

DEMOCRACY AND HUMAN RIGHTS

HATE SPEECH AMONG POLITICIANS IN BOSNIA AND HERZEGOVINA

(Sowing Hatred for the Sake of Reaping Election Votes)

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It is noticeable that in B&H, in practice, the balance between hate speech and the right to freedom of expression has shifted in favour of freedom of expression.



Hate speech is mostly used by politicians on the right end of the political spectrum. They even attract a part of their electorate precisely due to hate speech.



Neither the engagement of the civil sector, nor the international community, nor even state bodies can be too successful in eliminating hate speech unless a majority citizens decide to punish politicians who use hate speech by not giving them their vote

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INTRODUCTION

In his 1920 *Letter*, Nobel laureate Ivo Andrić described Bosnia as a wonderful and interesting country, not at all ordinary “by its nature and by its people”. However, he also stated that Bosnia is a country of “hatred and fear”. Andrić said that the fatal characteristic of hatred is that “Bosnian man is not aware of the hatred that dwells within him, he is reluctant to analyse it and hates anyone who tries to do so.” He further states that misunderstanding, which in Bosnia occasionally turns into open hatred, is an almost general characteristic of the people, adding that there are more people in Bosnia and Herzegovina who are “ready to kill or be killed in an act of unconscious hatred, for various reasons and under various pretence, than in other Slavic and non-Slavic countries much bigger in terms of population and area.

This bleak image of the past Bosnia and Herzegovina (hereinafter: B&H) is unfortunately also a portrait of its present. Hatred and lack of understanding for problems of others are still existent in B&H, with scientists and researchers devoting themselves to their analysis, while the majority of citizens do not think about these problems until they face them directly. More than two decades after the war has ended, modern B&H is still a transitional society. While political promises of a better life, the rule of law and European values have largely remained *hanging in the air*, another trend has been established, which seems to be persistent in our reality. This trend is called: **exploiting hate speech in order to gain political points**. Namely, certain politicians in B&H have inevitably included hate speech in their vocabulary, and believe that the easiest way to animate their supporters is through controversial statements, attacks and incitement.

In order to achieve their goals, politicians do not hesitate to open old wounds or create new ones, to encourage conflicts among citizens, to place blame on others, all with the aim of gaining political points and taking/retaining power. In doing so, and probably unaware of Andrić's words, they rely on the fact that *Bosnian people are often unaware of the hatred that lives within them and are reluctant to analyse it*. Politicians hope that by using hatred they will encourage citizens to constantly align with what is “theirs”: *their* nation, *their* religion and, ultimately, *their* party. Thus, instead of eliminating hatred, they strengthen it, without regard for the effect that hate speech can have on the common life of all peoples in B&H.¹

¹ Ivo Andrić, *Sabrana djela Ive Andrića – Deca (pripovetke) (SDIA)*, [Mladost Zagreb, Svjetlost Sarajevo, Zagreb: 1963], pages 219-227.

I FREEDOM OF EXPRESSION, POLITICAL LANGUAGE AND HATE SPEECH

The important question is how to draw the line between free expression and hate speech, i.e. freedom of speech and hate speech.

The right to freedom of expression is the right to have and publicly express one's views and opinions, as well as to receive information without prohibitions, restrictions or penalties. However, it is not an absolute right and can be legitimately limited in order to e.g. have the state protect other rights or overriding interests, and it may be waived in order to take certain measures in extraordinary circumstances. Also, according to the case law of the *European Court of Human Rights*, it is forbidden to glorify National Socialism, change historical facts related to the Holocaust or incite racial hatred, because that is contrary to tolerance, social peace and non-discrimination.

Tolerance and the right to equal dignity of all human beings form the basis of a democratic pluralistic society, which is why "in some democratic societies it is sometimes necessary to sanction or even prevent all forms of expression that spread, encourage, promote or justify hatred based on intolerance", provided that the conditions, restrictions and penalties that may be imposed are "proportionate to the legitimate aim pursued."

When it comes to hate speech itself, there is no one generally accepted definition. One definition very commonly used in European countries states that **hate speech** means "all forms of expression which spread, incite, promote or justify racial hatred, xenophobia, anti-Semitism or other forms of hatred based on intolerance, including: intolerance expressed by aggressive nationalism and ethnocentrism, discrimination and hostility against minorities, migrants and people of immigrant origin."

Also, it is necessary to distinguish hate speech from speech that is offensive, shocking or disturbing, which nevertheless falls under the freedom of expression, as long as it does not contain elements of hatred. In political expression, it is important to make a distinction between hate speech and that which is a consequence of ideological, political and critical attitude or opinion. Making this distinction is critical so that regulations banning hate speech would not be used for the purpose of censoring political opponents. Certain ideological views, especially those considered conservative, do not

always constitute hate speech. Debates that represent ideological views regarding the rights of members of a particular national minority or members of a particular gender or sexual orientation are perfectly legitimate in a democratic society, but only provided they do not incite hatred, intolerance, aggressive extreme nationalism or ethnocentrism, nor glorify crimes or superiority of a race or a nation, or deny war crimes or the memory of people who lost their lives in such events. When we talk about critical attitude towards the government, as well as towards political parties and public figures, politicians must have a higher threshold of tolerance, and the limits of acceptable criticism are wider when it comes to a politician than a private person. That is why politicians must show greater tolerance. However, even this critical attitude must not have the characteristics of hate speech.²

