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Abstract: *Incivility* is a concept with a wide scope of interpretations, ranging from impoliteness to aggressive and extremist speech. The definition of *uncivil speech* is highly context-sensitive, and this contextual sensitivity should be considered in future research. In this chapter, I argue that choosing to omit context from incivility research may result in the diffusion of authoritarian norms in online content regulation and negatively influence freedom of speech in different sociopolitical settings. I suggest considering four layers of context in incivility research: (1) sociocultural context (the macro level), (2) sociopolitical context (the macro level), (3) organizational context (the meso level), and (4) situational context (the micro level). I elaborate on each level's role in defining and regulating *uncivil speech*, and I conclude by suggesting paths for future research.

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Anna Litvinenko

The Role of Context in Incivility Research

1 Defining incivility: Why context matters

Certain forms of incivility are widely considered to negatively influence deliberation and, ideally, to be eliminated from online discussions (Ng & Detenber, 2005; Chen, 2017). This black-and-white attitude toward uncivil speech has been increasingly implemented in national internet legislation (Mchangama & Fiss, 2019). In many countries, global platforms—such as Facebook or Twitter—are legally required to delete or quarantine uncivil speech. Dealing with immense amounts of data and using both manual and automated content moderation, such platforms tend to overregulate online communication (Gostomzyk, 2020).

In colloquial discussions of content moderation, the terms *incivility*, *harmful language*, and *hate speech* are often used interchangeably despite scholarly attempts to distinguish between harmful hate speech and other types of uncivil content (Paasch-Colberg et al., 2021). Some scholars (Chen, 2017; Sydnor, 2018) conceptualize *incivility* as a broad spectrum of speech phenomena ranging from impoliteness, profanity, and offensive language to hate or harmful speech (see Sponholz and Frischlich in this volume) and dangerous speech (see Benesch in this volume) – that is, language that can provoke violence, on the other hand. In this chapter, I will use the term *uncivil speech* bearing in mind the wide amplitude of possible interpretations of the concept in both colloquial use and scholarly works.

Since incivility, in a broad sense, is a type of communication that violates societal norms (see Bormann & Ziegele in this volume), whether a certain kind of speech actually violates a society's norms, as well as the extent to which it might harm participants in such communication, is subject to interpretation (van Mill, 2021). Many scholars have emphasized this concept's context sensitivity (Coe et al., 2014; Chen et al., 2019). However, studies of uncivil speech often neglect contexts' role, an unfortunate tendency since it might, for instance, lead to regulatory decisions with negative consequences for certain contexts. In this chapter, I explain the importance of considering different levels of speech context in both research on uncivil communication and internet regulation debates. A closer look into the sociocultural, sociopolitical, and situational circumstances of uncivil online communication can help explain not only uncivil speech's potential harm to participants but also the potential harm of banning this type of speech from a particular context.

In the past decade, scholars have observed some negative outcomes of the generalized approach to speech regulation on global media platforms. For instance, according to a study by Mchangama and Fiss (2019), Germany's *Network Enforcement Act* (NetzDG)—the so-called Facebook law—has triggered a wave of restrictive social media laws in flawed democracies and autocracies, which the authors assess as a “global cross-fertilization of censorship norms” (p. 6). They explore cases from 13 countries, including Russia, the Philippines, and Venezuela, where NetzDG has been cited as a justification to tighten online speech regulation. Depending on sociopolitical contexts, the restriction of incivility on global social media platforms can become a new censorship tool for authoritarian regimes, helping them curb remaining free speech enclaves in their countries, as in Russia (Litvinenko, 2020). Moreover, even in rule-of-law states, such as Germany, Facebook tends to overreact when assessing harmful speech and prefers to delete ambiguous content in order not to avoid legal liability (Gostomzyk, 2020). Platform content moderators are likely to censor borderline cases, such as satire or subcultural communication, as was the case with the German satire magazine *Titanik* (Martin, 2018). Due to social media platforms' global nature, content moderation decisions for one specific context are often applied to users in other contexts, and this global echo of national policies should be considered by both researchers and decision-makers.

