**Authentic Speech**

As world citizens and future business, marketing, and communication professionals, it is imperative that students become aware of culturally competent language. Acquiring culturally competent verbal and written communications skills are essential for successful integration and navigation throughout a global society. Culturally competent words that promote harmony, appreciation, and inclusiveness are necessary to combat discrimination and incidents of hate. Culturally competent words, whether in print or use verbally, are the primary tools of the intercultural communicator. Intercultural communication requires a command of language that master cultural competency.

Our world has become so blended that in many cases a person ethnicity or culture is not apparent merely by speaking, interacting, or observing them. An effective intercultural communicator needs to understand cultures and work to foster a culturally competent and inclusive environment. Words can be used to foster such an environment, or words can be used as weapon of war, division, and hatred. The competent intercultural communicator always has a choice as to how he or she use words. The competent intercultural communicator engages to promote trust, harmony, and inclusion. The competent intercultural communicator can help shape the future of our world.

**Lesson Objectives:**

To identify and recognized language considered to be bias, discriminating and or hate speech.

To examine comments and words of speakers in terms of their possible racial/cultural identity.

To examine the content of a speaker’s comments as to the targeted individual or group.

To explore techniques and or skills for confronting and defusing racially bias, discriminating, and or hate speech so to promote enlightenment, appreciation, and change.

**Definitions:**

*Bigotry:* intolerance toward those who hold different opinions from oneself: the difficulties of combating prejudice and bigotry

Prejudice: (Noun) preconceived opinion that is not based on reason or actual experience.

(verb) to give rise to prejudice in (someone); make biased: the statement might prejudice the jury

Synonyms: bias, influence, sway, predispose, make biased, make partial, color

synonyms: preconceived idea, preconception, prejudgment.

***Racism:*** *(noun)*

prejudice, discrimination, or antagonism directed against someone of a different race based on

the belief that one's own race is superior: a program to combat racism

synonyms: racial discrimination, racialism, racial prejudice, xenophobia, chauvinism, bigotry,

**Racism** is the belief in the superiority of one race over another, which often results in [discrimination](https://en.wikipedia.org/wiki/Discrimination) and [prejudice](https://en.wikipedia.org/wiki/Prejudice) towards people based on their [race](https://en.wikipedia.org/wiki/Race_(human_categorization)) or [ethnicity](https://en.wikipedia.org/wiki/Ethnicity). Today, the use of the term "racism" does not easily fall under a single definition.[[1]](https://en.wikipedia.org/wiki/Racism#cite_note-Garner09-1)

The [ideology](https://en.wikipedia.org/wiki/Ideology) underlying racist practices often includes the idea that humans can be subdivided into distinct groups that are different due to their social behavior and their innate capacities as well as the idea that they can be ranked as inferior or superior.[[2]](https://en.wikipedia.org/wiki/Racism#cite_note-newman-2) The [Holocaust](https://en.wikipedia.org/wiki/Holocaust) is a classic example of [institutionalized racism](https://en.wikipedia.org/wiki/Institutionalized_racism) which led to the death of millions of people based on race.

While the concepts of race and ethnicity are considered to be separate in contemporary [social science](https://en.wikipedia.org/wiki/Social_science), the two terms have a long history of equivalence in both popular usage and older social science literature. "Ethnicity" is often used in a sense close to one traditionally attributed to "race": the division of human groups based on qualities assumed to be essential or innate to the group (e.g. shared ancestry or shared behavior). Therefore, *racism* and [*racial discrimination*](https://en.wikipedia.org/wiki/Racial_discrimination) are often used to describe discrimination on an ethnic or cultural basis, independent of whether these differences are described as racial. According to a [United Nations](https://en.wikipedia.org/wiki/United_Nations) [convention on racial discrimination](https://en.wikipedia.org/wiki/Convention_on_the_Elimination_of_All_Forms_of_Racial_Discrimination), there is no distinction between the terms "racial" and "ethnic" discrimination. The UN convention further concludes that superiority based on racial differentiation is scientifically false, morally condemnable, socially unjust and dangerous, and there is no justification for racial discrimination, anywhere, in theory or in practice.[[3]](https://en.wikipedia.org/wiki/Racism#cite_note-3)

