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LOREN BENÍCIO ALVES

CRITICAL DISCOURSE ANALYSIS REGARDING FREEDOM OF SPEECH AND HATE SPEECH ON SOCIAL MEDIA IN BRAZIL: A LITERATURE REVIEW

FORTALEZA
2023

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Projeto de pesquisa apresentado ao Curso Superior de Licenciatura em Língua Inglesa, da Universidade Federal do Ceará.

Orientador: Profa. Dra. Andréia Turolo da Silva.

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BANCA EXAMINADORA

_____
Profa. Dra. Andréia Turolo da Silva (Orientadora)
Universidade Federal do Ceará (UFC)

_____
Prof. Dr. Fabio Nunes Assunção
Universidade Federal do Ceará (UFC)

_____
Profa. Dra. Dolores Aronovich Aguero
Universidade Federal do Ceará (UFC)

SUMMARY

ABSTRACT

This article has the main goal of providing a literature review on works of Critical Applied Linguistics regarding hate speech versus freedom of speech on social media in the context of Brazil, theoretically based on Critical Discourse Analysis, that were published in the last ten (10) years, in English and Portuguese. There are two research questions guiding this paper: what are the most researched themes and quoted authors in studies about hate speech vs. freedom of speech on social media in the Brazilian context in the last 10 years? And what are the main contributions these studies leave to society towards social justice? The methodology consists of a literature review, using Periódicos Capes database as a primary and only source, analysing the goals, main authors and topics, methodologies and findings of the papers selected. The conclusions show the prevalence of hate speech used as freedom of speech on social media and the problems it causes (especially to vulnerable individuals and groups of people), even though the Brazilian Juridical System has laws designed to handle the issue. For future research, it suggests investigating more in depth the moderation of social media regarding their policies and transparency on handling cyberhate, and other issues such as privacy invasion and the spread of misinformation online, and the necessity of more studies in the field of Critical Discourse Analysis within Critical Applied Linguistics.

KEYWORDS: critical discourse analysis; hate speech; freedom of speech; social media; brazil.

RESUMO

Este artigo tem como objetivo principal fornecer uma revisão de literatura sobre trabalhos da Linguística Crítica Aplicada sobre discurso de ódio versus liberdade de expressão nas redes sociais no contexto do Brasil, fundamentados teoricamente na Análise Crítica do Discurso, publicados nos últimos dez (10) anos, em inglês e português. Há duas perguntas de pesquisa que norteiam este artigo: quais são os temas mais pesquisados e os autores mais citados em estudos sobre discurso de ódio versus liberdade de expressão nas redes sociais no contexto brasileiro nos últimos 10 anos? E quais são as principais contribuições que estes estudos deixam à sociedade para a justiça social? A metodologia consiste em uma revisão de literatura, utilizando a base de dados Periódicos Capes como fonte primária e única, analisando os objetivos, principais autores e temas, metodologias e resultados dos artigos selecionados. As conclusões mostram a prevalência do discurso de ódio utilizado como liberdade de expressão nas redes sociais e os problemas que ele causa (especialmente a indivíduos e grupos de pessoas vulneráveis), embora o Sistema Jurídico Brasileiro possua leis destinadas a lidar com o assunto. Para pesquisas futuras, sugere-se investigar de forma mais aprofundada a moderação das redes sociais em relação às suas políticas e transparência no tratamento do ódio cibernético, e outras questões como invasão de privacidade e disseminação de desinformação online, e a necessidade de mais estudos no campo da Análise Crítica do Discurso dentro da Linguística Crítica Aplicada.

PALAVRAS-CHAVE: análise crítica do discurso; discurso de ódio; liberdade de expressão; redes sociais; brasil

1 INTRODUCTION

Social media is a major part of the Internet and is a widely used technologic tool of communication among many societies in the present days. As reported by Markham (2004, p. 96) "Internet can also refer to social spaces where relationships, communities and cultures emerge through the exchange of text and images, either in real time or in delayed time sequences.". Therefore, with the advent of the Internet, the creation and development of computers and smartphones, specially, and the emergence of different social medias among the capitalist concept of life, people have been instigated to become users online and, therefore, encouraged to write and share about their lives and opinions on subjects of the moment, daily, on different social media platforms.

According to Fairclough (2004), interactions between people in different contexts can be characterised as different social practices. Thus, it may infer that the usage of social media is a social practice as well. According to Markham (2004, p. 100) "[…] the Internet provides a means of understanding better the way that language constructs and maintains particular social realities. The Internet continues to provide environments within which researchers can interact with or gather information from participants".

