

**Introducing Two New Terms into the
Literature of Hate Speech:
“Hate Discourse” and “Hate Speech Act”
Application of “speech act theory” into
hate speech studies in the era of Web 2.0**

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Abstract

The aim of this paper is to explain the need for a revision of the term “hate speech” in the era of Web 2.0 and to introduce two new terms into the literature of hate speech with the help of application of “speech act theory”, that is “hate discourse” and “hate speech act.” The need for the revision arises from the examination of the methodology used to analyze hate speech, which is critical discourse analysis (CDA). Even though CDA seems fairly sufficient for hate speech analysis in traditional media, it could be rather difficult to apply into the analysis of hate speech disseminated in social media because of the nature of the tremendous data found in Web 2.0. Therefore it is believed that these two new terms could be beneficial to find more practical and new ways to combat against hate speech disseminated through social media.

keywords: *hate speech, speech act theory, social media*

Résumé

Introduction de deux nouveaux termes en littérature de discours de la haine (discours haineux): “Discours de la haine et l’acte de discours haineux”

L’objectif de cette étude est de mettre en évidence la nécessité de revisiter le concept de “discours de haine” à l’ère de Web 2.0 et d’introduire deux nouveaux termes avec l’aide d’application de la théorie de l’acte de parole, ce qui est le “discours de haine” et l’ “acte de discours de haine”. Le besoin de cette révision naît de l’examen de la méthodologie de l’analyse critique du discours (ACD) utilisée pour analyser le discours de haine. Alors que l’ACD paraît tout à fait efficace pour l’analyse du discours de haine dans les médias traditionnels, il peut être plutôt difficile de l’appliquer dans les médias sociaux à cause de la quantité énorme des données en Web 2.0. Par conséquent, on s’accorde à dire que ces deux nouveaux termes peuvent être utiles pour trouver des moyens nouveaux et plus pratiques afin de se battre contre la propagation du discours de haine dans les médias sociaux.

mots-clès : discours de la haine, l’acte de discours haineux, les médias sociaux

Özet

Nefret Söylemi Literatürü için İki Yeni Terim Önerisi: “Nefret Söylemi*” ve “Nefret Edimi”

Bu makalenin amacı, Web 2.0 döneminde “nefret söylemi” kavramının yeniden düşünülmesi gerektiğini ortaya koymak ve söz edimleri kuramı”nı nefret söylemi literatürüne uygulayarak iki yeni kavram önermektir, “nefret söylemi” ve “nefret edimi.” Kavramın yeniden düşünülmesi ihtiyacı, genellikle nefret söylemi analizlerinde kullanılan eleştirel söylem çözümlemesi (ESÇ) metodolojisini incelemekten kaynaklanmıştır. ESÇ her ne kadar geleneksel medyadaki nefret söylemi analizlerinde oldukça etkili bir yöntem olsa da, bu yöntemi Web 2.0 döneminin doğası gereği çok büyük miktarlarda veri içermesi nedeniyle sosyal medya ortamlarında üretilen nefret söylemi analizleri için kullanmak oldukça zordur. Bu nedenle bu iki yeni terimin sosyal medya üzerinden yayılan nefret söylemiyle mücadelede daha pratik yeni yöntemler bulunmasında faydalı olacağına inanılmaktadır.

anahtar kelimeler: nefret söylemi, söz edimleri kuramı, sosyal medya

* İngilizce’de kullanılan “hate speech” ifadesi Türkçe’ye “nefret söylemi” olarak çevrilmiştir, ancak “hate speech” ifadesinin kelimesi kelimesine çevirisi “nefret ifadeleri” olacaktır. Buna karşın Türkçe’deki “nefret söylemi” ifadesinin kelimesi kelimesine çevirisi de “hate discourse” olacaktır. Bu nedenle makalede önerilen yeni terim, Türkçe’ye çevrilidğinde zaten yeni bir terim gibi görünmemektedir. Oysa İngilizce’de yeni bir terimdir.

Introduction

With the widespread usage of smart phones and other mobile devices, the social media have become a more visible and easy accessible public platform for some people who wish to express their hatred against the 'others.' Even though new media have the potential of contribution to the democratization process in a society, they could also be used as effective tools not only for intensifying existing conflicts among different ethnic/religious/sexual identities but also reproducing them in daily life. In other words, hate speech phenomenon is not only limited with the traditional media, but also disseminates in social media in today's world, that is, both media professionals and ordinary people constantly reproduce hate speech via all forms of media. Therefore, it is believed that there is a growing need to revise both the term "hate speech" and its methods of analysis in the era of Web 2.0.

Hate speech in traditional media is generally analyzed with the different approaches in critical discourse analysis (CDA). CDA literature generally focuses on the relation between racism and media. For example, Hall (1992) believes that the West construct an image of itself and the 'Others' and this discourse of 'the West and the Rest' is reconstructed by the media with representations of race. Other academics working on CDA, Fairclough and Wodak (2001) regard 'language as social practice' and search for the traces of social inequalities hidden in language use by using CDA approach. In addition, Fowler (cited in Wodak, 2001) studies news discourses and the role of grammatical devices in constructing social hierarchies. Furthermore Van Dijk and Kintsch (cited in Wodak, 2001) work on cognitive model of discourse and meaning on a societal level. Van Dijk (1991) also studies on racism and the Press and analyzes The British and Dutch press with CDA. Likewise, Hall (1997) analyses the representation of race and ideological discourse in British TV programs. Finally, Van Leeuwen analyses visual communication and music using CDA and Hallidayan linguistics (cited in Wodak, 2001).

