

Toward Linguistic Responsibility

The Harm of Speech Acts

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Abstract

In this short article, I analyze forms of public speech by individuals in positions of power through a framework based on Austin's theory of speech acts. I argue that because of the illocutionary and perlocutionary force attached to such individuals' offices and their public figures, their public speech qualifies for being framed as speech acts—which are not covered by even a broad understanding of freedom of speech or right to privacy. Therefore, I formulate a call for the assessment of public speech by individuals in positions of power through a framework based on “linguistic responsibility.” This framework accounts for the peculiar power structure that such individuals can and do exploit to bring about considerable real-world effects through what could be understood as an exploitation of their speech act power.

On January 6, 2021, Donald Trump—at the time still the sitting President of the United States—held a public event in Washington, DC. During the rally, he argued that the election that had just been held, certifying the victory of Joe Biden, had been illegally manipulated. After calling Biden an “illegitimate President,” Trump invited bystanders to march toward the Capitol to “take back” the country.¹ As a result, thousands of protesters invaded Congress attempting to stop the certification of Biden's election; the episode constituted the first breach of the Capitol since 1812. Following these events, Donald Trump was impeached for “inciting an insurrection,” abuse of power, and obstruction of Congress. He was ultimately found not guilty on February 5, 2021.² Meanwhile, several online aggregators and content generators, such as Facebook and Twitter, had already proceeded to perform a partial deplatforming of Trump's social persona by limiting his accounts. His supporters met these limitations with outcries depicting them as in violation of the then-President's freedom of speech. In this article, I aim to explore the disjunction between the power contained in the words that Trump pronounced on that occasion and the apparent

blanket guarantee provided by the concept of freedom of speech.

In a context where the spectacular and unprecedented rise of social media multiplies the power the speech of public figures, the establishment of more stringent limits for the regulation of public speech might be imminent. In particular, with the development of a new public sensitivity to “political correctness,” such calls for what may be referred to as “linguistic responsibility” have grown more ubiquitous by the day.³ This linguistic regulation is applied to politicians, celebrities, and public figures in general. Most relevant to my argument is the understanding that “linguistic responsibility” is conceptually recognized as the necessity of “holding public figures to a higher standard” and “providing a good example.”⁴ However,

1. News coverage of the events of that day can be found here: <https://www.latimes.com/politics/story/2021-11-30/jan-6-attack-on-the-capitol-was-bad-future-may-be-worse>.

2. News coverage of the acquittal can be found here: <https://www.nytimes.com/2021/02/13/us/politics/trump-impeachment.html>.

3. I borrow the term “linguistic responsibility” from Cyril Welch, *Linguistic Responsibility* (Victoria, BC: Sono Nis Press, 1988), albeit restructuring some fundamental features of his use. According to Welch, linguistic responsibility is tied to the possibility of success in communicating what we want to say despite our obligation to do justice to the human condition through several distorting interpretations that are likely to affect the way our intention is received. My argument, instead, focuses on the extra-intentional effects of the uttered speech, which are affected by competing interpretation. While communication is a central part of my understanding of “linguistic responsibility,” I do not believe its moral assessment derives from success in transmitting intentions. In other words, my interpretation of linguistic responsibility relies for the most part on its illocutionary value (see below).

4. For example, a recent poll shows that only 26 percent of American voters think that Donald Trump is a good role

from a libertarian point of view, such necessities cannot find their foundation on moral grounds.⁵ Where should libertarianism meet its limits, if at all, when public figures move beyond what might be perceived as their linguistic responsibilities?

Libertarian theory has shaped legal and political views of free speech through at least the last century, as political scholar Mark Graber shows with a wealth of evidence.⁶ Given that libertarian theory grounded a large tradition of constitutionalism in the West, without criticizing the theory itself, the task of accounting for restrictions *within* these limits appears to be almost unsurmountable. Nonetheless, multiple attempts at such differentiation have been produced and not without merit.⁷ However, despite these attempts, I believe that the un-hinging of a whole tradition is a rather disperse task, akin to throwing away the baby with the bathwater. Rather, it may be more useful to maintain the tradition as it stands, focusing instead on its practical applications. This is the reason why I suggest an argument that situates public speech outside of the limits – of the classical liberty of expression as defined by libertarianism.

model (Yahoo News/YouGov | October 1-2, 2020). In some cases, even Republican representatives, such as Sen. Lamar Alexander of Tennessee and Senate Majority Leader Mitch McConnell, called for Trump to set a good example by wearing a mask in public during the COVID-19 outbreak of 2020. Source: <https://abcnews.go.com/Politics/pressure-mounts-trump-set-good-wear-mask/story?id=71539550>.