Racist ideology can become manifest in many aspects of social life. Racism can be present in [social actions](https://en.wikipedia.org/wiki/Social_actions), practices, or [political systems](https://en.wikipedia.org/wiki/Political_science) (e.g., [apartheid](https://en.wikipedia.org/wiki/Apartheid" \o "Apartheid)) that support the expression of prejudice or aversion in discriminatory practices. Associated social actions may include [nativism](https://en.wikipedia.org/wiki/Nativism_(politics)), [xenophobia](https://en.wikipedia.org/wiki/Xenophobia), [otherness](https://en.wikipedia.org/wiki/Othering), [segregation](https://en.wikipedia.org/wiki/Racial_segregation), [hierarchical](https://en.wikipedia.org/wiki/Hierarchical) ranking, [supremacism](https://en.wikipedia.org/wiki/Supremacism), and related social phenomena.

***White supremacists***: a person who believes that the white race is inherently superior to other races and that white people should have control over people of other races

The “isms”:

Sexism

Agism

Niger’ism

Derogatory Terms for Members of Ethnic Groups

Misogynist

Honky

Red neck

Coons

Spec

Chinks

Hanker chief heads

Dot head

Peek-a-boos

Dessert monkeys

**What is Hate Speech**

Hate speech is spoken words that are offensive, insulting, and/or threatening to an individual or group based on a particular attribute of that person or persons being targeted. Targeted attributes include such traits as ethnic background, sexual orientation, race, or disability, though there are other target attributes. In the U.S., another term for hate speech is “fighting words,” as such talk is likely to provoke an otherwise reasonable person into acting rashly against speaker doing the provoking.

Unfortunately, defending freedom of speech means defending any and all speech equally, even that which may be regarded as unbearably offensive. Examples of hate speech include name-calling and racial slurs, though occasionally symbols like the swastika and burning crosses are called into question as to whether or not they are truly examples of hate speech, or if they are nothing more than symbols that are given a negative connotation from the situation in which they are used.

**Hate Speech vs. Free Speech**

Modern times have seen Americans staunchly protective of their [First Amendment](http://www.heritage.org/constitution#!/amendments/1) right to free speech, believing that the government should only intervene in extreme cases, and just as many people wondering where free speech stops and hate speech begins. On the other hand, “fighting words” are, according to many, a good reason for the government to get involved and place a limit on how far someone can go with their speech.

In the debate over hate speech vs. free speech, many Americans express a concern that the number-one priority should be the well-being of the community, and that a person’s right to freedom of speech can and should be limited, if it poses a threat to that community’s well-being.

A legal definition is:*Speech that is intended to offend, insult, intimidate, or threaten an individual or group based on a trait or attribute, such as sexual orientation, religion, color, gender, or disability*.

Hate Speech Criminal Cases:

Below are actual words used as evidence in criminal trials alleging hate speech as the catalyst for the crime:

