WILEY

Teaching & Learning Guide for: Counterspeech

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1 | AUTHOR'S INTRODUCTION

Counterspeech is communication that tries to counteract potential harm brought about by other speech. This might involve, for example, vocally criticising a hateful tirade, or publicly correcting misinformation. The appeal of counterspeech stems partly from considerations of free speech, and partly from considerations of effectiveness: unlike legal restrictions, counterspeech aims to prevent speech-based harms without prohibiting speech; moreover, counterspeech is often thought to constitute an effective tool for preventing harm. Yet counterspeech raises two core challenges. One key question is whether there can be duties to engage in counterspeech—and if so, who bears these duties, and why? One might worry, for instance, that it is unfair to ask targets of harmful speech to bear the costs of speaking back against it. The issue of how we should distribute counterspeech duties arguably depends on a second question: namely, whether counterspeech really is effective at preventing harms. Many doubt that it is. After all, attempts at verbally correcting misinformation often fail to change people's minds. Worse, some have argued that counterspeech can actually backfire, and exacerbate the harms it seeks to prevent. Addressing these concerns about effectiveness requires a keen understanding of how harmful speech generates harms, of the different forms counterspeech can take, and of what exactly counts as effectiveness.

2 | AUTHOR RECOMMENDS

Maitra, I., & McGowan, M.K. (2012). Introduction and Overview. In I. Maitra & M.K. McGowan (Eds.), *Speech and Harm* (pp.1-23). Oxford University Press.

> This is the best existing introductory overview of harmful speech. It concisely explains how speech is capable of generating harms, explores what this means for free speech, and lays out different options for responding to harmful speech (including the law and counterspeech).

Gelber, 2012 Gelber, K. (2012). Reconceptualizing Counterspeech in Hate-Speech Policy (with a Focus on Australia). In M. Herz & P. Molnar (Eds.), The Content and Context of Hate Speech (pp. 198-216). Cambridge University Press.

> Gelber offers a seminal defence of counterspeech as a tool for tackling hate speech, which notably highlights the state's role in supporting counterspeech.

de Silva, A., & Simpson, R.M. (2022) Law as Counterspeech. *Ethical Theory and Moral Practice*, 0(0), 1-18. https://doi.org/10.1007/s10677-022-10335-3.

> This article closely examines the relationship between counterspeech and the law. It argues against defining counterspeech in opposition to legal remedies for harmful speech (as is often done), and instead emphasises the law's potential as a form of counterspeech.

Langton, R. (2018) Blocking as Counterspeech. In D. Fogal, D. Harris, & M. Moss (Eds.), *New Work on Speech Acts* (pp. 144-62). Oxford University Press.

> This chapter uses speech-act theory to develop a systematic account of how "more speech" can "retroactively undo" harmful speech-acts.

Caponetto, L, & Cepollaro, B. (2022). Bending as Counterspeech. *Ethical Theory and Moral Practice*, 0(0), https://doi.org/10.1007/s10677-022-10334-4.

> This article articulates an alternative speech-act theoretic account of counterspeech, which suggests that it has the power, not just to "undo" harmful speech-acts, but also to transform them into better speech-acts.

McGowan, M.K. (2018). Responding to Harmful Speech. In C.R. Johnson (Ed.), *Voicing Dissent* (pp. 182-200). Routledge.

> McGowan's chapter challenges the claim that counterspeech can retroactively stop or undo the harms associated with harmful speech-acts. Further, it suggests that counterspeech can sometimes amplify the harms it aims to counteract.

Lewandowsky, S., Ecker, U., Seifert, C., Schwarz, N., & Cook, J. (2012). Misinformation and its Correction: Continued Influence and Successful Debiasing. *Psychological Science in the Public Interest*, 13(3), 106-131. https://doi.org/10.1177/1529100612451018.

> This constitutes a wide-ranging overview of empirical research into an important subset of counterspeech: attempts at correcting misinformation. The article helpfully outlines various reasons why misinformation might resist correction, and suggests strategies for overcoming this problem.

Lepoutre, M. (2021) *Democratic Speech in Divided Times.* Oxford University Press, chapters 3 and 4.

> These two chapters offer a defence of counterspeech directed at, respectively, hate speech and misinformation. It explicitly aims to respond to the concerns raised by, among others, McGowan and Lewandowsky et al. (see above).