5. Under the term “libertarian,” I include an admittedly wide range of positions, which span from what Sadurski calls “liberal orthodoxy” (Wojciech Sadurski, *Freedom of Speech and Its Limits* (Dordrecht: Springer, 1999), 217–18), and dates to John Locke and John Stuart Mill; to more contemporary understandings of liberty as unfringeable self-ownership see David Sobel, “Backing Away from Libertarian Self-Ownership,” *Ethics* 123, no. 1 (2012): 32–60. On the other end of the spectrum, we find those who we might describe as “deniers” of the intrinsic goodness of free speech; a paramount example is Stanley Fish, *There’s No Such Thing as Free Speech* (Oxford: Oxford UP, 1994), 106–15.

6. See Mark Graber, *Transforming Free Speech: The Ambiguous Legacy of Civil Libertarianism* (Los Angeles: University of California Press, 1992), 3–4.

7. See, among others, Tomasz Jarymowicz, “Robert Post’s Theory of Freedom of Speech: A Critique of the Reductive Conception of Political Liberty,” *Philosophy and Social Criticism* 40, no. 1 (2014); Alexander Brown, *Hate Speech Law: A Philosophical Examination* (New York: Routledge, 2015), 276–315; Alexander Brown and Adriana Sinclair, *The Politics of Hate Speech Laws* (New York: Routledge, 2019).

The basis of libertarianism, partly sanctioned in most of the world’s constitutions and in the Universal Declaration of Human Rights, is the view that “individual liberty [is] the paramount end of the good society.”⁸ Typically, such descriptions of liberty characterize it “as smooth, continuous, homogeneous, indivisible and extendable without interruption until it reaches the outer limits.”⁹ Moreover, libertarians—despite their considerable differences and variations—can all be described under a paradigm composed by a few general principles. According to Jason Brennan, libertarians advocate *radical tolerance* (the defense of one’s absolute liberty of choice in all matters that do not entail a limitation of freedom for someone else), *radical voluntarism* (the belief that all human interactions should be based on consent rather than force), *radical respect* (articulated in the defense of individual spheres of personal, civil, and economic liberty), *radical equality* (based on a moral description of personhood), and *radical freedom* (which excludes the necessity of providing justifications for one’s behaviors).¹⁰

Here I propose a framework, based on the theory of speech acts, that can provide justification and support for the belief that public figures, and in particular elected officials, must regulate their use of language in public. Put briefly, linguistic responsibility is necessary because certain kinds of public discourse fall under the category of performative speech acts. Therefore, they can be justly regulated even within a liberalistic theory of personal freedom. In constructing this argument, I willingly submit to the “jumping through hoops” exercise condemned by Fish and other free speech “deniers.”¹¹ Their intention is to negate the existence of something called “free speech,” indicating that any attempt to justify partial introductions and restrictions is a futile exercise. They describe those attempts as pointless activity dedicated to patching a theory which is at best insufficient and at worst simply wrong. On the contrary, my goal is to leave relatively

8. Donald Downs, “Realism about Free Speech,” *The Review of Politics* 54, no. 3 (1992): 485.

9. Anshuman Mondal, “The Shape of Free Speech: Rethinking Liberal Free Speech Theory,” *Continuum: Journal of Media & Cultural Studies* 32, no. 4 (2018): 505.

10. See Jason Brennan, *Libertarianism: What Everyone Needs to Know* (Oxford: Oxford UP, 2012), 3–6.

11. Stanley Fish, *There’s No Such Thing as Free Speech* (Oxford: Oxford UP, 1994), 106–15.

untouched the general libertarian framework of free speech and, at the same time, to provide meaningful reasons to consider certain speech acts as exceeding this framework.¹²