2 *Handyside v. The United Kingdom*, [7/12/1976, 5493/72], § 49; *The Universal Declaration of Human Rights (UD)*, [United Nations General Assembly, Res. A/RES/217, Paris: 1948], Articles 1-2; *The International Covenant on Civil and Political Rights*, [United Nations General Assembly, Res. A/RES/21/2200, Paris: 1966], Article 20; Toby Mendel, *Sloboda izražavanja: Vodič za tumačenje člana 10. Evropske konvencije o ljudskim pravima i njegovog konteksta*, [Savjet Evrope, 2013], page 5; *Convention for the Protection of Human Rights and Fundamental Freedoms (EKLJP)*, [Council of Europe, Rome: 1950], Article 15; *Kühnen v. Federal Republic of Germany*, [12. 5. 1988, 12194/86]; *Nationaldemokratische Partei Deutschlands, Bezirksverband München-Oberbayern v. Germany*, [29. 11. 1985, 25992/94]; *Lehideux and Isorni v. France*, [23. 9. 1998, 24662/94]; *Garaudy contre la France* [24. 6. 2003, 65831/01]; *Glimmerveen and Hagenbeek v. The Netherlands*, [11.10.1979, 8348/78, 8406/78]; *Norwood v. The United Kingdom*, [16. 7. 2003, 23131/03]; *Pavel Ivanov v. Russia*, [20. 2. 2007, 35222/04]; Monica Macovei, *Freedom of expression – A guide to the implementation of Article 10 of the European Convention on Human Rights*, [Directorate General of Human Rights – Council of Europe: 2004], page 7; Karl Popper, *The Open Society and Its Enemies*, [Princeton University Press: 1966], page 265; Sevim Sali-Terzić, *Govor mržnje: međunarodni standardi ljudskih prava i pravni okvir u Bosni i Hercegovini*, [Sarajevo: 2013], page 2; Franjo Dragičević, „Govor mržnje, izborni proces i pravo na slobodu izražavanja“, *Sveske za javno pravo*, [Fondacija Centar za javno pravo, Sarajevo: 2019], pages 27-31, 37; *Recommendation No. R (97) 20 of the Committee of Ministers to Member States on „Hate Speech“*, [Committee of Ministers: 1997/607th meeting of the Ministers' Deputies], Scope; *EU Human Rights Guidelines on Freedom of Expression Online and Offline 9647/14*, [Council of the European Union, Brussels: 2014], page 28; *Nacrt metodologije – Govor mržnje i zločin mržnje kao instituti međunarodnog i domaćeg prava – Osnovi metodologije i strategije za borbu protiv govora mržnje i zločina mržnje*, [Komitet pravnika za ljudska prava YUCOM, Nacionalna koalicija za toleranciju protiv zločina mržnje, Beograd: 2007], page 2; *UNITED Thematic Leaflet no 3 – How to Understand and Confront Hate Speech*, [UNITED for Intercultural Action: 2007, (Can be found on: http://www.unitedagainstracism.org/wp-content/uploads/2014/05/HateSpeechLeaflet_GB.pdf, Accessed on: 12/6/2021 at 10:53)]; *Müslüm Gündüz v. Turkey*, [14. 6. 2004, 35071/97], § 22; *Drugi preliminarni izvještaj o dugoročnom posmatranju Lokalnih izbora 2020. godine u BiH (za period 7. 9 – 8. 11. 2020)*, [Koalicija za slobodne i poštene izbore – Pod lupom: 2020], page 15.

II HATE SPEECH AS A MEANS OF ACHIEVING POLITICAL GOALS

B&H politicians are in a state of **permanent political campaign, extending beyond the election period**. As part of the growth and unification of their electorate, they often use hate speech to gather voters around national, ethnic and religious issues. It is important to note that political debates, proposals for new constitutional solutions, advocacy for unitarisation, creation of new federal units or division of B&H do not fall within the scope of hate speech. These are forms of expressing political aspirations and goals that are allowed in the political arena. However, it is noticeable that political speech on these issues is directed in such way that it can be classified under hate speech.

One recent survey on hate speech from 2021 showed that hate speech victims in B&H belong to different groups: ethnic and religious groups, LGBT population and migrants, while hate speech in the media is mostly being spread by interviewees (42%) and politicians (30%).

Hate speech itself is especially intensified during the election period in B&H, with "more intensive promotion of offensive positions, politicization of society on many grounds and general climate of anti-intellectual state of consciousness." The campaigns of political parties, especially the right-wing ones, are based on populism, as well as on proving the primacy of nationalism. Thus, politicians are prone to using strong hate speech within legitimate expression of right-wing and conservative attitudes and ideas.

An example of this is the case of the video clip of the political party *United Srpska [Ujedinjena Srpska]* from September 2020. In this video, three stereotypically portrayed men are sitting in a cafe: an Albanian (who brags about how they drove Serbs from Kosovo), a Croatian (boasting about the results of ethnic cleansing in the military operation "Oluja") and a Bosniak (who states that they managed to turn Serbs against each other). Then a Serb comes in and hits the table with his fist saying they are mistaken, and the three men run away, while the cafe is occupied by Serbs from the mentioned political party. The video appeared in most of the media and *United Srpska* managed to reach a large number of viewers. The video helped the party to mobilize voters, obtain an even bigger share in the right-wing electorate, and achieved very good election results, despite the obvious hate speech.

Hence, hate speech can serve as a useful method for the parties to unite and mobilize the electorate, but also to reach a new voters which see nothing wrong with such speech. In addition, this kind of speech resonates more

strongly in the public, and citizens are much more interested in it, since it is a part of trivialisation of the B&H political scene. However, unlike certain political scandals and quarrels that are part of B&H's political reality, hate speech has a far-reaching adverse effect: differences between citizens become deeper, groups or individuals are targeted, intolerance is promoted and there is a threat of direct violence against individuals or groups targeted by hate speech.³

III NATIONALISM AS DESTINY

Nationalism, right-wing attitudes and behaviour are not prohibited nor should they be. However, extreme nationalism presented as chauvinism leading to xenophobia and hatred is a phenomenon that is by no means acceptable. Nationalism in B&H is the direction followed by most politicians, and it is often exploited through hate speech.