2 Four layers of speech context

According to Teun van Dijk (2015), *speech context* is “how language users dynamically define the communicative situation” (p. 4). It comprises the following communication aspects: setting, participants, goals, and communicative interaction (p. 5). This definition emphasizes both the subjectivity of context assessments, which are conducted by participants themselves, and context’s dynamic nature. Both of these aspects seem important when evaluating the harm of uncivil communication.

In addition to the micro-level context of speech—that is, the text itself—linguists also identify a macro context, “the broader social, political, and cultural conditions of discourse” (van Dijk, 2007, p. 6). All of these layers are obviously important in assessing uncivil speech’s role in a particular situation. When discussing online speech regulation, distinguishing between context levels would obviously be appropriate since these context levels correspond to various levels of information regulation: political actors, communities, media, intermediary organizations, and personal users.

Figure 1: Four layers of speech context



I, therefore, suggest considering the following context levels in uncivil speech research (see Figure 1): (1) sociocultural context: the sociocultural roles of uncivil speech in a society (the macro level); (2) sociopolitical context: the political roles of uncivil speech in a specific context (the macro level); (3) organizational context: the norms of conduct on a media platform or in a community (the meso level); and (4) situational context: the role of uncivil speech in a particular communicative situation (the micro level). I elaborate on each of these context levels to highlight their importance in research and internet regulation.

3 Sociocultural context

In their comparative study of hate speech practices in India and Ethiopia, Pohjonen and Udupa (2017) emphasize the need to bring context into this debate “with an attention to user practices and particular histories of speech cultures” (p. 1173). In their case studies, they give compelling examples from speech cultures, such as the so-called “wax and gold” tradition in Ethiopia, which implies the importance of “complex double meanings, wordplay, and the use of metaphor” (p. 1185). This tradition is used alongside other elements to express offensive content in a disguised way. Prosecuting this kind of content in online discussions under the premise of incivility could alter the speech culture itself.

The example of swear language and its perception in different cultures is particularly suitable for illustrating the importance of the cultural context. Swearing is part of incivility, and it can be perceived as undesirable by different social groups. However, sensitivity to certain swear words differs from culture to culture. For instance, the “f-word” in English is largely tolerated in English-speaking media productions while, in some other languages, the corresponding word is considered unacceptable for professional media use. Thus, English swear words in movies are, in many languages, translated using euphemisms.

Subcultures that differ in some ways from the mainstream culture often develop a certain type of vocabulary that becomes a part of their identity and that might strike outsiders as uncivil. Consider, for instance, rap music and hip-hop culture, which are often accused of being sexist, racist, and violent (Rebollo-Gil & Moras, 2012). At the same time, researchers acknowledge that this subculture has

contributed to the emancipation of Black women and men worldwide (Rebollo-Gil & Moras, 2012; Loots, 2003).

Moreover, some minority subcultures tend to reclaim offensive language, re-framing it within their community and then using it in a positive sense (Davidson et al., 2017; Allan, 2017). Van Aken et al. (2018) found out that several widely used automatic hate speech detection models show racial bias since they identify some dialectic words in African American English as offensive language. This finding shows that the use of automatic content moderation without considering socio-cultural speech peculiarities leads to the discrimination of groups that already face discrimination and could endanger their speech culture by “flattening” it and forcing users to avoid wordplay, undertones, or hidden meanings.

Contexts’ sociocultural and sociopolitical layers usually intertwine and influence one another. Political and legal context obviously plays a particularly noticeable role in determining the norms of incivility at a particular moment in a given country. At the same time, it is more flexible and subject to changes than the socio-cultural layer of context, which concerns historically developed speech cultures.

4 Sociopolitical context

Political talk is central to the uncivil and hate speech debate since, usually, the most heated discussions arise around controversial political topics (Boberg et al., 2018). While some undesirable types of speech are universally accepted and defined as *hate speech* in international treaties (e.g., Council of Europe, 1997), exact interpretations of—for instance—racial discrimination or appeals to violence vary, depending on political and legal contexts. As Brown (2017) notes, the *hate speech* concept in colloquial use is often stretched to indicate any kind of offensive language and is used “in ways that merely serve political or ideological ends” (p. 453).

