Do We Have a Duty to Mitigate the Deterioration of Democratic Communication?

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Abstract. Starting from the observation that the deterioration of democratic communication is a political problem that requires individual and collective, private and public, actions, I first defend a baseline duty to avoid using expressions that conventionally show a disrespectful attitude toward targeted groups. Then, I develop a set of guidelines that can guide political theorists in distributing additional duties that respect the situated agency of different individuals. I propose two normative constraints (capacity-to-act and influence) that should influence how theorists assign duties. Then, I present three criteria (pointless, antisocial, and lawfulness) to specify the content in a context-sensitive way.

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Democracies across the globe have experienced a rise to the mainstream of speech targeting marginalized and vulnerable groups. In December 2021, video clips from a three-day gathering of Hindu groups in Uttarakhand, India, showed several public speakers, including members of the Bharatiya Janata Party, the party of Indian prime minister Narendra Modi, advocating violence against the Muslim minority. Incidents of this kind are part of a trend in today's India, where activists have reported a surge of speech expressing resentment against Muslims (Jaffrelot 2021). Anti-immigrant appeals have become a standard aspect of political campaigning in European countries such as France, Italy, and Sweden (Dekeyser and Freedman 2021). In American politics, political-communication experts report that it has become more acceptable to use inflammatory speech expressing racial prejudice in campaign communications (Newman, et al. 2021). These examples help to visualize what I call the "deterioration problem". The deterioration problem (DP) is a situation in which certain explicit forms of intolerant discourse have risen to the mainstream of political campaigning. Intolerant discourse encompasses a broad range of speech acts that can harm, offend, silence, or further marginalize individuals based on their ethnic, sexual, religious, cognitive, and social characteristics (Gibson 2007). By employing explicit forms of intolerant discourse, speakers aim to convey the idea that certain individuals, due to specific ascribed traits or membership in particular social groups, lack the capacity to fully participate as cooperative members of a democratic society.[1] The explicit forms of intolerant discourse connected with DP include at

[1] My analysis of DP does not cover all possible forms of speech that the audience may perceive as intolerant. The usage of derogatory expressions in everyday jokes and satirical publications may contribute to making an audience more accepting of the public use of an explicit intolerant discourse. However, a rise in uncivil speech, jokes, and satirical publications is not in itself a marker

least offensive speech, dangerous speech, bad speech, hate speech, anti-immigrant speech, xenophobic speech, racist speech, homophobic speech, misogynistic speech, and offensive stereotyping.

In some of these countries there are laws in place to check the most harmful forms of bad speech, such as hate speech. But they require democratic institutions to enforce them. And it is not unusual for such institutions to be reluctant to act. Moreover, such laws can only account for a very narrow range of cases of public political communication. A focus on laws, codes and regulations may therefore leave undertheorized several explicit forms of intolerant discourse that do not reach the threshold of calling for legal prohibition but do contribute to the creation of a climate hostile to certain vulnerable groups. It is also for this reason that several scholars have turned to the issue of counterspeech, a kind of remote or face-to-face communication that tries to counteract the spread of false information, the derogatory force of certain utterances, and the possible harm of hate speech and racist dog whistles (Cepollaro, Lepoutre, and Simpson 2022, 1).

There exist several institutional and noninstitutional responses to explicit and covert forms of intolerant discourse that the law will not touch, such as building public monuments, designating national holidays, making public declarations, and developing teaching modules (Lepoutre 2021; see also Simpson 2006). This paper focuses on the actions that can be expected of ordinary citizens. Activist groups, civil society organizations, and movements have indeed reaffirmed the political relevance of individual conversational choices and behaviors. Counterspeech "is everyone's responsibility", someone says (Bromell 2022, 191). In the face of the deterioration of democratic communication, as the argument goes, silence is complicity, and silent citizens are deemed to be complicit in fueling bigotry online and offline. "It starts with each of us," to borrow from a recent UN campaign.[2]

Within debates about the quality of democratic speech, the complicity argument postulates the existence of some normatively relevant expectations associated with communicative actions and inactions (Brettschneider 2012). That is, citizens expect other citizens to be in the forefront in the fight against DP; citizens are expected to vote against candidates using derogatory expressions to gain consensus; citizens are expected to join public demonstrations; citizens are expected to roundly condemn the public and private use of bad speech online and offline; citizens are expected to stand up in their daily lives. In other words, *we* ought to do something about DP. Especially in contexts where intolerant discourse is widespread, these ideas may be helpful in taking practical steps and putting people back in charge. But what does *we* mean*?* And what ought *we* do? On which grounds can *we* hold one another accountable? Then again, can *we* have a standard answer for all democracies marked by DP? Even if one shares the intuition that citizens should spearhead attempts at mitigating DP, too general a response to these questions is likely to neglect how citizens' capacity for immediate meaningful political actions can vary depending on the economic, political, and social context.

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of DP. Moreover, some forms of uncivil speech can also strengthen democratic norms. On this issue, see Herbst (2010) and Zerilli (2014). On the different effects of intolerant and uncivil speech in online political talk, see Rossini (2020).

[2] See https://standup4humanrights.org/en/about.html. Several activist groups use this type of claims to mobilize against racist speech, hate speech, anti-immigrant speech, and other forms of discrimination. See, among others, iamhere international, a world citizens' network that "strive to stop the hate, to support the targeted and to empower people to take a stand when they face hatred, threats and harassment". See https://iamhereinternational.com/about-us/.