Consequently, the leaders of the largest political parties in B&H bind nationalism and hate speech together. Thus, the president of the *Party of Democratic Action*⁴ (hereinafter: PDA), Bakir Izetbegović, said in one of his last statements that he would rather die "than allow genocide people to rule over a part of Bosnia and Herzegovina", alluding to politicians (or the people) from the ranks of the Serbian people. On the other hand, a member of the Presidency of B&H and president of the *Alliance of Independent Social Democrats*⁵ (hereinafter: AISD) Milorad Dodik commented the *Central Electoral Commission* (hereinafter: CEC) decision to annul the elections in Doboj and Srebrenica by verbally attacking the CEC member Vanja Bjelica Prutina on several occasions, stating that "a lady who pretends to be a representative of the Serb people was or still is married to a Bosniak Muslim from Sarajevo. Some would say this is not important. Come on!" He also offended another Serbian CEC member, Jovan Kalaba, by saying the "only a low-life type of Serb can vote to annul the Srebrenica elections."

3 *Izveštaj ECRI-a o Bosni i Hercegovini (peti ciklus monitoringa)*, [ECRI Secretariat Directorate General II – Democracy, Council of Europe: 2016], § 15; Armin Aljović, *Govor mržnje u BiH zabrinjava stručnjake*, [Aljazeera: 2021, (Can be found on: <https://balkans.aljazeera.net teme/2021/6/20/govor-mrznje-u-bih-zabrinjava-strucnjake>, Accessed on: 22/6/2021 at 14:23)]; Mario Pejović, *Gradani u BiH više koriste govor mržnje nego što ga osuđuju*, [Aljazeera: 2021, (Can be found on: <https://balkans.aljazeera.net teme/2021/2/20/gradani-u-bih-vise-koriste-govor-mrznje-nego-sto-ga-osuduju>, Accessed on: 2/7/2021 at 9:50)]; Dejan Lučka, *Ljudska prava u Bosni i Hercegovini 25 godina nakon „Dejtona“ (Lijek za krvavi sukob kao današnji temelj ljudskih prava) (LJPUBIH)*, [Friedrich Ebert Stiftung BiH, Sarajevo: 2020], page 13.

4 Stranka demokratske akcije.

5 Savez nezavisnih socijaldemokrata.

The president of the *Bosniak Movement for Equality of Peoples*⁶, Sejfudin Tokić, is also someone who regularly uses hate speech in public. In one of his last speeches in June this year, Tokić asked on his Facebook profile whether there is a collective responsibility of the Serbian people for genocide and war crimes against Bosniaks. He pointed out: “The collective responsibility of the Serbian people for the genocide against Bosniaks will exist until those people and their political, academic, cultural and religious communities distance themselves and condemn the atrocities of war criminals Karadžić, Mladić, Milošević, Martić... and their policies.” He is known to deem that Bosnia would continue to exist without both Croats and Serbs, to compare the Serbian people with the Nazis, and use similar political language to incite hatred.

It is also worth noting that the amount of hate speech among politicians has decreased comparing the war period as well as the post-war period. Nevertheless, today we can see them rekindling the national hatred among the peoples of B&H as a legitimate way to gain political points. The sad reality of everyday life in Bosnia and Herzegovina is vividly illustrated by the research within the project “Suppression of Hate Speech through Youth Empowerment”, where the findings show that between October 2018 and October 2020 there was not a single day without hate speech in the media in B&H.⁷

IV ATTACKS ON POLITICAL OPPONENTS

In order to discredit their political opponents, politicians in B&H often resort to insults. A portion of such language can certainly be classified as the right to free expression.

6 Bošnjački pokret za ravnopravnost naroda.

7 *Nivo govora mržnje u Bosni i Hercegovini je sve veći*, [Mreža mira: 2021, (Can be found on: <https://www.mreza-mira.net/vijesti/clanci/nivo-govora-mrznje-u-bosni-i-hercegovini-je-sve-veci>, Accessed on: 29/6/2021 at 11:11)]; *Bakir Izetbegović: Ako bude rata, spreman sam stati ispred ljudi*, [O kanal: 2021, (Can be found on: <https://www.youtube.com/watch?v=Lk2fsr-Q2Pg>, Accessed on: 21/6/2021 at 10:00)]; *Sejfudin Tokić uhapšen u Banjaluci*, [ATV: 2020, (Can be found on: <https://www.atvbl.com/sejfudin-tokic-uhapsen-u-banjaluci>, Accessed on: 21/6/2021 at 10:30)]; *Sejfudin Tokić - Nova bošnjačka politika – BBB*, [Facebook: 2021, (Can be found on: <https://www.facebook.com/Sejfudin-Toki%C4%87-Nova-bo%C5%A1nja%C4%8Dka-politika-BBB-1384929995123558/photos/a.1387425228207368/2946046742345201>, Accessed on: 21/6/2021 at 10:45)]; *Sejfudin Tokić - Nova bošnjačka politika – BBB - status*, [Facebook: 2019, (Can be found on: <https://www.facebook.com/Sejfudin-Toki%C4%87-Nova-bo%C5%A1nja%C4%8Dka-politika-BBB-1384929995123558/photos/2370301613253053>, Accessed on: 21/6/2021 at 10:50)]; *Sejfudin Tokić - Nova bošnjačka politika – BBB - status*, [Facebook: 2020, (Can be found on: <https://www.facebook.com/Sejfudin-Toki%C4%87-Nova-bo%C5%A1nja%C4%8Dka-politika-BBB-1384929995123558/photos/2813171978966012>, Accessed on: 21/6/2021 at 10:09)].

However, the rest represents blatant examples of hate speech. Political opponents are labelled as “Chetniks”, “Ustasas”, “Islamists”, “traitors”, etc.

An example of such actions is the statement of Momčilo Antonić, AISD MP in the *National Assembly of the Republika Srpska* from January 2021. Namely, he insulted Ivan Begić from the *Party of Democratic Progress* via his Facebook profile by writing: “I don’t know if Begić hates me because he is Draško’s serf or a reindeer, because he’s 50 centimetres shorter than me, because of my car or just because he’s an Ustasha? Or because of all of the above! I think it’s all of the above, but Ustasha blood is the dominant reason. He is not bothered by the car, but by these three fingers, same as he is bothered by billboard of Vučić and Dodik on the “9th January” highway. Ivan, tell your voters who was your uncle whose name you bear.” He also stated that Begić’s ancestors were “slaughtering children in Šargovac, Drakulić and Motike.”