All these scholars and many others who are not named here, contributed a lot to hate speech analysis in traditional media, however the author of this study believes that the concept and methodology of hate speech could be extended to analyze hate speech in Web 2.0, due to the tremendous amount of data found in social media milieus. Furthermore, it is believed that in the era of Web 2.0, some new ways of struggle to overcome the problem of hate speech should be discovered, such as 'common sense' and new media literacy to warn hate speech producers at the moment of production in the milieu of social media. In order to achieve these, the paper begins with the arguments on free speech and hate speech not only in international laws but also in Turkish constitution giving a general overview of legislative practices with true-life examples and then provides the definition of hate speech in previous literature. Moreover, in order to propose new ways to combat against hate speech, the already existing ways

and methodology, such as traditional media watch of Turkey, which is conducted by the non-governmental organizations working for raising awareness on hate speech are also examined. In the proceeding part of the paper, it is assumed that application of "speech act theory" into the analysis of hate speech in the era of Web 2.0 could be beneficial to discover new ways for the elimination of hate speech and hate crimes. As it is believed that hate speech disseminated through social media is not only a "speech" any more but it is an "act" performed by the social media users. Therefore, more democratic nature of new media would be valuable to find new ways for the struggle, such as new media literacy and common sense of diverse users in social media platforms.

Definitions: Free Speech and Hate Speech

International human rights laws regard free speech as a human right; however there are some restrictions on it. Therefore to specify the limits of free speech, the related articles in the international laws is examined. The mostly referred one is the Article 19¹ of the Universal Declaration of Human Rights (UDHR) which recognizes freedom of expression as a human right, whereas Article 29², which should be considered together with Article 19, puts some limits upon free speech; however, the last part of Article 29 leads to different interpretations in practice as the definition of 'public order' and 'general welfare' could vary. Similar to the UDHR, the European Convention on Human Rights (ECHR) covers both freedom of expression and its limits with Article 10(1)³ and Article 10(2)⁴. In addition to these, another human rights document, the International Convention on Civil and Political Rights (ICCPR),

1 Article 19: Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers. United Nations (UN), Universal Declaration of Human Rights (UDHR) (10 December 1948), <http://www.un.org/en/documents/udhr/index.shtml#a19>, 01.07.2012

2 Article 29(2): " In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society." UN, UDHR. <http://www.un.org/en/documents/udhr/index.shtml#a29>, 19.07.2012

3 Article 10(1): "Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. Council of Europe, European Convention on Human Rights (4 November 1950), http://www.echr.coe.int/NR/rdonlyres/D5CC24A7-DC13-4318-B457-5C9014916D7A/0/CONVENTION_ENG_WEB.pdf , 01.07.2012

4 Article 10(2): "The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary." Council of Europe, ECHR, http://www.echr.coe.int/NR/rdonlyres/D5CC24A7-DC13-4318-B457-5C9014916D7A/0/CONVENTION_ENG_WEB.pdf , 01.07.2012.

covers some Articles reinforcing the aforementioned standards of free speech and its restrictions. Article 19(2)⁵ and Article 19(3)⁶ and Article 20(1)(2)⁷ explain the limits of free speech, however they give the authority of punishment to the State Party. Another international convention to specify the limits of free speech, the Convention on the Elimination of all forms of Racial Discrimination (CERD), includes Article 4⁸ which is “the most comprehensive anti-hate speech article known in international human rights law” (Hollander, 2007). As Hollander (2007:38) emphasizes “Article 4 of the CERD concentrates primarily on the *prevention of hate speech*” whereas the others “solely focused on the *protection of free speech*.” To conclude, the laws on the limits of free speech has become more detailed as time passes, however all of them agree on one apparent point that free speech should be restricted if it constitutes a menace to individuals /people.

In addition to these international laws on the limits of free speech, the concept of “hate speech” is defined clearly with reference to international standards. As Weber (2009) states even though there is “no universally accepted definition” “most States have adopted legislation banning expressions amounting to ‘hate speech.’” The Council of Europe’s Committee of Ministers’ Recommendation 97(20) defines ‘hate speech’ as follows: “the term ‘hate speech’ shall be understood as covering 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

5 Article 19(2): “Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.” UN General Assembly, International Covenant on Civil and Political Rights (ICCPR) (16 December 1966), <http://www2.ohchr.org/english/law/ccpr.htm#art19>, 01.07.2012.

6 Article 19(3): “The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: (a) For respect of the rights or reputations of others; (b) For the protection of national security or of public order, or of public health or morals.” UN General Assembly, International Covenant on Civil and Political Rights (ICCPR) (16 December 1966) <http://www2.ohchr.org/english/law/ccpr.htm#art19>, 01.07.2012.

7 Article 20(1)(2): “1) Any propaganda for war shall be prohibited by law; 2) Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.” UN General Assembly, International Covenant on Civil and Political Rights (ICCPR) (16 December 1966) <http://www2.ohchr.org/english/law/ccpr.htm#art20>, 01.07.2012.

8 Article 4: “States Parties condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination (...).” To this end: “a state shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities.” UN, International Convention on the Elimination of all forms of Racial Discrimination (CERD) (12 December 1965) <http://www2.ohchr.org/english/law/cerd.htm#4>, 01.07.2012

nationalism and ethnocentrism, discrimination and hostility against minorities, migrants and people of immigrant origin. In this sense, ‘hate speech’ covers comments which are necessarily directed against a person or a particular group of persons”. Besides the incitement to hatred on racial and religious grounds, ‘hate speech’ covers ‘homophobic speech’ as well. In conclusion, the above common definition of hate speech, accepted in 1997, is more detailed and could have the potential to be extended to the discrimination of economic status, social class, and many others in the future.