Many believe that normative political theory should be more grounded, using systematic empirical evidence to improve individual or collective reasoning as we all as the identification of politically relevant issues (Ackerly, et al. 2021). Scholars of counterspeech have used studies in social psychology and sociology to compare different strategies to neutralize the negative effects of bad speech (Cepollaro, Lepoutre and Simpson 2022; Lepoutre 2021). This approach has contributed to the refinement of claims about the desirability and effectiveness of online and offline counterspeech. However, the construction of arguments for individual and collective duties has been mainly understood as a distinctively deductive endeavor. As an alternative to the complicity argument, political theorists have applied the logic of arguments about assistance onto the case of dangerous speech and hate speech (Howard 2021). In other cases, they have studied problems like polarization and the rise of an intolerant rhetoric within the framework of political liberalism (Badano and Nuti 2018) or new republicanism (Whitten 2021). Yet, there is a risk in leaving aside empirical evidence about different communicative environments, the genealogy of DP and its effect on different members of society, and those legal, political and social factors that influence the perception of what constitutes a meaningful political action in different contexts. Misperceiving the relevance of these aspects may affect how we evaluate the standards of accountability for situated individuals and the significance of unorthodox attempts at mitigating DP.

In this paper, I offer the first normative framework to integrate philosophical work with empirical insights in the construction of duties to mitigate DP that can respect the difference between actors who operate in different contexts. It is not a fully bottom-up approach. My proposal is a moderate three-step approach that combines deductive and inductive reasoning with the goal of producing normative compelling claims that can facilitate the ameliorative goal of mitigating DP in different communicative environments.[3] It is moderate because philosophical work on the characteristics immanent in DP informs the most general normative claims. So, if the question is whether we have duties to mitigate the deterioration of public political communication, the answer is *yes*. This affirmative response leaves however open questions about the direction, content, and attribution of such duties. Some responses to such questions, as I claim in this paper, vary depending on the context.

In this spirit, I first argue that we should connect two levels of analysis. The political-theoretical literature tends to separate the study of inflammatory speech in political campaigns and mass political communication from the examination of private conversations in which speakers use disrespectful forms of expression. In the first strand, the rise to the mainstream of certain forms of expression has attracted mainly the attention of theorists searching for appropriate normative and institutional responses to the rise of far-right and populist parties (Kirshner 2014). In the second, social philosophers have investigated on-the-spot strategies that can make derogatory speech fail (Caponetto and Cepollaro 2022; Langton 2018). Against this backdrop, I derive a baseline duty to mitigate DP from the essential characteristics of DP as a problem whose variations in intensity can affect the functioning of democratic societies. In their everyday interactions, I argue, all citizens, who live in societies affected by DP, have an imperfect duty to avoid using expressions that conventionally show a disrespectful attitude toward targeted groups. I also propose a set of guidelines to identify additional, and more demanding, duties to mitigate DP. My assumption is that there might be different additional duties in different contexts affected by DP. And my goal is to offer a set of moderately grounded guidelines that political theorists can use to construct their normative claims in different contexts. To assign such duties, I extract two normative constraints

[3] I borrow the idea of an ameliorative project—one that serves "some legitimate social purpose"—from Haslanger (2012).

(capacity-to-act and influence) from the characteristics of DP as a problem that relates to pre-existing forms of oppression that can have an asymmetric impact on the population. To specify the content, I offer three criteria (pointless, antisocial, and lawfulness) to include relevant contextual considerations so that the proposed systems of duties can account for possible barriers undermining individual and collective action. This will be important since there is a difference in conditions between types of counterspeech performed in different societies.[4] The primary contribution of this article lies in the development of a novel framework for constructing duties to mitigate DP. In doing so, I provide a perspective on how and when empirical findings should be combined with normative theorizing. By advocating for a context-sensitive perspective, this paper supports the adoption of a case-study approach to investigate the normative relationships among individuals residing in societies marked by DP. In this article, I do not engage directly with actors and empirical data. I do not even apply my approach onto a specific case. Such a grounded work exceeds the scope of this paper. My argument also raises some doubts over the trans-contextual ambition of those arguments for an additional duty to mitigate DP that fail to consider real-world variations.

ORDINARY CITIZENS AND PUBLIC INTOLERANT DISCOURSE

In democracies across the globe, there has been an increase in the number of members of parliament, members of the executive branch, leaders of social movements, prime ministers, and elected presidents who use explicit forms of intolerant discourse as means to convince people to join their side (Bacelar da Silva and Robb Larkins 2019; Valentino, et al. 2018). This phenomenon has attracted the attention of social and political philosophers, who connect the use of derogatory public appeals with widespread acceptance of prejudices, negative dispositions, and stereotypes among the public (Saul 2019; Khoo 2017). In everyday interactions, as Leslie (2014) indicates, low and high-status speakers show a lack of respect for some members of society, gradually transform partial, false, and demeaning presuppositions into the common ground of conversations, uncritically adopt a disparaging manner of speech, strengthen distorted framings, and undermine the intelligibility of targets' actions. When derogatory language is prevalent in the environment, its omnipresence may activate intergroup contempt and, then, desensitization (Bilewicz and Soral 2020). Intergroup contempt undermines the conditions for empathy-based interactions to succeed. The prevalence of intergroup content may also create a new sense of normativity. In the long run, this makes people less sensible to the fact that derogatory language humiliates other people.

If there is a connection between everyday communicative interactions and the rise to the mainstream of certain forms of expression, it seems plausible that DP is brought about by a wide range of inactions and actions, some of which relate to individual expressive behaviors in circumstances in which bystanders and targets listen to public talks and other speech expressing disrespectful attitudes, in which several bystanders use derogatory expressions, and in which many bystanders and targets find themselves in ordinary conversations in which other participants have just used derogatory expressions and other intolerant shortcuts that enter the common ground between everyday parlance and commonsense judgments about targeted groups. The possible interdependence between the quality of ordinary conversations and the conversational choices made by representatives and prominent politicians suggests that enhancing the quality of public political

[4] Attempts at using form of intolerant discourse can be traced back to a standard relational configuration. This configuration describes how someone (the speaker) can connect with some hearers (bystanders) by expressing derogatory attitudes toward the members of certain vulnerable and marginalized groups (targets).

communication entails resolving a collective action problem. On the one hand, individuals have an incentive to stay with accepted conversational norms as they allow smooth communication between intra-group members. On the other hand, their conversational choices may have some impact on what is judged as a socially acceptable discursive norm. At the same time, individuals cannot be held fully responsible for the outcome, but their conversational choices can contribute to variations in the intensity of DP.