In authoritarian contexts, any type of incivility—especially from political opposition—can be treated as dangerous speech. For example, in the West, current debates about harmful or hate speech in online discussions are dominated by the threat of right-wing populist discourse, which challenges democratic principles of civility (Ebtsch & Kruse, 2021; Council of Europe, 2019). In (semi-)authoritarian contexts, which—according to The Economist’s Democracy Index—constitute 55% of the world’s polities (The Economist Intelligence Unit, 2020), liberal discourse is

often under attack under similar debates about harmful or hate speech in online communication. Facebook posts that would be considered moderately uncivil in an established democracy can be perceived as extremist speech in more restrictive political settings, which might lead to severe sanctions. Moreover, conservative political regimes often accuse liberal actors in their countries of violating so-called “traditional values” or offending an older generation with their online behavior. For instance, in Russia, the obscene sublanguage called “*mat*” has been banned from use in registered media since 2014 (Pilkington, 2014). This ban made the use of this type of language a gesture of political disobedience in certain cases. Consequently, *mat* has been widely used in alternative formats of news journalism produced by independent media professionals on YouTube (Bodrunova et al., 2021). This demonstrative loosening of language rules challenged conservative discourse of pro-state television. Our study of political talk on Russian YouTube has shown that politically motivated uncivil language plays an important role in not only fueling political discussions but also consolidating oppositional counter-publics (Bodrunova et al., 2021). In February 2021, a new law obliged social media platforms to filter *mat*. In such cases, under the threat of fines, global social media platforms might censor speech even more rigorously than state institutions, which are known in Russia to apply such laws rather selectively (Vendil Pallin, 2017). Social media platforms automatically detect undesirable word stems and can easily ban accounts or deny monetization of their content in cases where users decide to use swear language. In Russia’s case, this law against swearing in social media can be considered a new tool to curb political dissent.

Another example of uncivil language’s emancipatory political role is protests against conservative anti-abortion laws in Poland during 2020 and 2021 (see also Szczepańska & Marchlewska in this volume). Protesters’ slogans and hashtags on social media often contained uncivil language that was clearly offensive to government officials—for instance, “Wypierdalać” [Fuck off] (Ciobanu, 2020). In this case, the use of uncivil language served as a tool for a women’s rights movement to challenge conservative political discourse.

Suppressed groups’ political emancipation usually accompanies the use of aggressive speech in the process of challenging hegemonic discourse since antagonism is an intrinsic part of political struggle (Mouffe, 2002). Democratic institutions can “diffuse the potential for hostility that exists in human societies by providing the possibility for antagonism to be transformed into ‘agonism’”

(Mouffe, 2002, p. 58). However, in the cases of flawed democracies or authoritarian regimes, Mouffe’s model of “agonistic pluralism” seems unfeasible, and suppressed communities are forced to voice their discontent antagonistically.

The examples noted in this section show that the global practice of banning online incivility might tighten authoritarian censorship, which is now reinforced by global social media platforms’ algorithms. Ignoring differences in how a particular political setting affects incivility’s role in a message might help globally diffuse authoritarian norms.

5 Organizational context

The organizational context level comprises formal and informal organizations, which provide rules of speech behavior for their participants—such as social media platforms’ “discourse architecture” (Freelon, 2015) for users’ communication, or companies and communities that specify their own rules of conduct on their websites and social media accounts.

Tech companies that own social media platforms play a significant role in regulating online speech, as well as creating online communities, making this context layer particularly important for research of online discussions. Several studies have shown that platform architectures and content curation mechanisms influence openness (Stockmann et al., 2020), as well as the civility of speech (Rösner & Krämer, 2016) on a platform. Sydnor (2018) explored perceptions of incivility across various media channels, concluding that “certain characteristics of media platforms can shape a message’s perception as civil or uncivil” (p. 97).