To illustrate the timeline of the legislation of hate speech and their efficiency in their application requires examining some international court cases on hate speech. Some forms of freedom of expression damaging societies and individuals were considered by international courts and tribunals as criminal after the Second World War. Therefore “The first hate speech trials in history, although the term ‘hate speech’ was not yet in use at the time, were the trials against Nazi confederates Julius Streicher and Hans Fritzsche before the International Military Tribunal in Nuremberg.” In addition to these, the cases of *Kordic* and *Seselj* from the International Criminal Tribunal for the former Yugoslavia (ICTY) and *Nahimana et. al.* case from the International Criminal Tribunal for Rwanda (ICTR) are significant examples of the application of the abovementioned laws, therefore they require careful examination (Hollander, 2007:6).

Hate Speech Phenomenon in Turkey

Hate speech and hate crimes in Turkey are recent phenomena and therefore the legislation on the issue is also controversial. As Kaymak (2010) states that the following Articles of the current Constitution of Republic of Turkey protects the right of free speech and bans hate speech: Article 10 covering the equality of individual before law, Article 68 covering “forming parties, membership and withdrawal from membership in a party,” Article 70 covering “entering into public service.” Furthermore, Article 3/2, which is equitable principle, and Article 76 covering genocide and offenses against humanity and Article 115 covering “restriction of freedom of belief, conception, conviction” and Article 122 covering “discriminatory behavior” and finally Article 216 entitled “provoking people to be rancorous and hostile” of Criminal Code of the Republic of Turkey are also applied to specify hate speech in some court cases. It can be concluded that while the aforementioned Articles in the Constitution of Republic of Turkey protect the right of freedom of expression, the Articles of Criminal Code of the Republic of Turkey sometimes restrict free speech and punish discrimination and hostile propaganda.

Even though, there are some international and national laws protecting the right of free speech and prohibiting hate speech, the applications of these laws, especially Article 216 in Turkey, are considered as controversial. According to Kaymak (2010:268) even though it is the most effective article to prevent

hate crimes, the tendency of the courts is to apply it to punish the victim of hate speech, not the disseminator, for the sake of protecting 'Turkishness.' This leads to the fact that hate crimes are actually political crimes, which sometimes exempted from punishment. Therefore it could be assumed that laws restricting free speech and banning hate speech do not reduce hatred and violence at all, which explains the need for other remedies to solve the problem of hate speech, one of which appears as the non-governmental organizations working to raise awareness for hate speech. The three non-governmental organizations in Turkey working actively to raise awareness on hate speech are Hrant Dink Foundation, Association for Social Change and Kaos GL.

The oldest professionally working civil society organization in Turkey is Hrant Dink Foundation which was set up in 2007 in memory of the Armenian journalist who was assassinated on 19 October 2007 by an 18 year-old Turkish boy believing Dink had insulted Turkish people. The mission of the foundation is to contribute to the development of culture of dialogue, empathy and peace in Turkey (Vision and Mission. www.hrantdink.org). The Foundation examines every form of hate speech including ethnic, religious, sexist, etc. and publishes media watch reports on www.nefretsoylemi.org in every four months, which has invaluable contribution to the archive of hate speech and crimes record in the country.

Not only hate speech but also hate crimes appear as growing phenomena in Turkey. Another organization especially focusing on hate crimes is a platform founded 27 January 2012 in Istanbul under the website www.nefretme.net and has over 60 participating civil society organizations from various backgrounds. The platform is headed by the steering committee of the Association for Social Change. The platform calls for a "hate crime legislation" for Turkey, and conducts a campaign demanding to sign the petition from the supporters on their website. Since it is announced on the website "Hate crimes prevent the integration of victims and groups into society and weaken their belief in social justice. These crimes damage the supremacy of law and the trust in public structures and institutions, feed the hatred and prejudice between certain groups, and when not properly persecuted, encourage the prejudiced individuals and groups who may commit new crimes which marginalizes certain groups and pushes them to the fringes of society." Furthermore the platform gives some significant examples of hate crimes covered by the media from the recent years in Turkey, such as "Friar Santaro's murder in Trabzon (2006), Hrant Dink's murder (2007), the massacre at the Malatya Zirve Publishing Company (2007), the attempted lynching of Roma community in Selendi, Manisa (2010), the violent acts against Kurdish people in different provinces and districts and the frequent LGBT (Lesbian, Gay, Bisexual and Transgender community) murders" (I Demand Hate Crime Legislation. <http://nefretme.net>). The platform states that "The legal measures adopted in the USA, European countries and participating countries to the Organization for Security and Co-operation in Europe (OSCE) are important in the prevention of

such harsh and permanent results of hate crimes," however as it is emphasized on the website, there are no such legal arrangements in Turkey. Therefore they ask for support by signing the petition for the legislation of hate crimes.

Another civil society organization working to raise awareness for hate speech and crimes is an LGBT organization, Kaos GL founded in 1994 to fight against homophobia and to gain the rights of homosexuals. Because of the nature of the organization, it specifically examines hate speech and crimes against LGBT individuals and publishes this specific type of media watch reports on www.kaosgldernegi.org every month. (A detailed analysis of the works of these organizations are presented in "Dissemination of Hate Speech against LGBT Individuals through New Media," "Yeni Medya Ortamlarında LGBT Bireylere Karşı Üretilen Nefret Söylemi", Zeynep Özarslan, 2013.)