DP makes structures of subordination explicit, but the deterioration of public political communication may also exacerbate divisions to the point that it becomes extremely difficult to deliver public goods. In exacerbating divisions, intolerant discourses can lead a spiral of inimical opposition, make more difficult to build social bonds, and motivate the perception of instability. Inimical opposition, weak social bonds, and widespread perception of instability can be serious issues for the functioning of our democracies (Huber 2022). Considering these observations, citizens may have duties to undertake DP-mitigating actions on account of the negative effect DP may cause to the functioning of democracies. A new wave of philosophers and political theorists, mainly working on the issue of counterspeech, has explored the idea that ordinary citizens may have one or more imperfect duties to respond to—argue against or speak up to—other citizens who, in formal and informal settings (for example, family reunions, departmental meetings, the workplace, get-togethers at bars, chats, and so on), have uttered words showing a lack of respect for some targeted groups (Howard 2021; Lackey 2020). These putative duties admit countervailing reasons based at least on capability, risks to agents, and burdensomeness (Howard 2021; Maitra 2012). Howard (2021) argues for a baseline imperfect duty that requires all citizens to accept their fair share of speaking out against hate. Lackey (2020) requires bystanders to object on the spot to nonderogatory false information that may contribute to the spread of racism and bigotry.

Howard and Lackey do not disaggregate the rather vague label "duty to speak up". Yet in a society marked by DP, on-the-spot interventions are just a fraction of the available ways to respond to speakers who use explicit and implicit forms of intolerant discourse. When speakers are public figures with significant social influence, most bystanders lack the material opportunities and recognized status to promptly argue back. For this reason, I suggest that expressions such as "speaking up," "responding to," and "arguing against" should be understood expansively to include online and off-line individual actions (such as getting up and leaving, defacing monuments, putting stickers on statues, voting in elections), contributions to collective actions (such as public shaming, public protests, boycotting, Not in My Name campaigns, canceling, trolling, and responding en masse to online hateful comments), forms of silent agency (abstention, and blank ballots) that aim to express disagreement with speakers by challenging their authority or what they have said (Fumagalli 2021), and forms of discursive engagement that are not on the spot and ex post but, in the words of Lepoutre (2021), preemptive, sustained, ex ante, and directed at bringing about a change in attitudes. Based on this expansive understanding of the duty to "speak up", political theorists argue for imperfect duties that require some citizens to perform more demanding actions, such as persuading supporters of intolerant viewpoints (Badano and Nuti 2018; Brettschneider 2012) as well as defacing and destroying tainted monuments (Lai 2020).

The idea that all citizens may have an imperfect duty to perform minimally demanding actions and the belief that some citizens have additional duties are not incompatible. There might be several duties with different scope and intensity. For instance, certain ordinary citizens may have an imperfect duty to get up and leave but not a defeasible duty to deface monuments; others may have an imperfect duty to join public protests but not a duty to speak up during a Thanksgiving dinner.

Those citizens may also have a more general duty not to contribute to the spread of bad speech online (Donzelli 2021).[5]

Previous statements have supposed that the harm speakers can cause to targets generates normatively relevant reasons that justify a duty to speak up. That perspective is important and generates fundamental philosophical and normative questions. There is however room for a more critical stance on the problem. When we cast lights also on the political character of DP – the fact that it can affect the functioning of our democratic societies, the political relevance of our everyday small and big communicative actions comes into clearer view. That is, following the results of empirical research in political communication, public rhetoric can influence the functioning of public spheres and, consequently, the perceived legitimacy of democratic institutions (Seeliger and Sevignani 2022). When the public becomes more accepting of explicit forms of intolerant discourse, the political costs of expressing openly intolerant attitudes diminish (Giani and Méon 2021; Piazza and Van Doren 2023). When mainstream political actors use the most explicit forms of intolerant discourse to exploit feelings of animosity towards certain groups, they may lead more people seeing the equal status of certain members of society as one of the most important problems. In this way, they may contribute to fostering increasing competition between groups with negative consequences for social cohesion (Sirin, et al. 2021, 255; Valentino and Vandenbroek 2017). This political framing shifts the normative discussion about DP. Rather than seeing duties as connected with aid, rescue, or the commitment to reduce cases in which assistance is necessary, I shall tie duties with the individual capacity to transform the preconditions and structures that cause public speakers use explicit forms of intolerant discourse. This perspective is more consistent with speech act theory and empirical research on public political communication. It can also generate patterns of burden-sharing that differ from one society to another. Based on this insight, I proceed to offer a way to distribute duties to mitigate DP.

A NEGATIVE DUTY NOT TO CONTRIBUTE TO THE AGGRAVATION OF DP

This section aims at deriving a baseline imperfect duty from the essential characteristics of DP as a problem whose variations in intensity can affect the functioning of democratic societies. Such a duty should be something that people in different contexts who think of DP as a political problem demanding attention can agree about even if they disagree about the existence of additional duties in their society. Therefore, a baseline duty should be minimal enough to apply to all people, regardless of their role and standing in society, and, at the same time, it should establish a common ground for justifying the expectations that ordinary citizens can have with respect to one another in every possible democratic society. Since its prescriptions must be acceptable to a broad population, they cannot be too specific and demanding. Despite being minimal, defeasible, and general, though, a baseline duty should generate a network of expectations that can lead to progress in the ameliorative project of mitigating DP.