Howard, J. (2021). Terror, Hate, and the Demands of Counter-Speech. *British Journal of Political Science*, 51(3), 924-39. https://doi.org/10.1017/S000712341900053X.

> Howard's article makes two key contributions. First, it argues that everyone has a duty to engage in counterspeech, grounded in their Samaritan obligations of rescue. Second, it highlights the fact that the specification of these counterspeech duties depends on future interdisciplinary work.

3 | ONLINE MATERIALS

Dangerous Speech Project. Available at: https://dangerousspeech.org

The Dangerous Speech Project aims to offer policy-relevant analyses of dangerous speech, and how it can be countered through a combination of counterspeech and legal remedies. It features regular blog posts and policy briefs on this topic.

Open for Debate Blog. Available at: https://blogs.cardiff.ac.uk/openfordebate/

Open for Debate is a prolific blog (directed at academics, journalists, policymakers, and the general public) that explores the changing nature of public debate. It regularly features posts relating to harmful speech (e.g., conspiracy theories, disinformation) and counterspeech.

Interview with Nadine Strossen: Defining "Counter-Speech" and Fighting Hate Speech. Available at: https://www.youtube.com/watch?v=GsC6rLGSRm8

In this interview, Nadine Strossen (former president of the ACLU) explains why she considers counterspeech to be a preferable remedy for hate speech than legal restrictions.

4 | SAMPLE SYLLABUS

Week I. Introduction: Harmful speech and Counterspeech
- Maitra, I., & McGowan, M.K. (2012). Introduction and Overview. In I. Maitra & M.K. McGowan (Eds.), *Speech and Harm* (pp. 1-23). Oxford University Press.
- Cepollaro, B., Lepoutre, M., & Simpson, R.M. (2022). Counterspeech. *Philosophy Compass*, 0(0), 1-11. https://doi.org/10.1111/phc3.12890.

Week II. Counterspeech and the Law
- Gelber, K. (2012). Reconceptualizing Counterspeech in Hate-Speech Policy (with a Focus on Australia). In M. Herz & P. Molnar (Eds.), *The Content and Context of Hate Speech* (pp. 198-216). Cambridge University Press.
- de Silva, A., & Simpson, R.M. (2022) Law as Counterspeech. *Ethical Theory and Moral Practice,* 0(0), 1-18. https://doi.org/10.1007/s10677-022-10335-3.

Week III. The Effectiveness of Counterspeech

- McGowan, M.K. (2018). Responding to Harmful Speech. In C.R. Johnson (Ed.), *Voicing Dissent* (pp. 182-200). Routledge.
- Lepoutre, M. (2021) *Democratic Speech in Divided Times.* Oxford University Press, chapters 3 and 4.

Week IV. Duties of Counterspeech

- Howard, J. (2021). Terror, Hate, and the Demands of Counter-Speech. *British Journal of Political Science*, 51(3), 924-39. https://doi.org/10.1017/S000712341900053X.
- Vasanthakumar, A. (2020). Recent debates on victims' duties to resist their oppression. *Philosophy Compass*, 15(2), 1-8. https://doi.org/10.1111/phc3.12648.

Week V. Online Counterspeech

- Buerger, C. (2021) #iamhere: Collective Counterspeech and the Quest to Improve Online Discourse. *Social Media + Society*, 7(4), 1-17. https://doi.org/10.1177/205630512110638.
- Saul, J. (2021). Someone Is Wrong on the Internet: Is There an Obligation to Correct False and Oppressive Speech on Social Media? In A. MacKenzie, J. Rose, & I. Bhatt (Eds.), *The Epistemology of Deceit in a Postdigital Era* (pp. 139–157). Springer.

5 | FOCUS QUESTIONS

1. Are some categories of harmful speech harder to counteract with "more speech" than others?
2. Is counterspeech best understood as an alternative to legal remedies? A complement to legal remedies? A possible function of legal remedies?
3. "The policy of countering hate speech with more speech is unfair, because it imposes unreasonable burdens on targets of hate speech." Do you agree?
4. Is counterspeech at risk of backfiring? Are some forms of counterspeech less vulnerable to this concern than others?
5. What, if anything, is distinctive about harmful speech in online spaces? How does this affect the case for deploying counterspeech?

6 | PROJECT IDEA

Possible Assessment: Policy Brief.

> "#iamhere—the prominent Facebook counterspeech movement—have asked you to provide its members with guidance for countering conspiracy theories on this platform. Write a policy brief outlining, and offering reasons for, your recommendations."

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