The crux of my argument involves establishing that certain utterances when made by public figures represent performative speech acts, and specifically what Austin called “exercitive” speech.¹³ In classical speech act theory, performativity is intended “as a quintessential feature of communication which is expressed with numerous verbs.”¹⁴ Such expressions include those verbs in the English common language that sanction an action or generate a contract (e.g., *to promise*, *to declare*, etc.). They also include those verbs that express verdicts or judgments. The most classic example of speech acts is the sentence uttered by public officials when they officiate a wedding: “I now *pronounce* you husband and wife.” In this context, *pronounce* constitutes a speech act with a clear performative function. The utterance of the words themselves brings about the desired effect that is the legal sanction of a marital union. However, speech acts are much wider in scope and include (as we have seen) different species. Within this set, exercitive speech acts are those in which the speaker exerts influence or power.¹⁵

In short, speech acts have several components. The first and most natural is the *locutionary* component that imparts the more conventional aspects of meaning inherent to the lexical semantics and the syntax that apply in a non-nonsensical way to a state of affairs (which may or may not be present or true).

12. Stanley Fish, *There's No Such Thing as Free Speech* (Oxford: Oxford UP, 1994), 113. I am thankful to T. Streeter for pointing out the necessity of this distinction.

13. John L. Austin, *How to Do Things with Words*. (Oxford: Clarendon Press, 1962), 150.

14. Etsuko Oishi, “Austin’s Speech Act Theory and the Speech Situation,” *Esercizi Filosofici* 1, no. 1 (2006): 3.

15. Austin proposed a fivefold classification of speech acts, which includes verdictives, exercitives, commissives, behabitives, and expositives, see Austin, *How to Do Things*, 150. It has often been argued that this classification is incomplete or not universal. Such debates, while captivating in themselves, are beside the point for the scope of this article. The key issue remains whether a speech act which possesses the features of an exercitive has illocutionary force. However, for an alternative classification, see John Searle, “A Taxonomy of Illocutionary Acts,” in *Language, Mind and Knowledge: Minnesota Studies in the Philosophy of Science VII*, ed. Keith Gunderson (Minneapolis: Minnesota UP, 1975), 344–69.

For example, the locutionary component of “the cat is on the table” is a description of the spatial relationship between an animal and a piece of furniture. By contrast, the *illocutionary* component of a speech act includes the effect achieved in speaking with a certain force (more on this below). The illocutionary component of “the cat is on the table,” in our previous example, might indicate the need to alert my partner to the whereabouts of the cat. Finally, the *perlocutionary* component is the effect that the speaker intends to achieve with their utterance. In our feline example, the effect I intend to achieve might be to invite my partner to remove the cat from the table before it can poison itself by eating the onion-based dish I set there.

The latter distinction (between perlocutionary and illocutionary) has often been criticized as inconclusive.¹⁶ In fact, the distinction between intended effect and achieved effect is quite hard to assess once we abandon the realm of pure theory and attempt to produce an example situated in the real and practical world. Yet, it is only the former distinction between locutionary acts and perlocutionary/illocutionary acts that is crucial for the purposes of my argument. For this reason, my justification of the necessity of linguistic responsibility will be established through a distinction of locutionary and perlocutionary components, leaving aside the more fine-grained scrutiny of intentionality and intent, for reasons that should become apparent in my analysis below. For all intents and purposes, the perlocutionary and illocutionary components of speech acts are going to be treated as overlapping since my preoccupation is with the practical effects of these utterances, and therefore, I am content to leave the metaphysical/metaethical assessment of intent and intentionality to future research.

How can we transform this metaethical renunciation into a theory of practice for speech acts? Let us begin with a description of the theory. The assumption behind the theory of performative speech acts is that a certain person, by uttering some words, has the *force* to make a certain state of affairs come true (if

16. See, for example, the masterful argument designed by Quentin Skinner, “Conventions and the Understanding of Speech Acts,” *The Philosophical Quarterly* 20, no. 79 (1970): 118–38.

they are valid and complete).¹⁷ Another significant component of performativity is *intent*: the possibility of promising something without the intent of fulfilling the promise represents an example of performative abuse (although it may still be binding).¹⁸ Intent may be represented as the presence of both knowledge and deliberation: a promise is a valid speech act if I *know* what I am promising and I am *free* (as in, not obligated or otherwise bound) to promise such a thing. In this sense, I am admittedly straying away from classical speech theory insofar as I focus on the speaker rather than the hearer because of the asymmetric power dynamic between the two. Moreover, I suggest that intent is not a crucial component of performativity because the position and force of the speaker already implicates both knowledge and deliberation. Arguably, there is no speaking from a position of power without knowingly and deliberately wielding the perlocutionary power associated with that office. Furthermore, public officials deliberately run for office, and (in today's world) any eventual claim of ignoring the public relevance of their utterance would understandably be met with incredulity. In this sense, the distinction between perlocutionary and illocutionary components becomes secondary in the assessment of the force wielded by authority figures through speech acts.