I have said that a baseline duty should minimal enough to apply to all members of society. Yet, the attribution of duties to targets is controversial. One may argue that in so doing, we neglect the facts that targets, by virtue of their vulnerable condition, may lack the authority to be recognized as participants on equal footing, that we end up holding targets at fault for harms that befell them, and that we may diminish the responsibility of bystanders (MacKinnon 1996). There are reasons to challenge this view. For instance, several philosophers have demonstrated that the oppressed can have self-regarding reasons to participate meaningfully in the fight against oppression. Such reasons may stem from self-respect (Boxill 1976), dignity, individual well-being, and the obligation to protect

[5] Alternatively, one may argue that citizens should quit social media to cast lights onto how user-generated content platforms exacerbate DP. On this issue, see Simpson (2021).

one's own rational nature (Hay 2011). Others have claimed that victims have other-regarding reasons, such as their epistemically privileged positions relative to the harm and the idea that nonresistance can be among the causes of continued oppression (Cudd 2006; Vasanthakumar 2018). As we will see later, I do not deny that targets are in a distinctive position with respect to DP nor that this problem belongs to a larger family of injustices that overburden some people and benefit others. But this does not justify aprioristically excluding the idea that all members of society should contribute in some way to mitigating DP.[6] One might even wonder whether it is demeaning to proceed as if targets could be exempted from feeling duty bound to do something in response to a social phenomenon that affects them directly. Not only the omission of targets as relevant agents of change contributes to perpetuating an outdated moral-patient paradigm, but also makes it underestimate the political significance of target-led movements that have drawn attention to the broad social and political implications of DP. In India, for instance, young Muslim women have led a movement to protest the rise to the mainstream of hate speech and violent speech (Kadiwal 2021).
In grounding the duty in a general positive and imperfect Samaritan duty to rescue others from perils when the assistance is not unreasonably costly, Howard (2021) has done the most to contribute to the definition of what I call a baseline duty. His duty to counterspeech is a positive duty. A common concern with positive duties is that once we admit them in the normative landscape, it becomes hard to prevent them from becoming very demanding (Lichtenberg 2010). I think that if applied to a phenomenon like DP, Howard's duty to counterspeech is in fact too loose. In large-scale phenomena, in which the agency of individuals matters but most individuals have little or no control over the outcome, effective assistance is almost always unreasonably costly and therefore leaves most agents off the hook.[7]
My claim is that a negative duty not to contribute to the aggravation of DP should be our baseline duty. One may object straightaway that according to a standard approach to negative duties, individuals are to be held responsible for an immediate harm that their actions, without the support of other people, are sufficient to bring about. But then we would leave too many people off the hook, as, in the context of DP, none of our actions are causally sufficient. One may also argue that the normative force of negative duties is linked with their being easier to satisfy than positive duties (Pogge 2005). It is, the argument goes, less burdensome to satisfy an expectation not to murder someone than an expectation to aid family members of the victim. For this reason, a baseline negative duty may be so easy to fulfill that it turns out to be normatively irrelevant for most people in their day-to-day activities. Such arguments rely upon an extremely narrow conception of individual contributions to harmful (or potentially harmful) conducts that fails to account for ordinary moral and political judgments in cases that involve a large-scale violation of individual negative duties and prospective liability for having contributed to making matters worse. The same line of argument applies to DP, if we accept the idea that a rise in the public use of explicit forms of intolerant discourse relates to the transmission of beliefs and dispositions through ordinary discursive interactions, such as family conversations and small talk. The idea is that conversational choices are influenced by peer effect, as our conversational choices are shaped by the moves of

[6] The distinctive position of targets with respect to DP may justify two claims. One may argue that they are justified in performing otherwise unjustified actions. On this issue, see Shelby (2018). One may also argue that they are justified in addressing hateful speakers with offensive speech. On this issue, see Lepoutre (2022).
[7] Such a baseline duty can be seen as a duty to merely try to contain DP. If so, then it is not at all unreasonably costly. It is, however, inconsequential, leading to an undesirable scenario in which most agents are not at fault and DP intensifies.

others. In this view, the baseline duty stimulates a peer effect that can encourage more people to avoid the use of derogatory expressions.

If the goal of formulating a baseline duty is to mitigate DP, it is important to have a conceptual framework that can make all individuals—as potential participants in conversations contributing to the spread of prejudices and stereotypes—accountable for their small contribution to intensifying DP. Therefore, the primary source of a baseline duty should not be the harm suffered by targets and bystanders here and now. Such harm should not be neglected, but it is not necessarily tied to progress in mitigating DP. A negative baseline duty stems from a simple observation: we should not take present divisions as the worst possible condition our democracies may suffer. There are variations in the intensity and scope of the negative effects of DP; and individual actions are instrumental to creating the background conditions for such variations. For instance, what was once perceived as outrageous racism may come to seem ordinary, and more people may become vulnerable to the direct and indirect effects of DP. This is not predetermined, as all agents have at least a minimal capacity as participants in various conversations not to contribute to the transmission of prejudice and stereotypes, knowing that such contributions might strengthen the background conditions for DP. A negative baseline duty operates exactly at this level: that of the individual capacity not to qualify as someone who has contributed to increasing the intensity and scope of DP. For this reason, I argue, there is a baseline duty that requires targets and bystanders to avoid using disrespectful expressions grounded in certain ascribed traits or membership in certain social groups.