The attacks on political opponents usually come from the parties themselves, i.e. their supporters at political rallies. Thus, at the pre-election rally held in Tuzla in 2018, the *Democratic Front – Civic Alliance*, Željko Komšić: *B&H Wins*⁸ allowed the display of posters with the content: “By giving our vote to Komšić we will drive a stake through Čović. This is why the Bosnian crowd also drives it through Kolinda.” It was clear that the message was aimed to Dragan Čović, one of the candidates for the Croatian member of the Presidency, and the other part referred to the then current President of the Republic of Croatia, Kolinda Grabar-Kitarović.

It is important to mention the case from this year when the councillors of *Our Party*⁹ in the *Mostar City Council* Boško Čavar and Irma Baralija, during the voting for the new mayor, abstained and did not support the PDA candidate Zlatko Guzin. Under the accusations that they betrayed and handed over Mostar, Čavar and Baralija were exposed to public lynching, insults and hate speech, primarily on social media but also on various media and portals, which were mostly done by party bots, with the approval and comment of politicians. Even Bakir Izetbegović from PDA joined the lynching and stated that Baralija betrayed Mostar and its “patriotic part”.

Political parties and colleagues from the same political entities usually justify hate speech and attacks (with certain exceptions), considering them legitimate in the political struggle. They justify this either by zeal in political struggle, patriotism, “sharp language”, or on the legal side, by the fact that the statements contain “easily

8 Demokratska fronta – Građanski savez, Željko Komšić: BiH pobjeđuje.

9 Naša stranka.

provable facts”, representing a “value judgment”, and by the fact that harsh words and criticism of politicians are something that can be expected and must be tolerated.¹⁰

V TARGETING INDIVIDUALS AND GROUPS

In addition to political opponents, B&H politicians use hate speech to provoke outrage and hatred among people towards civil society individuals, citizens seeking their rights, or those who express opinions they do not like. With such speech, they want not only to discredit individuals, but also to provoke public anger towards them and encourage possible attacks on them and their family members.

The current member of the *Presidency of B&H*, Milorad Dodik, regularly uses this type of hate speech. During his interview on *Happy TV* in 2018, he commented the death of Banja Luka student David Dragičević. He called the late David a drug addict who was on “heavy drugs”, accusing the opposition of politicizing the case for the purpose of destabilizing Republika Srpska, alleging that it was a “coloured revolution”.

Milorad Dodik is known in the Western Balkans political domain as a man who makes inflammatory statements against individuals who do not suit him, journalists, groups and civil society organisations. One of his latest statements given in May 2021 for the *Republika Srpska News Agency* was titled “Dodik: Tanja Topić, an agent of the German BND”. In this text, Milorad Dodik accused political analyst Tanja Topić, who speaks publicly about crime and the government behind-the-scenes activities, of being an agent of the foreign BND intelligence service, insulting her and her family, calling her a quisling among other serious insults.

The statements of Emir Suljagić, Deputy Minister of Defence from a few years ago, are equally distressing. When it was announced that Ivan Šušnjar would become the Consul General of B&H in Chicago, Emir Suljagić started insulting him openly via Twitter and spreading hate speech. Some of his messages read: “Sending Šušnjar to the Americans as a consul is like them sending us this garbage that walked into a church in Charleston.” This message was referring to Dylan Roof, who killed nine African-Americans in South Carolina. He further commented: “Ivan Šušnjar is a racist garbage who is not ashamed of it. Other racist garbage, from Šešelj onwards, was mostly proud of it.” Then he posted a photo of the *Ku Klux Klan* members with the hoods and wrote that they were “Šušnjar and friends”.

Apart from the previous, there is also subsequent targeting of individuals by politicians through hate speech. A high-ranking AISD official Rajko Vasić justified the attempted murder of journalist Vladimir Kovačević on social media, emphasizing that “the public should not protect BNTV journalists, because BNTV destroys the public”, and that the journalist asked for trouble because he was “nosy”. He also stated that everyone should pay a price for their work, “from doctors to politicians, and journalists should not be exempt” while they are “advocating for freedom and democracy from a western laboratory”.

There are numerous similar examples as this in B&H. In some cases, those who spread hate speech want to show their despotism and power, in others they just want to attack the integrity of the individual and provoke public hatred towards them, while there are also those who want to attack people who raise topics that may harm them. A special problem is when hate speech is spread by politicians who hold *de facto* power over repressive bodies, because in addition to inciting others to hate, they can also carry out physical attacks on individuals. That is why people who are at the head of state bodies should know how to measure their words and behave accordingly in public.¹¹

10 Nevena Stanojević, *Momčilo Antičić: Jesam patriota britkog jezika, ali šovinista i nacista nikad*, [Banjaluka.net: 2021, (Can be found on: <https://banjaluka.net/momcilo-antonic-jesam-patriota-britkog-jezika-ali-sovinista-i-nacista-nikad/>, Accessed on: 21/6/2021 at 11:00)]; Istinito, *Poslanik SNSD Momčilo Antičić javno izvrijedao odbornika PDP*, [Istinito: 2021, (Can be found on: <http://www.istinito.com/aktuelno/64417-poslanik-snsd-momcilo-antonic-javno-izvrijedao-odbornika-pdp/>, Accessed on: 21/6/2021 at 11:07)]; *Rješenje Suda Bosne i Hercegovine*, [Broj: S1 3 lž 030736 18 lž, Sarajevo: 16. 10. 2018]; *Rješenje Suda Bosne i Hercegovine*, [Broj: S1 3 lž 030868 18 lž, Sarajevo: 30. 10. 2018]; Slađan Tomić, *Zastrašujući govor mržnje prema Baraliji i Čavar jer su rekle NE nacionalističkim podjelama*, [Buka: 2021, (Can be found on: <https://www.6yka.com/novosti/zastrasujuci-govor-mrznje-prema-baraliji-i-cavar-fer-su-rekle-ne-nacionalistikim-podjelama>, Accessed on: 21/6/2021 at 11:33)]; A. Z., *Izetbegović: SDA je omogućila izbore u Mostaru, a Irma Baralija ga je izdala*, [Klix: 2021, (Can be found on: <https://www.klix.ba/vijesti/bih/izetbegovic-sda-je-omogucila-izbore-u-mostaru-a-irma-baralija-ga-je-izdala/210216141>, Accessed on: 21/6/2021 at 11:50)]; *Rješenje Suda Bosne i Hercegovine*, [Broj: S1 3 lž 030735 18 lž, Sarajevo: 16. 10. 2018].