My argument runs parallel to (but does not intersect with) the famous Popper paradox, according to which, even in an open society, intolerant views cannot be tolerated on pain of sacrificing tolerance itself.¹⁹ However, my argument significantly differs from Popper's. First, it does not constitute a paradox; rather, its purpose is to demonstrate how the regulation imposed by linguistic responsibility is *not* paradoxical as speech acts are not merely speech.²⁰ Secondly, the scope of the argu-

mentation I propose does not include any act except speech acts, even though it derives its regulatory strength from the commonly held belief that a regulation of actions is necessary and legitimate in societal living. Finally, its specific object is public discourse, insofar as it is uttered by public figures. Even more specifically, I focus on elected and public officials since such cases present clear-cut distinctions. This allows us to avoid the gray areas constituted by nonqualified "influence" and "following," which might be used to describe other forms of power-endowed public speech. While a version of this argument aimed at regulating all discourse (including private discourse) is possible, in this article, I focus on the less philosophically problematic public sphere, which will be helpful in developing the nuts and bolts of the framework.

So, what is it that our target group, "public persons," can bring about with their utterances? I contend that unregulated public speech (especially in the social media era) generates ever-growing disproportionate effects by way of the power held by certain persons and exerted through their speech acts. In short, because of the power associated with any given public office, the application of criteria of truth expectancy (i.e., the Gricean Maxim of Quality) is inevitably superseded or modified.²¹ If an individual—thanks to the asymmetrical power that they wield—can modify the state of affairs simply through a speech act, then a limitation of that power through linguistic responsibility seems necessary as it makes the Maxim of Quality unapplicable or, at best, redundant.

I am not interested here in the perlocutionary force of these speakers when it is exerted within the boundaries of their office. For example, if a president publishes a proclamation banning the entrance of all believers of a certain religion in a certain country; or if a pope emanates a bull excommunicating all holders of a certain belief; then, the perlocutionary force of those acts has a clear boundary (territorial or confessional, in these cases). While those boundaries

17. Etsuko Oishi, "Austin's Speech Act Theory and the Speech Situation," *Esercizi Filosofici* 1, no. 1 (2006): 4.

18. Peter M. Tiersma, "The Language of Offer and Acceptance: Speech Acts and the Question of Intent," *California Law Review* 74, no. 1 (1986): 189–232.

19. Popper's exact phrasing is "unlimited tolerance must lead to the disappearance of tolerance," Karl Popper, *The Open Society and Its Enemies* (Princeton, NJ: Princeton UP, 2013), 581.

20. After Popper, many other authors have dedicated important pages to the paradoxes deriving from unlimited tolerance. See, for example, Lee Bollinger, *The Tolerant Society: Freedom of Speech and Extremist Speech in America* (Oxford: Oxford UP 1986), 57; and Arkadiusz Sieroń,

"Libertarianism as a Solution to the Paradox of Tolerance," *Rynek Społeczeństwo Kultura* 31, (2018): 19–23.

21. See H. Paul Grice, "Logic and Conversation," in *Syntax and Semantics 3: Speech Acts*, ed. Peter Cole and Jerry L. Morgan (New York: Academic Press, 1975), 41–58. I am thankful to P. Pellino for stimulating my thoughts in this direction.

themselves constitute a crystallization with which many readers may disagree, their existence is affirmed by their efficacy, and their limits are set by law and custom. The novelty of the social media era is represented by the perlocutionary force which spills, as it were, outside of these boundaries. Put otherwise, the worrying aspect of the direct access granted to public personas through social media derives from the impossibility of separating the perlocutionary force of their office from the appropriate domain in which to exercise that force. The two case studies below take into examination the recently famous notion of “fake news” and the parallel case of what I like to call “joke news.” Parallel concepts, which I will not examine here but that have clear relevance to the argument at hand, have been analyzed under more familiar scholarly labels such as “propaganda” or “misinformation.”²²