The negative baseline duty offers normative grounding for asking each other our reasons for using a derogatory term instead of another expression. The baseline duty correlates with a right to expect that other members of society will avoid using expressions that conventionally show a disrespectful attitude toward certain individuals because of ascribed traits or membership in certain groups. This right is an entitlement to ask each other to justify certain conversational choices and to subject recalcitrant people to adverse judgments without need for further justification. This view echoes the idea that agents can be liable for making the world worse than it would have been had they not acted. If the use of derogatory forms of expression targeting certain vulnerable groups escalates and new groups become targets of a nonchalant public intolerant rhetoric, or public speakers systematically breach established social-rhetorical norms, then, as the burgeoning scholarship (Newman, et al. 2021) on the so-called Trump effect on American politics tells us, things have gotten worse. Thus, a person fails to meet the expectation not to contribute to DP when the success of their conduct—as a speaker or as a member of the audience (target or bystander)—entails that it is more likely for prejudices and stereotypes to continue shaping that specific conversational context.[8]

I have claimed that in contexts in which parties think that DP should be mitigated, all citizens have a baseline duty to avoid using expressions that conventionally show a disrespectful attitude toward targeted groups. Yet, someone may object, such a negative duty, by constraining the capacity of targeted groups to challenge DP, can in fact make things worse. As Butler (1997) argues, since racial slurs, by recalling a particular history, have a painful effect, and considering that speakers never have full control over the meaning of their speech acts, reformulating the meaning of derogatory terms

[8] From a harm-based approach to DP, my negative duty and a positive duty of assistance could be compatible. Even in cases where no one is at immediate risks of being harmed, a duty of rescue can justify duties to reduce the incidence of cases in which rescue is necessary (Howard 2021, 930). A negative duty not to contribute to the aggravation of DP could therefore be justified through a more fundamental positive duty to reduce the incidence of harmful cases.

can shift debate from what one is trying to say to the underlying oppression of certain social structures. For instance, role models and group leaders may rearticulate negative associations in the cultural imaginary and give a new meaning to derogatory expressions. Lower-status speakers, such as ordinary members of targeted groups, may refer playfully to one another with derogatory terms as a way to strengthen in-group ties.

I do not deny that agents can justifiably breach an imperfect baseline duty to mitigate DP. However, I contend that there is a presumption against using derogatory expressions. Still, this view admits exceptions. For instance, considerations of status impact the range of plausible reasons speakers can offer to breach an imperfect duty to avoid using expressions that conventionally show a disrespectful attitude toward targeted groups. As the literature on hate speech and speech inciting violence demonstrates, prominent leaders avail themselves of preexisting asymmetrical authority relationships so that their words carry more weight than those of ordinary citizens (Wilson and Kiper 2020, 105–7). Evidence also suggests that attempts to reduce prejudices are more effective when performed by members of society who are perceived as high-status individuals or elites (Siegel and Badaan 2020). For this reason, it seems plausible to infer that only those members who are in a position of recognized authority relative to a whole group can utter words that can be seen as contributing to the group's fight against oppression or, at least, as a way to trigger a sustained debate on the underlying dynamics motivating oppression. Since different speakers can utter words with a different capacity to stimulate debates about underlying oppressive dynamics, targets, in assessing the plausibility of the justification one offers for using derogatory terms, should reflect also on speakers' recognized status within the group. From this perspective, it is therefore disputable that a theory of duties to mitigate DP should hold that targets are always justified in using derogatory terms.

In this section I have identified a baseline duty to avoid using expressions that conventionally show a disrespectful attitude toward targeted groups. On this view, since citizens often can choose between several ways to express their ideas, they should replace those words and phrases that have intolerant origins with innocuous expressions. This duty is tied to the characteristics that determine individual involvement in the large-scale process towards the deterioration of democratic communication. I take this duty to be the baseline of systems of duties that may motivate expectations about targets and bystanders. The baseline duty is derived from the observations that DP can have an impact on the functioning of a democratic society, and that the propagation and acceptance of linguistic practices follow from our individual choices as speakers and listeners. From this perspective, a healthy public rhetoric is important as it constitutes one of the prerequisites for sustaining the process of opinion formation and defining the boundaries of acceptable discourse, which democratic governments rely on to justify their decisions in societies characterized by the fact of pluralism. Against this backdrop, what matters is that ordinary citizens, even though they may not possess the causal power to bring about change, see themselves as playing a role, marked by reciprocal and normatively relevant expectations, in the process of mitigating DP.

If we consider that general linguistic standards are almost never the direct result of individual linguistic choices, and that the ability to establish such standards is not equally distributed, there is a risk of placing excessive expectations on ordinary citizens as language users. For this reason, expectations associated with the baseline duty to mitigate DP need to be balanced with several countervailing considerations. For instance, certain individuals hold positions of authority as language users within their respective groups, while others, even within the same groups, are denied the opportunity to determine what constitutes a permissible conversational move. Moreover, there are significant differences in both basic linguistic abilities and the capacity to adapt to a changing linguistic context. There is also the observation that disparities in linguistic competence may be linked to cognitive impairments and social injustices. Additionally, our conversations may also take

place on platforms whose design and algorithms implicitly encourage unreflective communication. In some cases, the choice to accommodate linguistically questionable standards serves as a means for individuals to be recognized as active members of a group that pursues socially valuable goals. When holding one another accountable, therefore, we should strive to consider countervailing reasons and assess whether, under certain circumstances, competing motivations or structural factors *truly* render the baseline duty too demanding.

The examples in the introduction show that DP can evolve in democratic societies organized around very different normative commitments. In such nonideal scenarios, if we do not have a set of guidelines to consider at least the position of different groups relative to DP as well as those institutional and noninstitutional elements that can obstruct individual and collective action, we may end up inspiring an inadequate, and maybe too demanding (or too loose), network of expectations. The next section offers a way to include contextual considerations in the construction of context-based additional duties to mitigate DP.

ADDITIONAL DUTIES TO MITIGATE DP

In this section, I first study how additional imperfect duties to mitigate DP should be assigned. Building on this analysis, I then investigate how the content of such duties should be specified.

How to Assign Additional Duties to Mitigate DP

Citizens can hold one another accountable for actions that go beyond what is stipulated by the duty not to contribute to the aggravation of DP. DP can indeed motivate political theorists to defend duties that require ordinary citizens to engage in quite demanding individual and collective initiatives. For this reason, here I zoom in on the general question of distributing the burdens of actions consistently with the characteristics of DP as a problem that occurs within democratic societies that someone can perceive as oppressive environments. Within such oppressive environments, some members of society have experienced the power of prejudice and different forms of discrimination (Bonotti and Seglow 2021). In claiming that targets should not be considered as mere spectators, I do not claim that there is no normatively relevant difference between targets and bystanders. It is important therefore to find the right balance between a commitment to value the agency of targets and a critical eye on the power asymmetries that characterize our communicative environment.