Furthermore, these organizations are also supported by some academics by organizing some academic conferences and publishing books on the topic and lecturing on hate speech and crimes in their courses. In conclusion, apart from the legal arrangements made by the government, the above mentioned non-governmental organizations and academics work in collaboration to fight against hate speech /crimes in Turkey.

Analysis of Hate Speech: Different Approaches in Critical Discourse Analysis

Negative associations and stereotypes of the 'others' could lead people to hate speech which generally accompanies with hate crimes. Hall (1992:318) emphasizes the role of the West in the formation of 'the Others.' According to Hall, "a discourse is a way of talking about or representing something. It produces knowledge that shapes perceptions and practice. It is part of the way in which power operates. Therefore, it has consequences for both those who employ it and those who are 'subjected' to it. The West produced many different ways of talking about itself and 'the Others'". In addition Hall (1992:318) believes that "... in transformed and reworked forms, this discourse continues to inflect the language of the West, its image of itself and 'others', its sense of 'us' and 'them', its practices and relations of power towards the Rest ... the discourse of 'the West and the Rest' is alive and well in the modern world." Furthermore as Gordon (1992) states "anyone who is considered an 'other' can be the object of racist violence whether this be on grounds of skin color, ethnic origin, religion or culture." In other words, hate speech addresses to a certain group and creates 'an enemy' out of this group for the rest of the society. Ethnic, social, cultural, religious and economic conflicts, that is, unequal power relations and nationalism are the main reasons of the production and reproduction of hate speech. This reminds Benedict Anderson's (1991) definition of a nation which is "an imagined political community" and in this context, mass media could contribute to the construction of these imagined communities. As Hall (1997:161) indicates "the

media construct for us a definition of what race is, what meaning the imagery of race carries, and what the 'problem of race' is understood to be. They help to classify out the word in terms of the categories of race. The media are not only a powerful source of ideas about race. They are also one place where these ideas are articulated, worked on, transformed and elaborated." Therefore, it is a fact that mainstream mass media could be instrumental in reinforcing negative associations and stereotypes of the 'others' by their representations, which makes prejudice become systematic and thus fostering nationalistic sentiments and provoking as well as sustaining abovementioned conflicts. How the 'others' portrayed in mainstream mass media shapes the image of the 'others' and could lead to misinterpretation of their reality, which could be dangerous especially in multi-ethnic societies in terms of spreading hate speech and leading to hate crimes.

The aforementioned civil society organizations publish traditional mainstream mass media watch reports of hate speech and crimes in Turkey benefitting from internationally used academic methods, which is Critical Discourse Analysis (CDA). There are different approaches to CDA in the literature. For example, Fairclough and Kress study "the social processes and structures which give rise to the production of a text, and of the social structures and processes within which individuals or groups as social historical subjects, create meanings in their interaction with texts" (cited in Wodak, 2001). In addition, according to Fairclough and Wodak (2001:1-2) "CDA regards 'language as social practice', so the context of language use is crucial in CDA. "CDA aims to investigate critically social inequality as it is expressed, signaled, constituted, legitimized and so on by language use (or in discourse)." Moreover, Chouliariki and Fairclough show how CDA is useful in disclosing the discursive nature of much contemporary social and cultural change. Furthermore, Fowler studies news discourses and "illustrates that systematic grammatical devices function in establishing, manipulating and naturalizing social hierarchies." In addition, according to Van Dijk and Kintsch's "development of a cognitive model of discourse understanding in individuals, gradually developed into cognitive models for explaining the construction of meaning on a societal level" (cited in Wodak, 2001:8-9). Apart from these Van Dijk (2003) holds a multidisciplinary perspective on the relations of ideology and discourse and analyzes the syntactic structures and semantics of discourse in details and focuses on issues of racism and ideology. Van Dijk (1991:6) assumes that "ethnic prejudices or ideologies are predominantly acquired and confirmed through various types of discourse or communication" and "many of these types of text and talk are formulated by members of various elite groups, and the elites control the public means of symbolic reproduction." Therefore Van Dijk supports the view that "a country or society is as racist as its dominant elites are." In order to prove this thesis he conducts a research on the press and racism. In his research Van Dijk analyses all types of news discourse that appeared in the British Press during the second part of 1985. The interdisciplinary strategy of his research requires analyzing

the contents of discourse, that is, "what is being said or written about ethnic minority groups or about ethnic relations in general" and textual analysis, that is, "style, rhetoric, argumentative or narrative structures or conversational strategies." In other words, Van Dijk (1991:8) analyses the contents and structures of news discourse and "their relations with the ethnic attitudes or ideologies of news-makers and the public" and how the readers process "the information and beliefs about a number of ethnic topics reported in the Press." Another scholar working on CDA is Van Leeuwen who studies "film and television production as well as Hallidayan linguistics, [including] ... the semiotics of visual communication and music." (cited in Wodak, 2001:8-9). Likewise, Hall (1997:168) analyses the representation of race in British TV programs and concludes that "what is significant is not that they produce a racist ideology, from some single minded and unified conception of the world, but that they are so powerfully constrained 'spoken by' - a particular set of ideological discourses. The power of this discourse is its capacity to constrain a very great variety of individuals: racist, anti-racist, liberals, radicals, conservatives, anarchists, know-nothings and silent majoritarians."