* “You forgot to mention just how smart the Jews are, next they will make a deadly virus to kill ALL people BUT the Jews!!”
* “Queers are an abomination and need to be helped to go straight to Hell!”
* "The Palestinians are beasts walking on two legs."
* "We have to kill all the Palestinians unless they are resigned to live here as slaves."
* "Now that Trump is president, I'm going to shoot you and all the blacks I can find"
* “And isn’t it funny. I’ve got black accountants at Trump Castle and Trump Plaza. Black guys counting my money! I hate it,”
* “The only kind of people I want counting my money are short guys that wear yarmulkes every day.”
* . . . white males going up to women saying that it was now "legal to grab them by the pussy".
* “I will punish all females for the crime of depriving me of sex. They have starved me of sex for my entire youth, and gave that pleasure to other men. In doing so, they took many years of my life away. I cannot kill every single female on earth, but I can deliver a devastating blow that will shake all of them to the core of their wicked hearts.”
* "Build a wall" was chanted in our cafeteria at lunch."If you aren't born here, pack your bags" was shouted in my own classroom. "Get out spic" was said in our halls.
* According to another submission, a number of students were suspended from Millersberg Area High School in Pennsylvania for "harassing a Latina student chanting "Trump" and cheering when she ran out crying."
* Today a young Latino man in is 20's, and a co-worker of mine, was walking into work as a truck slowed down and two white men threw a bag of garbage onto him and yelled, "you are going back to where you came from"
* After the election "This is their punishment for 8 years of black people."
* A black truck with three white men pulled up to the red light. One of them yelled, "Fuck your black life!" The other two began to laugh. One began to chant "Trump!" as they drove away.
* "Wipe out the Jews."
* "The Jews are criminals and our enemies." Said by three year old girl.
* "You shit Jew, I'm going to kill you," as he plunged a knife into the man.
* “We’re going to take over all the political institutions of California. California is going to be a Hispanic state and anyone who doesn’t like it should leave. If they [Anglos] don’t like Mexicans, they ought to go back to Europe.”
* “There is plenty to blame whiteness for. There is no crime that whiteness has not committed against people of color. There is no crime that we have not committed even against ourselves … We must blame whiteness for the continuing patterns today that deny the rights of those outside of whiteness and which damage and pervert the humanity of those of us within it.”
* “The necessary re-education of Blacks and a possible solution of the racial crisis can begin . . . only when Blacks fully realize this central fact to their lives: the white man is their Bitter Enemy.”
* “. . . laziness is a trait in blacks. It really is, I believe that. It’s not anything they can control.”
* "The Mexican government is much smarter, much sharper, much more cunning. They send the bad ones over because they don't want to pay for them. They don't want to take care of them,"
* “Women are like grass, they need to be beaten/cut regularly.”
* “You just need to be raped.”
* “You stupid ugly fucking slut I’ll go to your flat and cut your fucking head off you inbred whore."
* "Fucking faggots!"
* "You're Asian, right? When they see your eyes you are going to be deported" Said to 13-year-old girl.
* Anonymous note: “Your Muslim headscarf isn't allowed anymore. Why don’t you tie it around your neck & hang yourself with it...,” signed "America!"
* "The true Negro does not want integration. ... He realizes his potential is far better among his own race." -- Rev. Jerry Falwell
* “Gay folks would just as soon kill you as look at you,” Rev. Jerry Falwell again
* The National Organization of Women is actually the “National Organization of Witches.” Rev. Jerry Falwell
* . . . hurricanes and disasters and the 9/11 attacks are divine retribution for homos. Guess who?
* Check your white privileges you cis white male!

**Hate Speech Laws in Other Countries**

With the advent of social media, the issue of offensive and threatening speech has become a global problem. Just as the U.S. is struggling to determine where free speech goes too far, hate speech laws in other countries are evolving. Examples of hate speech laws in other countries include:

* **Japan** – Japan’s laws protect its citizens from threats and [slander](https://legaldictionary.net/slander/). However, derogatory comments directed at general groups of individuals remain unrestricted in Japan. Despite global calls for hate speech to be criminalized, Japan claims that hate speech has never reached such a point as to [warrant](https://legaldictionary.net/warrant/) legal action.
* **United Kingdom** – Hate speech is widely criminalized in the U.K. Communications that are abusive, threatening, or insulting, or which target someone based on his race, religion, sexual orientation, or other attribute, are forbidden. Penalties for hate speech in the U.K. include fines and [imprisonment](https://legaldictionary.net/imprisonment/).
* **Sweden** – Hate speech, defined as public statements made to threaten or disrespect groups based on their race, ethnicity, religion, sexual orientation, or skin color, is prohibited in Sweden. Constitutional restrictions determine which acts are and are not criminal, as do limits imposed by the [European Convention on Human Rights](http://www.coe.int/en/web/human-rights-convention).
* **Ireland** – While Ireland’s [constitution](https://legaldictionary.net/constitution/) guarantees the right to free speech, there is an understanding that freedom of expression will not be abused to “undermine public order or morality or the authority of the State.” Further, the [Prohibition of Incitement to Hatred Act 1989](http://www.irishstatutebook.ie/eli/1989/act/19/enacted/en/html) defines *threatening or abusive speech or behavior* as that which is likely to inspire hatred against a group of individuals based on their race, color, religion, or other attribute.
* **India** – While freedom of speech and expression are protected under India’s constitution,
* “reasonable restrictions” can be imposed in order to maintain the “sovereignty and integrity of India,” as well as the country’s safety and its relations with other countries. Freedom of speech and expression may also come under fire in India with regard to offenses such as [contempt of court](https://legaldictionary.net/contempt-of-court/), and [defamation](https://legaldictionary.net/defamation/).
* **Canada** – Advocating for genocide in Canada against any “identifiable group” (any group that can be identified by their race, religion, sexual orientation, or other attribute) is a criminal offense that carries a maximum sentence of five years in prison, with no minimum sentence. It is also a criminal offense to provoke hatred against an identifiable group