11 Ernad Osmić, *Kome Dodik odgovara za govor mržnje?*, [Analiziraj: 2021, (Can be found on: <https://analiziraj.ba/kome-dodik-odgovara-za-govor-mrznje/>, Accessed on: 29/6/2021 at 14:10)]; SRNA, *Tanja Topić agent njemačkog BND-a*, [SRNA: 2021, (Can be found on: <http://89.111.245.19/novosti/904082/dodik-tanja-topic-agent-njemackog-bnd-a.htm>, Accessed on: 29/6/2021 at 14:17)]; Žana Gauk, *Batinaši iz mraka: Smiri se, u RS su stigli ljudi sa zadatkom!*, [Impuls portal: 2018, (Can be found on: <https://impulsportal.net/index.php/kolumne/politika/15143-batinasi-iz-mraka-smiri-se-u-rs-su-stigli-ljudi-sa-zadatkom>, Accessed on: 29/6/2021 at 14:30)]; Tanja Topić, *Medijsko-propagandne slike iz Republike Srpske: Zbijanje redova i premlaćivanje novinara*, [Vreme: 2018, (Can be found on: <https://www.vreme.com/cms/view.php?id=1621558&print=yes>, Accessed on: 29/6/2021 at 14:40)]; Denis Kuljiš, *Doktor Emir protiv inženjera Zirduma*, [Danas: 2015, (Can be found on: <https://www.danas.rs/nedelja/doktor-emir-protiv-inzenjera-zirduma/>, Accessed on: 12/11/2020 at 10:53)].

VI WAR CRIMES, “THEM” AND “US”, “THEIR” AND “OURS”...

Politicians seek to maintain a division into “us” and “them”, seeking the opportunity in nationalism and national assembly to promote their ideas and gain/maintain power. All this causes situations where politicians, even when they do not directly use hate speech, encourage divisions and indirectly lead to increased animosity and hatred among certain citizens. Almost daily, members of political parties “severely insult and accuse other peoples ('aggressors', 'fascists', 'primitives', 'genocidal people', etc.), but also the state and its entities ('artificial creation', 'Jamahiriya', 'occupied territory', 'result of ethnic cleansing', etc.)”.

In addition, B&H is in a specific position since hate speech flared up after certain events in B&H. The verdicts of the *International Criminal Tribunal for the former Yugoslavia* (hereinafter: ICTY) were a special trigger for hate speech. Following these verdicts, hate speech in public space has increased significantly. An example of this is the fact that politicians and the B&H public are polarized regarding the terminological definition of crimes against Bosniaks that took place in Srebrenica in 1995. The vast majority of politicians in the Federation of B&H, as well as the international community, consider the events in Srebrenica to be genocide, citing ICTY verdicts, while the vast majority of politicians in Republika Srpska oppose the qualification. This issue regularly incites political skirmishes in the public, the ultimate goal of which is to gain political points and unite support for one's political ideas. In doing so, the victims, their parents, spouses and children of those who died are practically not given too much attention. This further victimizes the victims and their families, and puts their suffering aside, because politicians and their confrontations come to the fore. This was the aim of Rajko Vasić, a member of the AISD Main Board who took to Twitter in 2018 stating: “I’ve been thinking, if you love that genocide against you so much, wait for the next one.” He announced this threatening status, i.e. hate speech, in the days of the burial of the victims, making it particularly atrocious.

B&H politicians also do not have a unified position on the very nature of B&H, how it came into being, whether there was a civil war or aggression on its territory in the 1990s, who has or does not have the right to secession and what are the competencies of the entities. They are also divided in condemning the crimes. In such a situation, crimes committed against members of one of the peoples in B&H are minimized by politicians, unless those politicians belong to the

nation against which the crime was committed, with occasional use of hate speech between peoples. Political parties generally nurture a culture of remembrance that refers only to victims coming from a nation that is predominantly within a particular party, while crimes committed against other nations are often viewed with contempt.

Furthermore, squares, streets and many other places named after fascists or collaborators of the National Socialists and the Ustasha regime in the Second World War can be seen in many places in B&H. Also, many places and institutions are named after people from the past war that citizens of other nationalities consider an insult to them, to the victims from their people and their families. Public authorities and politicians erect monuments and buildings with signs that contain hate speech and label certain nations. The names of these places and the inscriptions were approved by politicians in the distant or recent past.

A significant problem with hate speech in B&H is that it opens old wounds and encourages hostility among nations. Historical events are attempted to be used as a means of promoting hatred. Hence, we hear stories about the Ottoman and Austro-Hungarian rule, suffering in the First World War, crimes of Ustasas, the “Croatian flowers” and Chetniks in the Second World War, as well as murders, torture and terror in the last war.

B&H is particularly sensitive to religious issues, as members of two major world monotheistic religions live side by side: Christians (Orthodox and Catholic) and Muslims. Many citizens perceive religion as an integral part of their identity and personality, and politicians in B&H know this very well. Yet, despite this, they attack the faith and religious feelings through hate speech, crossing the line of criticism that is justified and that can be subsumed under freedom of expression.