As it is seen from the above quotations, there are different approaches and methods in CDA. Meyer (2001:30) summarizes the landmarks of CDA as the following: "CDA works eclectically in many respects; the whole range from grand theories to linguistic theories is touched, although each individual approach emphasizes different levels; there is no accepted canon of data collection; operationalization and analysis is problem oriented and implies linguistic expertise. The similarity most evident is a shared interest in social processes of power, hierarchy building, exclusion and subordination. In the tradition of critical theory, CDA aims to make transparent the discursive aspects of societal disparities and inequalities. CDA in the majority of cases takes the part of the underprivileged and tries to show up the linguistic means used by the privileged to stabilize or even to intensify iniquities in society." Briefly, Jager's method (Meyer, 2001:25) or Wodak and Reisigl's four-step strategy of analysis (Meyer, 2001:26-27) or Fairclough's stepwise procedure (Meyer, 2001:28) could be followed to analyze hate speech in traditional media. As a conclusion, many academic works in CDA contributed a lot to the analysis of hate speech and raising awareness on the phenomenon, therefore it is believed that CDA is the most effective method to analyze hate speech disseminated through traditional media. On the other hand, the danger is now not limited with traditional mainstream media as we live in a new media epoch, dissemination of hate speech has been possible with the Internet, specifically social media as well, which CDA could be beneficial in this new era too.

Hate Speech in the Era of Web 2.0: An Example from Turkey

Before the advent of modern communication technologies and the Internet, hate crimes were limited to the borders of a country. While the Internet

contributes to establishing a more democratic world in many ways, it is also used to spread hatred among people. Chip Berlet (2000) states that “in 1983 hate went online ... [when] a small computer bulletin board system (BBS) that carried online articles denouncing Jews and Blacks.” With Berlet’s emphasis, “few people noticed” in those days. However, especially after the emergence of Web 2.0, specifically social networking websites, hate in cyberspace spread more, so took more notice. INACH (International Network Against Cyber Hate) Report 2010 (Report 2010. http://www.inach.net/INACH_report_2010.pdf, p.2) states the change as following: “Indeed, the web 2.0 offers digital haters more and varied ways to express hate speech and empowers them by providing the tools to reach their audience, while previously, they had to “wait” for the users to visit their websites. The penetration of “real hate speech” into the virtual world is obviously disturbing. However, the current penetration of “virtual hate speech” into real life is equally frightening. The link between virtual and real world is now a “two-way freeway.” The increase in the number of invitations for xenophobic gatherings multiplying on social networks, focusing on youth, is one of the main examples of deviant uses of the Internet.” Moreover, Simon Wiesenthal Center (Release of Simon Wiesenthal Center, 2012, <http://www.wiesenthal.com>) states that “In April 1995, the first extremist website went online.” However, “social networking is increasingly the weapon of choice for bigots, and terrorists.” The 2011 report (2011 Digital Terrorism & Hate Report, 2012, <http://www.wiesenthal.com>) highlights that “there has been a 12% increase to 14,000 problematic social networks websites, forums, blogs, twitter, etc. (up from 11,500 last year), comprised on the subculture of hate.” In addition to these, Citron and Norton (2011:1437) state “the greatest increase in digital hate has occurred on social media sites... Digital hate’s prevalence has considerable – and troubling – potential to shape public expectations of online discourse, especially as cyber hate penetrates social media” in the U.S. Therefore, it is apparent that not only traditional media but also new media play significant roles in dissemination of hate messages which sometimes lead to hate crimes and thus some precautions should be taken urgently to stop them. Moreover, the cyber hate phenomenon is not limited with the U.S. and Europe; it is prevailing all over the world, including Turkey.

The role of mass media in dissemination of hate speech in Turkey is not different from the other countries. The mainstream mass media reinforces ethnic conflicts among Turks and “minorities”, such as Kurds, Armenians, Greeks, etc. in Turkey. However, over the last few years the social media, such as Facebook, Twitter, blogs, e-forums, etc. have gained popularity as effective tools in generating hatred and ethnic divisions, and thus in intensifying existing tensions among Turks and other ethnic identities. Especially after the common usage of smart phones or other mobile devices which are integral part of daily life in Turkey, the social media have become a more visible and easy accessible public platform for some radical extremist people who wish to express their racial hatred against ‘minorities.’

This growing phenomenon has attracted the attention of the academics who have contributed to the literature of hate speech in new media in Turkey so far. One of the books focusing on this problem in details is “Hate Speech in New Media”, (Yeni Medyada Nefret Söylemi, Altuğ Akın and the others, 2010) which analyses hate speech phenomenon in Facebook, video sharing networks, digital games, etc. Another book focusing solely on Facebook is “Social Network - Facebook” (Toplumsal Paylaşım Ağı – Facebook, Ali Toprak and the others, 2009) analyses the people’s reactions against the case of Münevver Karabulut’s murder⁹ on Facebook. Furthermore, “Turkey and Social Media” (Türkiye ve Sosyal Medya, Dağhan Irak and Onur Yazıcıoğlu, 2012) aims to analyze how a topic becomes trendy in social media in Turkey and categorizes people’s reactions to these topics from an ideological stance. Moreover, “New Media and Ethics” (Yeni Medya ve Etik, Mutlu Binark and Günseli Bayraktutan, 2013) aims to remind the ethical responsibilities of new media users. In addition to these, Alternative Informatics Association published an online report on the Internet in 2013 in Turkey, (Türkiye’de İnternetin 2013 Durumu: https://www.alternatifbilisim.org/wiki/T%C3%BCrkiye%27de_%C4%B0nternet%27in_2013_Durumu) which has special chapters focusing on hate speech in new media in Turkey. Another book “Critical Media Literacy” (Eleştirel Medya Okuryazarlığı, Mutlu Binark & Mine Güncel Bek, 2010) could be a useful source to find new ways to combat against hate speech phenomenon. Last but not least, Hrant Dink Foundation published a book on the media and hate speech (Medya ve Nefret Söylemi, Editör: Mahmut Çınar, 2013) to be used as one of the main sources for the courses on hate speech in B.A., M.A. or Ph.D. programs in related fields in universities in Turkey. All of these academic works and many others which are not named here contribute to the literature of hate speech and hate crimes in Turkey and propose some ways to combat against hate speech. However, more works should be done to overcome this complex problem. Therefore, the aim of this study is to analyze a recent case on hate speech in new media in Turkey and to suggest some ways to fight against it.