Although social media platforms are usually global, their affordances can be used differently, depending on sociocultural and sociopolitical contexts; thus, the organizational level often intertwines with the macro level of context. Nagy and Neff (2015) introduced the term “imagined affordances,” which highlights the importance of users’ perception and employment of a tech platform’s functional features. Thus, Telegram—which is known for its liberal approach to content filtering—has hosted very different types of alternative communities around the globe. While it has been celebrated as a tool of liberal protest movements in, for example, Belarus or Hong Kong (Litvinova, 2020), it is known in Germany as a meeting place for right-wing populists who circulate much hate

speech in their chats and channels (Ebtsch & Kruse, 2021). In any case, tech platforms' content moderation policies and affordances obviously play a role in shaping online discussions' tone.

By using a platform, users are expected to agree to its terms of use. On social media platforms' globalized level, the so-called informed consent to terms of use is often criticized as a mere formality since users barely read terms before agreeing (Dogruel, 2019). However, on online communities' level, depending on moderation styles (Strippel & Paasch-Colberg, 2020), users might have opportunities to negotiate the rules of conduct and their interpretation. The organizational level of context is, thus, more sensitive to interactions with users and their feedback, and it has the potential per se to be a truly democratic mechanism of speech regulation.

Chen et al. (2019) argue that allowing communities to formulate the norms of communication for themselves and define *incivility* could present an effective option for regulating uncivil communication. They give an example from the Civil Comments project, which existed from 2015 to 2017—a commenting plugin for news sites based on crowd-sourced moderation. It was designed to make each group of users who adopted the plugin define the standards of communication for themselves. Of course, communities can misuse users' freedom to create their own rules, as has been the case for the imageboard website 4chan. This website, where users can anonymously create message boards, is known for its lack of content moderation, which has resulted in racist and other aggressive content flourishing on the website (Arthur, 2020). This example shows that a liberal approach to content moderation should still be balanced by some basic rules of conduct and control mechanisms provided by a platform to avoid the spread of violent rhetoric.

Considering the meso level of context in incivility research will shed light on organizational actors' role in setting norms and shaping definitions of incivility in specific environments. It can also help create effective mechanisms of democratic regulation in online discussions.

6 Situational context

Situational context is linked to a specific communicative situation and, alongside other elements, accounts for participants' shared knowledge and personal communication styles. In other words, a group of friends might use a coded

language that would seem offensive to outsiders but would not be perceived as such by these friends.

In legal cases, participants' individual perceptions and sensibilities usually play a role in assessing the harm of hate speech (van Mill, 2021). As Sellars (2016) notes, "an epithet devoid of context may lead a scholar to see hate speech where the speaker, recipient, and subject of discussion may not" (p. 14). In his experimental study of individuals' perception of uncivil interactions among politicians, Muddiman (2017) demonstrated that political actors from the party with which a person associates are perceived as more civil than others. This finding proves that group identity influences perceived incivility in communication.

Overregulating uncivil speech could lead to increased self-censorship by users, forcing them to avoid ambiguity and playfulness in their communication. The micro level of context is closely connected with the sociocultural layer of context since knowledge of cultural codes is often required to assess immediate communicative situations.

7 Paths for future research

Considering different layers of context and their interplay certainly further complicates the analysis of uncivil speech. However, the examples presented in this chapter show that omitting context aspects from uncivil speech debates could seriously damage free speech worldwide. In the age of a "platform society" (van Dijck et al., 2018), we should recognize the effects that norms and concepts introduced in one context could have on other localities, as well as on transnational communities.

Introducing different layers of context to studies of uncivil speech opens new paths for future research. Scholars could, for example, compare the perceptions and roles of uncivil content in different political and sociocultural settings or examine online speech regulation's effects on different user groups' online behavior, including their willingness to participate in discussions and their levels of self-censorship. Comparative studies of uncivil speech across different contexts can, further, help reveal this content's effects on online discussions, depending on communicative situations. This revelation, in turn, would help explain the potential harm of various types of incivility, as well as the consequences of its banning in different settings.

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