An example of this is the vice president of the *Social Democratic Party of B&H*¹², Vojin Mijatović. During his interview for *FACE TV* at the end of 2019, he focused on religious communities in B&H and said that “in addition to these three fascist political organisations, we have three other evils in Bosnia and Herzegovina, namely the Orthodox Church, the Catholic Church and the Islamic Community”. He later added “[...] this is the result of these three fascist political organisations and three branches of the so-called faith.” Another example is Milorad Dodik, the then President of Republika Srpska who, speaking on a television about Islam, stated among other that the Imam’s calling for prayer

¹² Socijaldemokratska partija Bosne i Hercegovine.

is “yelling” stating they should not perform prayers in the morning.

Criticism of religion, belief and the way it is expressed is allowed, but religious communities must tolerate public criticism and debates about their activities, teachings and beliefs, provided that such criticism does not incite violence or riots or discriminate against the followers of a particular religion. However, the above remarks are not a way to criticize religious communities in B&H, and are often, as in the case of Milorad Dodik, closely linked to nationalism. By attacking and using hate speech in public, political leaders present themselves as true “guardians” of their own faith (and nation), even though attacking others does not contribute to their religious community, but only to animosity towards others.

Likewise, political leaders of the leading B&H right-wing parties are doing practically nothing to prevent hate speech by members of their parties, but they are quick to condemn hate speech by political representatives from other nations. The impression is that politicians find it very difficult to notice hate speech coming from members of their own people and their own political options. Even when such speech is addressed, it is mostly in order to justify such practice and find excuses for something that has been said.

The discord that politicians advocate in their speeches show how little B&H politicians actually care about the citizens who elect them, how they do not have the sensibility to recognise situations in which they “exaggerate” and incite hatred among nations, and how much they care about votes, about uniting their electorate and staying in power at all costs.¹³

13 Đorđe Vuković, *Društvo u sumraku – Oglеди iz političke kulture*, [Friedrich Ebert Stiftung, Sarajevo: 2019], pages 114-115; Haris Ahbabović, „Ako toliko volite taj genocid nad vama, sačekajte sljedeću priliku”: *Source.ba* upitao SNSD kako komentariše „budalasti” tvit Rajka Vasića, [Source.ba: 2018, (Can be found on: <https://source.ba/clanak/Haris/470778/Ako-toliko-volite-taj-genocid-nad-vama-sacekajte-sljedeću-priliku--Sourceba-upitao-SNSD-kako-komentarise-budalasti-tvit-Rajka-Vasica>, Accessed on: 12/11/2020 at 17:53)]; *Report on the Relationship Between Freedom of Expression and Freedom of Religion: The Issue of Regulation and Prosecution of Blasphemy, Religious Insult and Incitement to Religious Hatred*, [European Commission for Democracy Through Law, Strasbourg: 2008], § 46, 72; Vojin Mijatović: *Banja Luka mora pasti...u prave ruke. Spreman sam doživjeti sudbinu Đinđića*, [FACE TV: 2019, (Can be found on: <https://www.youtube.com/watch?v=rHb3CQ76ums>, Pristupljeno: 7/7/2020 u 20.41)]; Ervin Mušinović, *Sramne izjave Dodika u Beogradu: S džamija u BiH se arlauče, Srbi su istraumirani...*, [Klix: 2018, (Can be found on: <https://www.klix.ba/vijesti/bih/sramne-izjave-dodika-u-beogradu-s-dzamiya-u-bih-se-arlauce-srbi-su-istraumirani/180719087>, Pristupljeno: 7/7/2020 u 20.41)]; FENA, Tokić: *Nasilna pravoslavizacija i srbizacija Bošnjaka u RS-u*, [FENA: 2017, (Can be found on: <http://saff.ba/tokic-nasilna-pravoslavizacija-i-srbizacija-bosnjaka-u-rs-u/>, Pristupljeno: 7/7/2020 u 20.41)].

VII MIGRANTS, REFUGEES AND LGBTI+ POPULATION AS UNDESIRABLE FACTOR IN B&H

In addition to the internal ethnic divisions with which B&H is struggling, there has been an increase in racism, prejudice, discrimination and blaming refugees and migrants in the last few years, which is gaining momentum among some citizens and politicians. Various groups were started on social media fighting against the population of people on the move, which can easily become political movements, and which also have tacit or direct support from certain politicians. Some of these groups gathered hundreds of thousands of people, while there is even a portal called “Anti-migrant”.

Migrants are being stigmatised, dehumanised and label as guilty of many bad things that happen in society, and presented in public as criminals who are destined to commit crimes wherever they go. Politicians tend to support these positions, failing to see anything wrong with hate speech towards people on the move.

The authorities do not wish to deal with the hate speech against this population, nor do they want to enter into a campaign to fight prejudice. The authorities and the opposition, at different levels of government, savour the state of permanent fear of migrants and the existence of anti-immigrant groups on social media and Internet portals, because they provide people with an “exhaust valve”, having a new group that can be blamed for many bad things that exist in society. The language of politicians correspond to this logic. The member of the *Presidency of B&H* Milorad Dodik has repeatedly spoken to the public about issues related to migrants and refugees. His statements are very offensive, and often contain insults and hate speech. Dodik often states that the arrival of migrants is “a kind of civilizational occupation of the Christian world, not a humanitarian story” or that B&H has been offered as a “parking lot for refugees”, and that “scum is being dumped here”.

In addition to people on the move, people from the LGBTI+ community are often victims of homophobia, transphobia and other forms of intolerance and discrimination. A typical example of such hate speech is Samra Ćosović Hajdarević, a member of the *Sarajevo Canton Assembly*. Following the announcement of the *2019 Pride Parade*, she took to Facebook calling for direct discrimination against LGBTI+ people, saying that the Pride Parade aims to ruin the state and the people, and that she wants “these people to be isolated and removed away from our children and society”. She ended the status by saying: “Let them go somewhere

else and make their own city, state, law and rights that no one will dispute. But NOT here!”