One of the most recent examples of hate speech communicated through the social media was spread by Twitter after the earthquake in Van, a city situated in the east of Turkey and populated mostly by Kurds, on 23 October 2011. The destructive hate messages in Twitter could be regarded as the extensions or consequences of the nationalistic discourses disseminated by traditional media and racist social movements against Kurdish people. This tendency peaked after the conflicts occurred in the South East of Turkey, just a few days before the

9 “18-year old Münevver Karabulut was killed on 3 March 2009. Her body had been dumped into a waste container in the Istanbul district of Etiler after her head had been cut off. Following the gruesome murder of the high school student, primary murder suspect and Karabulut’s boyfriend C.Garipoğlu disappeared. He was fugitive for 197 days. A red bulletin had been issued to find him. Suspect Garipoğlu turned himself in to the police on 17 September.” (Özcan Emine, [2009] Karabulut Murder) After the murder, some people accused Münevver of not obeying the moral rules as she went to her boyfriend’s house and they shared hateful messages about her on social networks.

earthquake, resulting the deaths of 24 Turkish soldiers. As a result of the ongoing war between the Turkish Army and PKK¹⁰, the news about death soldiers has disseminated almost every day since 1984 on the mainstream mass media, which people in Turkey has been accustomed to and thus has become an integral part of daily life in Turkey, and therefore that results in strengthening nationalistic feelings/acts and even leads to encouraging some radical extremist nationalistic/racist movements. Therefore it could be assumed that the mainstream mass media in Turkey have a significant role in this “low intensity local level ethnic warfare,” which is the definition of the state authorities, and contribute to the construction of official national memory. However, the hate speech spread by Twitter after Van earthquake needs to be examined carefully as the senders of the tweets are not those racist groups, but ordinary people who link the natural disaster with the battle in the east of the country. The senders of those tweets regarding the earthquake as a divine warning or revenge of death soldiers aimed to take revenge and consequently “relieve” by hate speech. Then, how should the dissemination of hate speech be examined? In other words, is it possible to regard them as only ‘speech’ or are they ‘acts’ since social media users perform their identity by these messages? Therefore, it can be concluded that Web 2.0 leads us to a new era of hate speech, that is “hate speech acts” and “hate discourse.”

Is It only “Speech” or Is It An “Act”? Application of Speech Act Theory Into Hate Speech Studies

Hate speech does more than represent violence; it is actually an individual or small-group verbal or symbolic violence. That is, words should not be regarded as simply words referring themselves, instead should be taken as speech acts doing something and having some harmful effects. Utterances are not only referents but also the outcomes of nationalistic, racist, sexist mindsets. In other words, hate speech cannot be separated from its specific social and cultural contexts. Therefore, with the emergence of Web 2.0, it is proposed that hate speech could be conceptualized from the perspective of speech act theory and named “hate speech acts.” In addition, it is believed that the concept of “hate speech” should be extended to “hate discourse” in the era of social media. Hate speech generated after Van earthquake in social media could be taken as an example here. The aims of those expressions were to hurt, to wound the Kurdish people and even some senders of tweets warned others not to help the people in Van, referring them as “terrorists”, “beasts”, “not human beings”

10 PKK: The Kurdistan Workers’ Party (Kurdish: Partiya Karkerên Kurdistan or Parti Karkerani Kurdistan), commonly known as PKK, also known as KGK and formerly known as KADEK (Freedom and Democracy Congress of Kurdistan) or KONGRA-GEL (Kurdistan People’s Congress), is a Kurdish organization which has since 1984 been fighting an armed struggle against the Turkish state for an autonomous Kurdistan and greater cultural and political rights for the Kurds in Turkey. http://en.wikipedia.org/wiki/Kurdistan_Workers'_Party, 01.02.2012. Turkish state and many other states regard PKK as a “terrorist organization.”

etc. Referring to John L. Austin’s theory of speech acts could be beneficial to understand the rationale behind these mindsets.

According to Austin’s (1978) speech-act theory, to utter words is not just to “say” something, what he calls “locutions,” but rather to perform a certain kind of action, that is, to act with speech. In other words, with the contribution of Austin’s speech-act theory, it is understood that language is not only referential or informative but also performative. Austin assumes three different types within any speech-acts; locutionary, illocutionary, perlocutionary speech acts. Locutionary dimension is the referential aspect of utterances, that is, each statement must be grammatically and communicatively meaningful in a language. However, according to Austin, saying something could be doing something as well. Illocutionary act is an act performed “in saying something.” It means that when we speak, we promise, order, threaten, persuade, etc. As Butler (1997:3) states, “the illocutionary speech act performs its deed *at the moment of the utterance.*” Austin (1978:107) claims that locutionary and illocutionary acts involve conventions. In addition, perlocutionary acts are, in Austin’s (1978:109) terms, “what we bring about or achieve by saying something” and produce certain consequences. Therefore, the distinction between illocutionary and perlocutionary forces of speech acts are about effects and consequences they produce, reciprocity dimension of communication. In other words, while simultaneous effect is significant for illocutionary speech act, despite the intention of the speaker or writer, intended or unintended consequences of communication is the key for perlocutionary speech acts.