In the first case, the term “fake news” is usually understood as including false information that is broadcast or published as news for fraudulent or politically motivated purposes. The classic case of fake news involves an actual news outlet publishing an item that they are aware is false for the sake of mass diffusion. However, in this case the harm is clear as this act goes against the deontological code of the journalistic profession, which demands an honest discrimination between truth and fabrication. In many countries, there are professional associations that release journalist licenses, *de facto* enabling the practicing of this profession as long as the individual journalist does not violate the criteria set by the association. In turn, the association is expected to self-understand its role in society. (In the United States, a partially parallel example would be the bar association for lawyers.) The line becomes less demarcated when we consider individuals who are not bound to such deontological codes. If an elected official publishes or distributes to her followers an item of fake news, short of illegal cases (e.g., defamation, procured harm, hate speech), how can we classify this as harmful? My argument implies, in many cases, that misunderstood extensions of freedom of speech in the realm of speech acts bring about a state of affairs that damages both individual people and the fabric of society itself insofar as they undermine the possibility of shared warrants

22. I am thankful to D. Waisanen for this helpful suggestion.

in society that are ideally based on factual evidence and accountability to external others.

Similar reasoning can be applied to our other case, “joke news.” Consider the following scenario, which is familiar enough. An elected official shares an item that is false or harmful but well-constructed enough that some members of the public are likely to take it at face value. For example, think of the infamous press conference held by Donald Trump in April 2020 where he claimed that “injecting disinfectant” would have been helpful against the novel coronavirus spreading through the nation.²³ When faced with backlash, he admitted that the content was false but barricaded himself behind the excuse that it was “a sarcastic joke” and that the fault lay with the press and the public who took it seriously.²⁴ Again, within a libertarian framework, we find ourselves asking: Is this manner of acting not protected by the guarantee of freedom of speech?

In short, my answer is in the negative. Freedom of speech (and expression, in general) only covers acts in their locutionary component. That is, the component that carries meaning, insofar as it applies to a state of affairs that is already determined as far as power dynamics are concerned. Therefore, one is free to believe and communicate any meaning-carrying content as long as it does not constitute immediate harm to another person (for example, the case of hate speech, which carries in its *meaning* the content that produces harm). Freedom of speech, however, does not typically include the perlocutionary component of speech. The willful “innocence” of certain speech acts (when analyzed through speech act theory) is consistently contradicted by our response and categorization. For example, if a government official refused to perform or validate a certain wedding (which is a speech act with clear perlocutionary value) based on her private beliefs, the line of defense for such refusal would hardly be set at “freedom of speech.” Instead, we would characterize this

23. For the news story regarding this example, see: <https://www.washingtonpost.com/nation/2020/04/24/disinfectant-injection-coronavirus-trump/>.

24. Communications expert Jennifer Mercieca has described this strategy in terms of “paralipsis,” a rhetorical device based on giving emphasis to certain content by denying its importance. See for Dr. Mercieca’s description: <https://www.theguardian.com/us-news/video/2019/apr/10/is-donald-trump-a-rhetorical-genius-video-explainer>.

act as an abuse of the position of power; where power is equated with the perlocutionary force that a figure of authority wields, independently of their locutionary intent. The harm inflicted upon a person who is denied a basic human right such as marriage exceeds the locutionary barrier and infringes the person's civil rights. In other words, free speech frameworks are inappropriate when it comes to capturing the harm that exceeds the locutionary component of utterances.²⁵

The perlocutionary component of the public speech acts described above is realized immediately by the introduction of certain content into the public discourse. In fairness, this is true of any speech act; the communication of content is precisely what constitutes the locutionary component of an utterance, and its presence and admissibility in the public sphere is therefore safeguarded by the right to freedom of speech. However, it is the role of the speaker, in this case, that instills a particular force to the content. I maintain that the imposition of the locutionary component upon public discourse by way of this force, by itself, constitutes a perlocutionary act. Consider, for example, Trump's "sarcastic" suggestion regarding the injection of disinfectant. Despite the lack of classical requirements for classification under the perlocutionary paradigm, the impossibility for responsible media agents to contain the spread of this locutionary act is a direct result of the asymmetric perlocutionary power wielded by its utterer.