**Hate Speech Examples in Legal Cases**

There are several hate speech examples in legal cases over the years that have dealt squarely with the issue of whether or not the accused’s right to freedom of speech had been violated. Criminal

***Hate Speech*** enhanced these **Landmark Criminal Cases:**

(1). In October of 1989, a group of young black men were hanging out in front of their apartment complex, discussing the movie *Mississippi Burning*, in which a number of black people are beaten. As a young white boy walked past the complex, and Todd Mitchell, one of the group, called out “Do you all feel hyped up to move on some white people?” then said, “There goes a white boy; go get him!” and led his friends in an attack on the boy. The black men stole the boy’s tennis shoes, and beat him so badly that he was in a coma for four days.

Mitchell was convicted on charges of aggravated [battery](https://legaldictionary.net/battery/) in the Circuit Court, but because the jury ruled he had chosen the victim based solely on race, the crime was elevated to the level of a [hate crime](https://legaldictionary.net/hate-crime/). In this case, Mitchell’s words were intended to incite violence against a person, based on a trait or attribute – his race. Although Mitchell appealed his conviction, claiming the conviction violated his right to free speech.

The question of constitutionality in this case made its way to the [U.S. Supreme Court in 1993](https://supreme.justia.com/cases/federal/us/508/476/case.html), which held that the First [Amendment](https://legaldictionary.net/amendment/) does not bar the use of a person’s speech as [evidence](https://legaldictionary.net/evidence/) to establish elements of a crime. In fact, such evidence is commonly used to prove a [defendant](https://legaldictionary.net/defendant/)’s intent or motive, as well as to determine relevancy of certain evidence, or reliability of a [witness](https://legaldictionary.net/witness/)’ testimony. The crime in Mitchell’s case was aggravated battery, not the words that he spoke, which provoked his companions to engage in the crime. Therefore, Mitchell’s free speech rights were never impeded.

**(2) Ruling on Swastika as Hate Speech**

The case referred to as the “[Skokie affair](https://supreme.justia.com/cases/federal/us/434/1327/case.html)” dealt with the swastika symbol in particular and determined that the symbol itself is protected by the First Amendment, that it is an expression of free speech and that, as a symbol, it does not, by itself, embody the idea of “fighting words,” or hate speech. The case came about in 1977 when Frank Collin, the leader of the National Socialist Party of America, announced that the party was planning a march through Skokie, Illinois – a predominantly Jewish community where as many as one in six citizens living in the town was either a Holocaust survivor, or immediately related to one. The Circuit Court of Cook County, Illinois issued an [injunction](https://legaldictionary.net/injunction/) upon the group, prohibiting them from wearing Nazi uniforms, and from openly displaying swastikas during their march. The ACLU challenged the injunction, arguing that it violated the marchers’ First Amendment rights. In the end, the Supreme Court agreed, and the group was permitted to march.

**(3) Free Speech or Hate Speech at Soldier’s Funeral**

Westboro Baptist Church earned itself a reputation for pushing the boundaries of what constitutes free speech. In a typical example of the group’s use of hate speech, The Westboro Baptist Church picketed the 2011 military funeral of a soldier who was killed in Iraq. The father of the soldier sued Fred Phelps and his church for intentional infliction of emotional distress after the group protested his son’s funeral with signs that carried such messages as “Thank God for Dead Soldiers” and “God Hates the USA/Thank God for 9/11.”