To offer a convincing picture of how to distribute additional duties, I go into detail about the inherent features of DP as a problem that relates to pre-existing explicit and covert forms of oppression. In the introduction, I listed some examples to show that these days, DP affects several democratic societies across the globe. I have also said that DP occurs in a setting in which prominent political leaders, or even members of the executive branch, make public appeals using forms of explicit intolerant discourse. While the influence of such appeals seems to call for the widest possible cooperation by all citizens, no single ordinary citizen can be held fully accountable for a prospective adverse outcome. At the same time, however, as I said earlier, the public use of explicit forms of intolerant discourse is connected with ordinary citizens' responses and everyday conversational choices. For this reason, ordinary citizens should be seen as coparticipants in the process leading to the deterioration of our public political communication. Some visible negative effects of DP, such as divisions, impoverished public rhetoric, and sectarianism, affect all members of society. Nevertheless, it is important not to forget that DP exacerbates (and draws upon) the prejudicial treatment of certain categories. In this way, it can exacerbate past wrongs that have a lasting impact on targeted groups. In assigning additional duties to mitigate DP, political theorists should therefore consider both the relative positions of targets and bystanders in the present and DP as an aspect of a much longer history of unjust treatments within a certain society. For this

reason, as I explain in what follows, the distribution of additional duties to mitigate DP should respect two normative constraints: capacity-to-act and influence.[9]

Capacity-to-Act. Capacity-to-act requires us to give appropriate weight to the capacity of an action to contribute to the goal of mitigating DP and to the fact that the costs of performing effective actions experienced by certain individuals can be so high as to exceed the perceived expected benefit. Specifically, in adding deontic layers to the baseline duty, political theorists should go beyond a too abstract interpretation of the ought-implies-can principle. If theorists construct additional duties to push agents to contribute to the ameliorative task of mitigating DP here and now, the duties should not express merely the theoretically possible, given hard (logic and physical laws) and soft (economic, political, and cultural mechanisms) constraints.[10] The priority given to actions in the present requires theorists to consider only those actions that are practically possible and that can mitigate DP.

In this case, practical possibility involves considerations related to the overdemandingness of actions that could, however, mitigate DP. On this view, considerations about the impact are therefore outranked by considerations about differences in sex, gender, class, and age as well as seniority and expertise or about differences in the way such differences intersect with one another (Lackey 2020). For instance, targets, as Howard (2021, 932) aptly notices, are likely to hit the maximum threshold of unreasonable demandingness "much more quickly than privileged bystanders". It is against this backdrop that according to the first normative constraint, ceteris paribus, political theorists should prefer additional imperfect duties that express a fair balance between actions that can have an immediate effect and the costs that targets and bystanders experience.

Influence. A common preoccupation of proposals for assigning targets additional imperfect duties to fight wrongs resulting from an oppressive condition arises from inquiries into reciprocal positioning with respect to the effects of intolerant forms of expression and conduct (Cudd 2006). If DP becomes apparent in a preexisting oppressive environment, it exacerbates a condition that has already shaped in multiple ways the relationship between targeted groups and other members of society and, therefore, the capacity of targets to perform actions that can have an immediate impact. Targets, who find themselves in a disadvantaged position and have already suffered the harms of oppression, Terlazzo (2020, 398) says, "ought to be able to give some additional weight to their own interest when fulfilling their duties". The same line of reasoning should also be valid within those marginalized and vulnerable groups in which some members are in a position of privilege (Cudd 2006, 187, 196–97). Since, in a democratic society marked by DP, privileged bystanders, as opposed to bystanders who live under conditions of economic insecurity and subordination, can continue benefiting from existing social and political institutions, the distribution of costs should be consistent with socioeconomic considerations that divide up members of a group in an otherwise-dominant position. Many actions aiming at mitigating DP require a sustained commitment to destabilizing dispositions and prejudices. There are, however, immense social-class differences in the availability of free time, where people in a more vulnerable economic position may have to work more hours to ensure a high-enough financial return, may have a long commute between home and the workplace, or may have to spend an enormous amount of time to seek formal and informal jobs (Apostolidis 2019).

On this view, additional duties should therefore be constructed so that the distribution of costs is coherent both with the position of different groups with respect to DP and with differences in

[9] In using the terms capacity-to-act and influence, I borrow from debates about the distribution of duties across agents asymmetrically affected by climate change. On this point, see Stone (2004).

[10] For a careful analysis of hard and soft constraints, see Gilabert (2017).

socioeconomic status within the group of bystanders. This suggests that in defining the specific actions targets and bystanders should perform, one should consider whether one of the two groups has suffered more from DP, whether one of the two groups has benefited in some way from the oppressive environment sustaining intolerant forms of expression and conduct, and whether members of the group with a power advantage have already taken actions to mitigate DP. Influence, therefore, specifies that in distributing the relative costs of duties to engage in activities that can be recognized as participating in the joint endeavor to mitigate DP, some members of society are already unfairly burdened by different facets of the oppressive environment in which DP unfolds. For this reason, according to the second normative constraint, ceteris paribus, we should prefer imperfect duties that require more of agents who have been less exposed to some of the injustices affecting a society marked by DP. Capacity-to-act and influence place constraints on how one should construct additional duties to mitigate DP: political theorists should not think of such additional duties as applying uniformly to all agents. The distribution of additional duties to mitigate DP should reflect the differences in the capacity to perform certain ameliorative actions here and now as well as agents' position relative to the unfolding and aggravation of DP.