The argument in favor of including the above examples within the regulatory capacity of linguistic responsibility is based on specific features akin to the ones that led us to admit that press outlets must be regulated by deontological norms. When a public persona communicates using their platform to share a thought, that thought *ipso facto* enters the public debate, carrying the force of the public persona's office. Thus, a public person has the potential, thanks to the perlocutionary component joined to their speech act, to carry out harm by a simple utterance. The diffusion of potentially harmful locutionary content is not by itself enough to demand a regulation. However, when one considers the perlocutionary

force that a public persona can potentially impart upon material introduced into the public discourse, then there are serious and sufficient grounds to demand some type of regulation or restraint.

Due to this perlocutionary value, a public official's speech act, both in the "fake news" case (e.g., Trump's incitement of the Capitol Hill crowd) and in the "joke news" case, incites a potentially harmful reaction. For example, the press might be forced to cover it, generating a trauma response in certain members of the public. What is more, in the social media era, the due diligence of the press (which, as we have seen, is regulated by a supposedly impartial algorithms) can be bypassed, allowing the speaker direct access to the platform that supports them. Even within the libertarian framework introduced at the beginning of this article, I argue that it would be unjust to allow disproportionate access to perlocutionary force without regulation. For this reason, it is legitimate to demand that a shared understanding of "linguistic responsibility" regulates which speech acts are permissible by public representatives.

I admit that my argument is apparently vulnerable to one more level of objection based on the right to *privacy* (importantly distinct from freedom of speech). One could appeal to privacy to be guaranteed for the public persona who is the object of our discussion. For example, one might say, social media channels are a personal and private domain, which cannot be regulated without infringing a person's right to privacy. However, this objection does not seem decisive. The first line of rebuttal involves the argument sketched above that there exists a presumed level of deliberation and knowledge on the part of an individual who has willingly involved themselves in a public life. The disproportionate access to perlocutionary force, which in this case coincides with the imposition of certain content to public debate, is granted on the understanding that it would be used with responsibility. This is the reasoning that supports the moral intuition that public officials should be held to "a higher standard" of speech practice.

25. I am thankful to T. Streeter for this helpful suggestion.

A second line of rebuttal, based on the *dictum* “the personal is political,”²⁶ would imply that virtually no act is truly private. To be clear, I am not defending this stance. A public person has a right to maintain a private persona insofar as she is not taking advantage of the platform catered by her office and/or following. However, due to the compulsive publicization of the personal life that so often accompanies the public behavior of public figures, this distinction quickly ceases to be relevant. Nonetheless, I am eager to point out that the erosion of privacy, facilitated and accelerated by the rise of social media, does not constitute the *exclusive* grounding of my argument in favor of linguistic responsibility. Social media and internet culture have certainly fostered and engendered new forms of perlocutionary speech acts. Nonetheless, this is a quantitative rather than quantitative shift;²⁷ the enormous acceleration provided by online communication serves as a magnifying lens that helps us to understand the perlocutionary effect that speech acts can have insofar as they are uttered by speakers wielding force despite their apparent locutionary innocence. Of course, this debate warrants further discussion, which goes beyond the scope of the present analysis.

In conclusion, I maintain that public speech acts, when endorsed with a perlocutionary force that has been granted by the public to its representatives, do not fall within the obvious limits prescribed by what is commonly understood with “freedom of speech,” nor by the right to privacy. The incitement of an insurrection (e.g., as Trump did on January 6, 2021) cannot be protected by freedom of speech insofar as it implicates the force of an office in a statement that overflows the limits set by law and custom. Similarly, the willful ignorance of evidence-based science and the usurpation of roles (e.g., medical advisor), which do not belong to a specific position of power, must

26. Despite the exact origin of this formula being uncertain, its first confirmed appearance is the homonymous essay by American feminist Carol Hanisch, dated February 1969. In the text, she argued that personal and private action has *ipso facto* political consequences as a manner of defending women who had decided to not take part in the feminist movement because they considered it “too political”; Carol Hanisch, “The Personal Is Political,” in *Radical Feminism: A Documentary Reader*, ed. Barbara Crow (New York: New York UP, 2000), 113–16.

27. I am thankful to D. Waisanen for his help in the correct formulation of this caveat.

be regulated by a shared understanding of linguistic responsibility.

Therefore, the demand for linguistic responsibility to regulate the locutionary component of such speech acts is backed by a consistent argument, even within the limits set by a libertarian understanding of freedom of speech.

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