Within the theory of Austin’s speech-acts, it could be presumed that hate speech involves both illocutionary and perlocutionary speech acts. As Matsuda and the others (1993) and MacKinnon (1996) state words can assault, injure and wound. In Butler’s (1997:4) terms, their “formulations suggest that linguistic injury acts like physical injury.” From this perspective, hate speech is illocutionary speech act –saying something is doing something- indicating the speaker’s or writer’s intention. However, Butler (1997:14) opposes their view stating that “mentioning” of those injurious utterances in critical or legal discourse “is itself restaging of the performance of hate speech” and “the present discourse breaks with the prior ones.” On the other hand, Butler misreads one significant aspect of hate speech, its discourse /context in which the speaker’s or writer’s intention is to criticize or punish the ones who state those utterances, that means “mentioning” could not be categorized as hate speech. Furthermore from the addressee’s side, speech acts could produce certain consequences, that is, perlocutionary speech acts. In hate speech context, according to Matsuda and the others and MacKinnon, hate speech could victimize its addressee, therefore it has some consequences on the recipient. However, Butler (1997:15) believes “auspicious implications” of speech acts stating that “words might, through time, become disjoined from their power to injure and recontextualized in more affirmative modes.” Furthermore Butler (1997:43) does not support legal

restriction of hate speech as she believes the power of “talking back” could be affirmative, that is free speech gives the possibility of being countered by a response from the recipient. Moreover, Butler (1997:16-17) reconsiders “the putative efficacy of hate speech” and adds “to act linguistically is not necessarily to produce effects, and in this sense, a speech act is not always an efficacious action.” Butler (1997:19) opposes Matsuda’s argument which presumes “hate speech becomes the site for the mechanical and predictable reproduction of power” and repeats Austin’s emphasis on the unintended effects of speech, stating “a speech act can go wrong.” However, Matsuda and the others (1993) do not suggest a fixed, static notion of social structure. Therefore, I disagree with Butler in terms of her interpretation in Austin’s speech act theory.

The hate speech disseminated through social media just after the earthquake in Van could be examined as an example to make my arguments clearer. The dynamics of social media reflect upon, transform and construct social practices. Agreeing with Wodak (2001:11) “texts are often sites of struggle in that they show traces of differing discourses and ideologies contending and struggling for dominance,” about 100 tweets were examined in this paper to present how dominant ideology is reproduced by ordinary people voluntarily. In other words, the communicative value of hate speech in Turkey after Van earthquake represents the desire of the ruling power to build a nationalistic identity. As Wodak and the others (2009:22) state “national identity is ... product of discourse” and “thus, through discursive practices, a certain national identity can be constructed, perpetuated, transformed or dismantled” (Wodak et al, 2009:33).

Furthermore, in my case, the illocutionary force of hate speech in social media worked as an effective means of social transformation, therefore worked as perlocutionary speech act. The proponents of utterances in the social media could be summarized as being reactionary, immediate, repetitive, direct and in fast flow. Furthermore the style consisting of not only utterances but also other forms of expressions such as pictures, photographs, symbols, songs, etc. matters in the expression of the self in social media. In other words, hate speech in social media could also be considered from the perspective of social representation. “Van Dijk (Meyer, 2001:21) names three forms of social representations relevant to the understanding of discourse: firstly knowledge (personal, group, cultural), secondly attitudes (not in the socio-psychological understanding), and thirdly ideologies. ... He conceptualizes the influence of social structure via social representations.” Therefore the representation of self of Twitter users could be read as social representation as well. In my case, fast flow of repetitively hateful speech –covering all forms of expression, not only utterances- in Twitter produced immediate effects. In other words, senders of those tweets “wound” the victims of the earthquake dramatically.

On the other hand, social media played two opposing roles just after the earthquake; dissemination of hate speech and rescuing peoples’ lives. For example some people used their cell phones and also social media, specifically Twitter, to call for help from the search and rescue associations. According to the news reports (Eryazar, 2011) “three people rescued with the help of twitter, as the tweets give the directions for the areas, even the buildings which were highly effected by the earthquake” and people organized inhabitants of neighboring cities of Van to help and rescue the ones under the ruins of the buildings with the help of Twitter. However, the humane rescue and helping efforts of many people, there were some others who were busy with uttering hateful speech with the purpose of preventing those efforts, in their words, for the “terrorists who deserve death” on Twitter. Even if not all the senders of hateful tweets did not refer all the people in Van as “terrorist,” their view of the earthquake as “a revenge of the God for the dead soldiers” indicated that they did not sorry for the victims of the earthquake. Therefore, it is obvious that, in the midst of the tragedy of the earthquake, hateful tweets deeply wound many people. However, because of the reactionary, immediate aspect of Twitter some people reacted upon the senders and “talked back” after these hateful expressions and condemned those senders/expressions, sometimes producing more hate speech against the prior ones on Twitter. Moreover, neither hate speech nor “talking back” did remain limited within the social media, specifically Twitter but including Facebook, blogs, e-forums, etc., it reached to the traditional media and continued to be discussed in the national newspapers, local radios and on national television channels. An example of hate speech on television was produced by a famous speaker, Muge Anli, reporting Van earthquake in her program (Müğe Anlı’dan Van Depremi Yorumu, 2011). After being a noticeable injurious issue, some politicians, including the leader of the nationalist party, Devlet Bahçeli, referring those people as “corrupt/ignoble and tactless,” condemned the hate speech (Bahçeli: ‘Ağlama Sırası ...’, 2011). In the end, since many people worked to raise awareness for hate speech in every form of media, dissemination of ‘more’ hate speech prevented and many people organized to help the victims, which could be named the “common sense” of social media users. In conclusion, not only traditional media but also social media were used as platforms both to spread and to prevent hate speech.