What is most frightening is that hatred towards LGBTI+ people is not only expressed by older politicians. There was a well-known scandal related to Haris Zahiragić, a young politician and PDA member who stated that “being gay is a systemic and contagious disease, [...] a sexual orientation of a part of gay-oriented atheistic Western Europe”, linking the sexual orientation of individuals with rape, paedophilia and zoophilia.

Hence, in addition to political opponents, other peoples in B&H, religious communities and people who point to crime and corruption, hate speech by politicians is also directed at refugees and migrants, as well as the members of the LGBTI+ population. Politicians in B&H mostly come from conservative backgrounds, full of prejudices, and in accordance with their understanding of nationalism, populist attitudes and desire to receive support from the people, they deliberately create and/or support animosity towards these groups. Thus, they maintain a society of fear, in which members of these groups are even physically attacked and discriminated against, while some citizens are disgusted by them. This situation is certainly unacceptable in a modern European democratic society in which human rights are respected. However, it is clear that B&H is not on the best path in many ways, from respect for human rights to the responsibility of politicians.¹⁴

14 Dejan Lučka, Saša Čekrlja, *Izbjeglice i migranti u trouglu Bosne i Hercegovine, Hrvatske i Srbije (pravni okvir i analiza stanja u određenim područjima)* [Friedrich Ebert Stiftung BiH, Sarajevo: 2020], pages 22-24; Dodik o migrantima: To je okupacija hrišćanskog svijeta, [Al Jazeera Balkans: 2020, (Can be found on: <http://balkans.aljazeera.net/vijesti/dodik-o-migrantima-je-okupacija-hriscanskog-svijeta>, Pristupljeno: 28/8/2020 u 12.59)]; Faruk Mededović, *Za Milorada Dodika migranti u Bosni i Hercegovini su „ološ“*, [N1 BiH: 2021, (Can be found on: <https://ba.n1info.com/vijesti/za-milorada-dodika-migranti-u-bosni-i-hercegovini-su-olos/>, Accessed on: 29/6/2021 at 18:10)]; Jasminka Džumhur, Nives Jukić, Ljubinko Mitrović, *Specijalni izvještaj o pravima LGBT osoba u Bosni i Hercegovini*, [Institucija ombudsmena za ljudska prava u Bosni i Hercegovini, Banja Luka: 2016], page 24; *RI2020*, page 12; Oslobođenje portal, *Samra Čosović-Hajdarević o povorki ponosa: Želim da se ovakvi ljudi izoluju*, [Oslobođenje: 2019, (Can be found on: <https://www.oslobodjenje.ba/vijesti/sarajevo/samra-cosovic-hajdarevic-o-povorki-ponosa-zelim-da-se-ovakvi-ljudi-izoluju-446138>, pristupljeno: 21/11/2020 u 21.56)]; Aleksandar Brezar, *Slučaj Harisa Zahiragića: Zašto smo tukli pedere*, [Mediacentar online: 2016, (Can be found on: <https://www.media.ba/bs/magazin-novinarstvo/slucaj-harisa-zahiragica-zasto-smo-tukli-pedere>, Accessed on: 12/11/2020 at 9:53)]; Redakcija, *Koga predstavlja Haris Zahiragić?*, [Diskriminacija.ba: 2016, (Can be found on: <https://diskriminacija.ba teme/koga-predstavlja-haris-zahiragi-c4%87>, Accessed on: 12/11/2020 at 9:23)]; Buka portal, *Povorka uspješna, ali BiH tek treba obezbijediti punu ravnopravnost i bezbjednost svih građana*, [Buka: 2019, (Can be found on: <https://www.6yka.com/novosti/povorka-uspjesna-ali-bih-tek-treba-obezbijediti-punu-ravnopravnost-i-bezbjednost-svih-gradana>, pristupljeno: 21/11/2020 u 22.17)]; *LJPUBIH*, page 21.

VIII POLITICIANS, THE MEDIA AND ONLINE ACTIONS

Hate speech is a frequent occurrence in the B&H media, spreading through the public space in B&H. Many statements that represent direct hate speech by politicians are transmitted by the media in the original form and without commenting or condemning their essence.

In addition to traditional media, today's society is flooded with those who operate *online* and/or through various social media. According to a recent research, there are at least 615 media internet portals in B&H. As politicians, political parties and governments increasingly rely on new information and communication technologies, tensions between political language and hate speech are increasingly present in the online environment in B&H.

Politicians do not pay enough attention to what their language can cause in terms of public reactions. We have witnessed a flood of hate speech in the online realm in response to certain statements by politicians, which deepens tensions and creates conflicts in practice. An example of this is the hate speech used by Vukota Govedarica in September 2018, while he was the president of the *Serbian Democratic Party*¹⁵. He verbally attacked the AISD presidential candidate Željka Cvijanović by stating: “Should she, whose grandfather Pejo Marić was an Ustasha captain who demolished and burned Serbian villages around Derventa, and uncle a solder for the Croatian Defence Council, mention the Patriotic War?! If she knows anything about Vozuća and the corridor, as she brags, she probably knows from the stories her uncle told her.” He continued in the same tone: “Can one Ustasha granddaughter lead the Serbian people? And can she talk to anyone about Serbs and honour?” Readers' comments under this news on various portals went even further in hate speech, insulting and attacking Željka Cvijanović using the most terrible epithets, from the already mentioned “Ustasha origin” to misogynistic attacks simply because she is a woman. Worst of all, a large number of commentators supported Vukota Govedarica in spreading hatred and justified his speech.

In addition, a special problem are the so-called “bots” of political parties on the Internet, who do not hesitate to inflame hatred in order to fight for the interests of their party. Most accounts from which comments and messages are sent are fake. United in different

15 Srpska demokratska stranka.

networks of bots, these accounts spread the propaganda of certain political parties, on several different websites and social media, leaving the same comments calling for belittling of others and hate speech. Bots are used by practically all parties, and with their active work and constant creation of new profiles, groups of political bots can organise and spread hate speech towards political opponents, other nations or ethnic groups. Parties do not distance themselves from this type of party activism, although it can lead to a stronger penetration of hate speech into the political race.

