in the UK supports this conclusion. During counter terrorism debates from 2001 onwards, policymakers wished to be able to intervene against those engaged in extremist speech, and they perceived a measure prohibiting religious hatred to be a vehicle which might make this possible. In addition, drawing on the idea of 'hate' as the defining feature of the speech they wished to prohibit allowed policymakers to draw on widespread [public support](#) for the prevention of racial and religious (and other forms of) hatred, in the context of justifying new and controversial counter-terrorism measures.

The linking of these two phenomena can be traced through counter-terrorism discourse over time. After the 2001 terrorist attacks in the United States, UK [political leaders](#) linked racist and religious [hatred with extremist terrorist speech](#). In 2005 Prime Minister Tony Blair did so again, [stating](#) that, 'time and again ... I've been asked to deal firmly with those prepared to engage in ... extremism', while announcing new comprehensive policies to tackle terrorism that would include the proposal to make 'fostering hatred, advocating violence ... or justifying such violence' grounds for deportation. Prime Minister Brown, similarly, [engaged](#) in debate that linked the need to tackle racial and religious hatred with the need to combat terrorist recruitment.

After the election of the Cameron government in 2010, then Home Secretary Theresa May signalled that she was aware of some problems in this juxtaposition, [saying](#) the previous government had 'muddled up work on counterterrorism with the normal work that needs to be done to promote social cohesion'. However, her Prime Minister continued to warn against [hate preachers](#). As Prime Minister, May has continued to use the [language](#) of 'hate preachers' when discussing attempts to devise new policy to counter radical extremism.

In policy debate, the incitement of hatred against the systemically vulnerable and the incitement of hatred against Westerners have been treated as synonymous. 'Hatred' is viewed as the defining element of harmful speech, although this does not accord with the literature on how and why hate speech can harm. Hate speech against vulnerable minorities is regarded as the same policy puzzle as terrorist speech against Westerners.

Yet, in light of the argument that the two phenomena are distinct, this demonstrates confusion. More worryingly, it raises serious questions about the likely efficacy of extant laws in achieving either policy goal.

Note: the above draws on the author's [published article](#) in *Parliamentary Affairs*.

About the Author



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