How to Specify the Content of Additional Duties to Mitigate DP

Taking seriously the agency of people who live in societies marked by DP requires also thinking critically about the institutional and noninstitutional constraints that can play a role in affecting the relevance of their actions. While recognizing that several micro constraints may limit individual actions and attempts to organize collective endeavors, relationships of mutual accountability ought to be informed at least by a study of the resources different agents can deploy in circumstances where political rights and opportunities to access old and new media are not equally distributed, and in which those same prejudices and biases sustaining DP can affect the individual and collective experience of legal protection.

Earlier, I mentioned some actions (speaking out at informal gatherings, persuading, getting up and leaving, defacing monuments, putting stickers on statues, voting in elections, joining online public-shaming campaigns, joining public protests, boycotting, participating in Not in My Name campaigns, canceling, trolling, responding en masse to intolerant comments, and unearthing the implicit derogatory implications of certain contributions to ordinary conversations) that, according to recent developments in normative political theory, may specify the content (the action one is supposed to perform) of an imperfect additional duty to mitigate DP. I have also argued that DP can emerge in democratic societies organized around very different normative commitments. In what follows, by building on the results of multiple theoretical and empirical studies of the role of ordinary citizens in reforming public political communication, I identify three criteria that can guide us in incorporating the relevant empirical insights.

Specifically, I shall argue that we should be able to demonstrate that a certain action specifying the content of a duty to mitigate DP can have at least an infinitesimal impact in a given context. For this reason, the first criterion (pointless action) establishes that additional duties should require bystanders and targets to perform only actions that can have at least an infinitesimal ameliorative impact here and now. The second criterion (antisocial behaviors), then, requires us to exclude those actions with an infinitesimal ameliorative impact that can bring about a situation in which a group of duty holders is susceptible to insults and violence because of the position of its members with respect to DP. In some cases, fulfilling certain duties to mitigate DP may make prospective duty holders liable to prosecution. In some countries, sanctions and punishments may be very severe or asymmetrically impact certain segments of the population. In light of these considerations, the third criterion (lawfulness) says that all those actions that would make prospective duty holders liable to prosecution should be excluded from the set of possible contents of extra duties to mitigate DP.

Pointless Actions. The first criterion accounts for the idea that agents should not be held accountable for failing to perform actions that are pointless under the circumstances they live in. Different constraints may affect the performance of individual and collective actions aiming at mitigating DP. For this reason, political theorists should begin with a detailed study of at the least four aspects: that is, the media landscape and its degree of pluralism, processes for making official decisions and appointing representatives, the power balance (if any) between groups, and existing opportunities for local actors to access the internet (e.g., data costs, speed, and connection stability) and use it freely. Without such a detailed social-scientific study, the risk is that the resulting account will work with a very idealized picture of those same actors we expect to motivate in the first place. An action is pointless, I contend, when, here and now, some sociopolitical constraints affect the necessary conditions for some agents to realize their intention in that specific way. For instance, in areas with low internet penetration rates or in countries where there is little (if any) difference between independent and public media outlets, bystanders and targets alike lack the contextual preconditions to successfully respond online to counterspeech. There are also cases, such as India, in which DP affects a society marked by entrenched power hierarchies. Such hierarchies may exacerbate divisions and prevent some targeted groups from being recognized as legitimate participants in conversation. Moreover, present-day Europe suggests that DP can mark societies, such as Italy, in which targeted groups, such as migrants and long-term residents, do not have a right to vote in local and national elections. It can also affect countries, such as Hungary, where one party rules, controls the media, and degrades otherwise-valuable democratic procedures. Under those circumstances, the procedural conditions are lacking for certain actions—such as, on the one side, voting against representatives making hateful representative claims or, on the other side, contesting political representatives with Not in My Name campaigns and online public shaming—to be unquestionably received as ways to mitigate DP.

From the first-personal perspective of an individual who evaluates actions performed by other members of society, I am not saying that in holding one another accountable, all targets and bystanders should be aware of the state of the art of social-scientific research on their society. Such an idea would entail an idealized picture of the basic epistemic capacities members of contemporary societies should have. My claim is that in our day-to-day evaluations, we should engage in a reflective effort. Specifically, if the successful performance of our duties to mitigate DP depends on overcoming preexisting barriers, we should proceed as if other agents cannot successfully perform that same action under present circumstances. I recognize that this approach may sound controversial because it means accepting existing constraints as given. Yet neglecting such barriers would generate at least two problems. First, it would lead political theorists to hold people accountable for actions that, in the society in which they live, almost no one can perform meaningfully. Second, especially in those contexts in which individuals lack full protection of their rights, it would underestimate the action of individuals and collectives that, though conforming with social and political constraints, are experimenting with ways to mitigate DP.

Antisocial Behaviors. The second criterion maintains that based on research on inter-group relationships, we can predict in advance whether the performance of some actions will create the conditions for someone to be vulnerable because of their position with respect to DP. With a high degree of inter-group hostility, even individual forms of discursive engagement with hateful speakers may put targets in a situation in which they have to deal with an escalation of hateful rhetoric (Garland, et al. 2022). In developing normative claims regarding different types of counterspeech, political theorists should pay close attention to ordinary people and engage with the empirical data describing individual and collective experience of targets and bystanders in their interactions with other members of society. This requires theorists to search for socially situated knowledge and employ many tools, such as direct observations, document analyses, interviews, and qualitative

research methods. The goal is to understand how the interactions between different members of society can result in conflict and backlash.