Some media, especially public services, also present a serious problem, serving as an effective tool for politicians to achieve their political goals, target individuals and encourage conspiracy theories with strong use of hate speech. An excellent example of this is the *Radio Television of Republika Srpska*, which joined in the political attacks and unprofessionally reported on the group "Justice for David" in their news from October 5, 2019. Namely, they reported that war veterans of the *Army of B&H*, hooligans and groups known to the police were present at the gathering, and the question was asked whether this was an attempt of having an *October 5*¹⁶ in Srpska. With expert statements, it was concluded that "only a few of those gathered on Krajina Square have good intentions." Tomo Kovač, the former Minister of the Interior of Republika Srpska, was convinced that an attempt was being made to overthrow the government of Srpska, and that foreign services were behind it, while Staša Košarac, an AISD official, mentioned extremists and groups committing crimes against the Serbian people, stating that "Justice for David" is transforming into a group for a unitary Bosnia and with goals that Alija Izetbegović himself had. The terms "coloured revolution", "western embassies", "demolition of Republika Srpska" and the like were added to this report.

The B&H media, both offline and online, as well as social media, tend to serve as a forum for public debate during the election cycle. However, little attention is given to preventing the media and social networks from serving as places where hate speech is disseminated and justified under the guise of freedom of expression. Freedom of expression and media freedom should not be abused and used to incite hatred towards other persons and groups on any grounds, which is a regular occurrence in B&H today. Such situation suits politicians, since they can reap political benefits with it, despite the fact that inciting

hatred through the media and social networks can lead to direct conflicts and attacks on individuals against whom hatred is expressed.¹⁷

17 Tarlach McGonagle, *Expert Paper: The Council of Europe Against Online Hate Speech: Conundrums and Challenges*, [Council of Europe: 2013, (Can be found on: <https://rm.coe.int/168059bfce>, Pristupljeno: 24/7/2020 u 14.58)], page 20; Enes Osmančević et al., *Mapiranje medijskih web portala u Bosni i Hercegovini*, [Centar za promociju civilnog društva, Sarajevo: 2021], pages 11-12, 16, 18; BN, *Ustaška unuka ne može voditi RS*, [BN: 2018, (Can be found on: <https://www.rtvbn.com/3922109/ustaska-unuka-ne-moze-voditi-rs>, Accessed on: 29/6/2021 at 11:10)]; Meliha Mušanović, *Šta su zapravo internet botovi?*, [Novine.ba: 2021, (Can be found on: <https://novine.ba/2020/07/31/sta-su-zapravo-internet-botovi/>, Accessed on: 1/7/2021 at 14:10)]; Dalibor Petrović, „Upotreba digitalnih platformi za potrebe političke propagande: slučaj lažne Fejsbuk stranice protesta Protiv diktature”, *CM: Communication and Media XIII*, [Fakultet političkih nauka Univerziteta u Beogradu, Beograd: 2018], page 10; Alem Dedić, *Svaka stranka svoje botove ima*, [Novine.ba: 2021, (Can be found on: <https://balkans.aljazeera.net/teme/2018/9/16/svaka-stranka-svoje-botove-ima>, Accessed on: 1/7/2021 at 14:00)]; Vanja Stokić, *RTRS-u kazna od 16.000 KM zbog neprofesionalnog izveštavanja o „Pravdi za Davida”*, [E-trafika: 2019, (Can be found on: <https://www.etratika.net/drustvo/70842/rtrs-u-kazna-od-16-000-km-zbog-neprofesionalnog-izvestavanja-o-pravdi-za-davida/>, Accessed on: 1/7/2021 at 16:16)].

CONCLUSION

Ivo Andrić was right when he said that “specific Bosnian hatred should be [...] studied and refuted as a vicious and deep-rooted disease” and that in people in Bosnia should be cautioned “to be wary of hatred, innate, unconscious, endemic hatred at every step, in every thought and in every, even the most sublime sensation.” Politicians and their parties should be guided by this in their activities. Only if they had read Andrić...

It is noticeable that in B&H, in practice, the balance between hate speech and the right to freedom of expression has shifted in favour of freedom of expression, and that hate speech is mostly used by politicians on the right end of the political spectrum. They even attract a part of their electorate precisely due to hate speech. However, it is noticeable that politicians and parties that label themselves as “civic” or “leftist” are also apt in using hate speech. At the same time, those who sow hate do not care about the consequences that such speech can have. For them, spreading hatred is a useful tool for manipulating and gaining political points.

In this regard, the lack of stronger reaction from institution to stirring hatred and animosity toward those who are different presents a major problem, as well as the lack of reaction from like-minded politicians, i.e. members of the same or related political party in B&H, as well as from different state officials. For now, such phenomena are rare, and it seems that politicians are not overly interested in hate speech, except when it can benefit them politically.

As B&H is a specific state and a democracy under construction, it is difficult to expect significant changes in terms of hate speech, as long as it is normal for politicians to sow hatred expecting to reap votes in elections, while a good number of citizens help them by voting for them. Neither the engagement of the civil sector, nor the international community, nor even state bodies can be too successful in eliminating hate speech unless a majority citizens decide to punish politicians who use hate speech by not giving them their vote. Thus, their harvest would be unsuccessful, and the public could eventually send them into retirement from the position of labourer of hatred.

Finally, apart from law, politics and party reasons, the best lesson in fight against hate speech and its eradication in B&H was given by Meša Selimović, who simply said that one should beware of hatred,

so not to make hurt oneself and others, and that a kind word is like a magnificent tree, “rooted deep in the earth, with branches rising to the sky.” Purifying the air poisoned by ethnic, national, religious and political hatred could be possible only when B&H politicians begin to understand these words and start applying them in practice.¹⁸

¹⁸ *SDIA*, pages 219-227; *GMII*; Meša Selimović, *Derviš i smrt*, [Svjetlost, Sarajevo: 1970].

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