The conclusion of this earthquake issue seems to support Butler’s view of affirmative consequences of hate speech which is mentioned above. However, what Butler misses here is that it was the social and political pressure which disjoins the hateful speech from their power and results in affirmative effects by recontextualizing it, not the hate speech itself. In addition, if there were some effective legal restrictions against hate speech in Turkey, no one would have had to react upon it. As the earthquake example shows, hate speech should be regarded as an act and analyzed in its discourse. Therefore, instead of hate speech I propose the terms “hate speech acts” which refer to its harmful consequences on people and “hate discourse” which cover the context in which it is produced.

Furthermore not only “hate speech” in traditional media but also in social media have become significant so while analyzing hate speech in social media, the analyst should consider both the utterances and some other components such as the profile picture of the writer, or other audio-visual shares. Hence, if we think hate speech as “hate discourse” I think the analyst will spot the problem better so propose better solutions to prevent the production of hate speech.

Discussion: Some Suggestions to Combat against Hate Speech in the Era of Web 2.0

It is apparent that hate speech is a growing problem which has many aspects and therefore, some precautions should be taken urgently to prevent hate speech which is sometimes accompanying violent acts against ‘others’. Since it is believed that hate speech acts could put an end to social integration of the “others” into the society and leads to more segregation and marginalization or denial of those people. In this part of the paper, firstly a brief summary of what actions have been taken so far to eliminate hate speech in Turkey are presented below, and after that what other precautions to solve the problem of hate speech could be taken are stated. The author of the paper is aware of the fact that there is never only one or best remedy to solve the problem of hate speech and her modest contribution with this paper is limited with introducing two new terms for the literature to make the audience consider the issue from a different perspective.

The contribution of abovementioned non-governmental organizations in Turkey, working in solidarity with other NGOs from other democratic countries, is invaluable as they work to raise awareness in public by publishing reports of traditional media coverage, organizing conferences, staging demonstrations to protest hate speech and crimes. Another solution could be to produce more positive examples in every form of media to feel empathy for the victims of hate speech. A very good example of it is a documentary film titled “*My Child*” (Candan, 2013) focusing on the lives of LGBT individuals, shot with the help of a civil society organization founded to act with solidarity of the families of those individuals. Announcing these activities and asking for support in social media platforms could be beneficial to attract the attention of social media users. Another positive example is the new course entitled “hate speech” proposed by Hrnt Dink Foundation to the B.A., M.A. and Ph.D. programs in sociology, psychology and communication in universities in Turkey. The course, the syllabus and the book prepared by the Foundation (Medya ve Nefret Söylemi, Ed. Mahmut Çınar, 2013) are approved by some well-known universities in Turkey, which will be a great contribution to raising awareness on the youth almost all of whom are active social media users.

Furthermore, there are some international and national laws against hate speech, there is no legislation specifically banning hate speech/crimes in Turkey,

however it can be assumed that laws cannot be the only and best solution for hate crimes. For example even though Article 216 entitled “provoking people to be rancorous and hostile” of Criminal Code of the Republic of Turkey is a kind of anti-hate speech Article, except for a few examples, the courts rarely punish the ones who generate hate speech due to this article, instead they sometimes interpret it to penalize the ones who fight against racist, sexist, religious hate speech, in other words, victims of hate speech could be convicted due to the Article. Hence, it can be concluded that the activities should be extended to all areas of life.

As dissemination of hate expressions has become faster and more easily accessible with new media, some precautions also need to be taken to prevent the spread of hate speech. It is believed that hate speech disseminated by social media is more dangerous than the one in mainstream mass media, as the first one is generated by ordinary people not by some authorities as in the later. This reminds Billig’s term (1995) of “banal nationalism” which refers to constant repetition and subliminal nature of everyday representation and symbols of nationalism. In other words, negative associations and stereotypes for the “others” are produced by not only mass media but also by social media every day. As the “other” changes depending on the popular issues or agenda of the day, these stereotypes are reproduced by the ordinary people voluntarily and sometimes without being aware of their dangers. This could be regarded as the success of dominant ideology in a given society; however it also legitimizes those false images, thus reinforces conflicts.

As a conclusion, revision of the term ‘hate speech’ from the perspective of ‘speech act theory’ could provide other effective ways to combat against hate speech in the era of Web 2.0, since hate speech is not only ‘speech’ any more, it is an ‘act’. In that sense, new media literacy could be an effective way to raise awareness on ‘hate discourse’ and ‘hate speech acts’ for disseminators of hate speech in social media platforms. In other words, it is believed that the most effective remedy to prevent more hate crimes is to work for social and cultural transformation. As it can be seen in the example of Van earthquake, people warned the ones who spread hate speech and achieved to transform them to act in a humane way. Therefore effective new media literacy with special emphasis on critical thinking could contribute to the development of more democratic acts, common sense, in Web 2.0 and so more works should be done to develop critical new media literacy not only by academics but also by the institutions such as media, schools, municipalities, etc. In conclusion, what is needed for an effective solution of hate speech is to use media for humane actions and to contribute to transformation of the mentality of the users, briefly the aim should be to build a society including people who have free minds which is free from hate.

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