An action, therefore, is antisocial when, here and now, without regard to the actual message some citizens are sending, the degree of intergroup animosity and/or stereotypes, prejudices, and negative dispositions is high enough to affect the necessary conditions for some agents to realize their intention to perform an action in a way that is protected from risk or danger. Tesler (2015) demonstrates that in the US, intergroup prejudice exacerbates antisocial behaviors and negative attitudes about an out-group. Against this backdrop, it seems reasonable to claim that in democratic societies that are affected by DP and in which stereotypes and prejudices shape mainstream public political rhetoric, we should be aware of the best available evidence about drivers of group animosity, and the risk of escalating into violence. Racially divisive personal experience may also have an impact on how potential agents of counterspeech interact with one another and select their audience (Buerger 2021). Scholars have documented that several types of counterspeech, such as correcting falsehoods with fact-checking, warning of offline consequences, or sending many hostile responses to an individual, may fuel hate and inter-group animosity (Nyhan and Reifler 2010). For instance, to address the long series of sexually explicit and crude pick-up-lines she received on dating apps, artist Anna Gensler adopted an unusual counterspeech strategy: she drew the men addressing her pathetically naked and posted the drawings on Instagram (Stampler 2014). As Gensler herself recounts, she received many reassuring comments. But she has also "been bombarded with very specific, graphic death threats" from a man she drew (Gensler 2014).

Lawfulness. The third criterion may sound too conservative, as it links my guidelines with what is legally permissible. Lai (2020) has noticed that in evaluating possible responses to hateful forms of expressions, what is morally right to do—say, defacing a monument transmitting a hateful message—does not necessarily equate with what is legally permissible to do.

I do not challenge the idea that under certain circumstances, it is morally permissible to break a law, even a justified law in democracies whose institutions are just. Rather the third criterion answers another normative question: in societies marked by DP, should political theorists expect bystanders and targets to perform ameliorative actions that break the law? It seems reasonable to accept the claim that high numbers of participants are key for lawful and unlawful protests to succeed in sending a message that the wider public can take up. It is also wise to account for in-group expectations among individuals who face the same injustice. In this case, inaction may leave one with a sense of failure or make bystanders and targets liable to accusations of complicity. Even if these observations should push us to account for the case for including at least some unlawful responses among the subset of actions that bystanders and targets can expect one another to perform, we also have strong reasons to consider the personal costs of engaging in unlawful actions, especially in contexts in which police violence and incarceration have a disproportionate impact on certain groups. Participating in unlawful collective protests and engaging in unlawful actions can incur prohibitively high personal costs—such as a high probability of being caught, overly severe punishments, and vulnerability to police violence—that create a prerogative for setting aside unlawful actions in several different circumstances (Lai 2020, 609).

An action, therefore, is lawful when, here and now, it cannot justify legal prosecution. In formulating additional duties to mitigate DP, political theorists should therefore be aware of the system of legal protections for the right to assemble and express views through public demonstrations. We should also incorporate empirical insights on the challenges of implicit bias in prosecution, and disparities in the criminal justice system. In Europe, for example, irregular migrants, when they come under the radar of police surveillance, face a higher risk of expulsion. And in India, police officials have targeted Muslim protesters. For instance, in February 2020, during a public demonstration in New

Delhi, police were accused of harassing, intimidating, and murdering several Muslims. Some activists, despite no evidence of unlawful acts, were also jailed (Aafaq 2022).

To sum up the argument of this section, I first identified two normative constraints that tie the distribution of possible additional duties to the asymmetric nature of DP. Then, I proposed three criteria to incorporate empirical insights in the formulation of such additional duties. If the construction of systems of multiple duties to mitigate DP aims at triggering positive individual and collective actions here and now, it is important to consider the position of prospective duty holders relative to DP and what they can realistically do. To this end, normative political theorists should include insights from empirical research and, if possible, engage directly with targets of intolerant discourses and bystanders. When a system of duties requires citizens to perform actions that are out of place or closes one's eyes to other demands of justice, prospective duty holders may lack the necessary motivational resources and fail to recognize themselves in the project of mitigating DP. Under certain circumstances (such as, societies with very low internet penetration rate, direct or indirect control over media, high degree of intergroup animosity, and unfair imprisonment rates) my three criteria may put in question the validity of some attempts – the duty not to contribute to the spread of bad speech online, the duty to deface tainted monuments, or the duty to engage in online public shaming – at constructing additional normatively relevant relationships in a democratic society marked by DP. Following a comparative engagement with the empirics, it is also possible to find common additional duties across different contexts. In this case, the reasoning, as opposed to the process leading to the definition of a baseline negative duty, proceeds inductively: that is, we find shared normative standards from a detailed observation of the world.

CONCLUSION

Starting from the observation that DP is a political problem that requires individual and collective action, I first identified a baseline duty to avoid using expressions that conventionally show a disrespectful attitude toward targeted groups. It is an imperfect duty that ordinary citizens, who live in different democratic societies and think of DP as a political problem demanding attention, can agree about even if they disagree about the existence of additional duties to mitigate DP. To complement such a baseline duty, I developed a set of guidelines that can guide political theorists in distributing additional duties that respect the situated agency of different individuals. I proposed two normative constraints (capacity-to-act and influence) that should influence how theorists assign duties. Then, I presented three criteria (pointless, antisocial, and lawfulness) to specify the content in a context-sensitive way. The result of my analysis is the first framework to construct a system of duties to mitigate the deterioration of public political communication in democratic societies.

I have employed the term "deterioration" to capture the rise in explicit forms of intolerant discourse employed by mainstream political actors in political campaigning. The literature on political communication reveals that other factors are also contributing to the erosion of democratic norms. For example, prominent politicians strategically use negative emotions, attack opposing factions, and foster distrust among members of rival parties (Klinger, et al. 2023). This pervasive "battleground atmosphere" makes it challenging to address long-standing injustices (Sirin, et al. 2021, 239-40) and engage in meaningful dialogue with individuals who hold opposing viewpoints (Talisse 2019, 151). If it is possible to demonstrate a connection between politicians' rhetorical choices and our individual actions, the framework developed in this paper, I believe, could also be used to conceptualize duties to mitigate the kind of inflammatory and divisive speech that exacerbates partisan political divisions.

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