Furthermore, it is known that social matters are also widely discussed online, and daily we face conflicts of discourses among these platforms of communication, sometimes the matter being centred on hate speech disguised as freedom of speech. For the analysis of these problems concerning language/speeches and social justice, I decided to gather selected works centred on the Critical Discourse Analysis within the Critical Applied Linguistics and do a literary review on them. According to Unger et al.:

> Since the late 1980s, critical discourse analysis (CDA), or as it has more recently come to be called critical discourse studies (CDS), has become a well-established field in the social sciences. CDS can be defined as a problem-oriented interdisciplinary research programme, subsuming a variety of approaches, each with different theoretical models, research methods and agenda. What unites all approaches is a shared interest in the semiotic dimensions of power, injustice and political-economic, social or cultural change in society. (UNGER ET AL., 2016, p. 278)

It is common to find online written posts regarding social matters/discussions in which certain groups of people/individuals tend to engage with hate discourses. Even though there are Terms of Use set up for all social media platforms, it does not prevent these situations from happening. Therefore, one of the goals for this present work is to try and identify among published works what makes groups of people and/or individuals think they have the right to

post hate speech on social media without having to face consequences, and which factors corroborate with their attitudes. Moreover, there is the relation between freedom of speech and power of speech. Butler (1997, p. 12) affirms that "For the threat to work, it requires certain kinds of circumstances, and it requires a venue of power by which its performative effects might be materialised.". Certain groups of people/organisations have the power and the means to vocalise and/or write hate discourses, and their social positions may corroborate with it.

Therefore, the main goal of this paper is to provide a literature review on works of Critical Applied Linguistics regarding hate speech versus freedom of speech on social media in the context of Brazil, theoretically based on Critical Discourse Analysis that were published in the last 10 years, in English and Portuguese. The hypotheses raised about this theme were centred on Critical Applied Linguistics studies discursive practices as social practices in which hate speech and freedom of speech are related to social justice.

The rationale for this work is based on my belief that social media usage has evolved to a crucial platform of information/communication in our Brazilian society, along with the rest of the world. It has a direct impact on beliefs, ethics, and human rights, and on the way that, sometimes, online violence evolves to a greater harassment and other consequences. The relevance of this work remains on analysing and gathering previous studies and publications on discourse and power (freedom of speech vs. hate speech) through social media in the Brazilian context, and how this relationship affects social justice in the country. Social Media was the platform chosen for this review because I believe it to be an extremely relevant tool for our current social context and because of its mass adherence all over the world. According to Markham:

> Whether conceptualised as a communication medium, a global network of connection, or a scene of social construction, the Internet offers the qualitative researcher many means of observing and/or interacting with participants in order to study the complex interrelation of language, technology and culture. (MARKHAM, 2004, p. 97)

There are two research questions guiding this work:

1. What are the most researched themes and quoted authors in studies about hate speech vs. freedom of speech on social media in the Brazilian context in the last 10 years?

2. What are the main contributions these studies leave to society towards social justice?

With the support of these questions, I reviewed works on Periódicos Capes to identify what is already known regarding the theme of my work and what is to be done still. Along with that, I provided my critical analysis of the findings, based on the theoretical framework of this study. For the review, I categorised common patterns, topics and organised them into tables of contents along with their descriptions. The review itself was the largest part

of this work, and it is situated in the Findings and Discussion sections. Finally, with the support of the theoretical framework brought to this study, I was able to formulate conclusions and a critical review of the works that have been published and the aspects/topics there are still to be explored in the field.

2 THEORETICAL FRAMEWORKS

My interest in looking at what researchers have studied about hate speech in Applied Linguistics comes from the understanding that, according to Moita Lopes (2006):

> We live in times of great socio-cultural-political-historical and epistemological upheaval that many call postmodern (Venn, 2000) (...) characterised by the technological developments that affect the way we live and think of our lives, both in the private sphere and in the public one. (MOITA LOPES, 2006)

Moita Lopes (2006) explains that lately the ideals of modernity have been questioned and reformulated, and that includes the definition of the social subject as hegemonic. This discussion takes into consideration identity crossings, which are constructed in the discourse (MOITA LOPES 2002 apud MOITA LOPES, 2006). The disembodiment, as an intention of erasing the story, social class, gender, race and ethnicity, represents the traditional ways of production of knowledge about the subject (Moita Lopes, 2006).

Moreover, Moita Lopes (2006) infer that the Applied Linguistics has to dialogue with theories that aim at reconsidering the way the Social Sciences produces knowledge, taking into consideration the present context and being open to new lines of thinking, and paying attention to the many different voices in society. Furthermore, Moita Lopes (2006) adds that this seems imperative in an applied area that wants to discuss social practice.

In relation to the critical discourse studies, I used the book *Analysing Discourse: Textual analysis for social research* – 1st edition by Fairclough (2004), who summarises the main principles of Critical Discourse Analysis, which are:

- Semiosis as an irreducible element of all material social processes;
- Social life with interconnected networks of social practices of different types;
- Social practice as a relatively stabilised form of social activity;
- Every social practice allows the articulation of social elements (activities, subjects and their social relations, instruments, objects, time and place, forms of consciousness, values, discourse), which are dialectically related;

- Social elements are studied in different ways, hence the need for transdisciplinary analysis.

Also, Van Dijk (2008, p. 85) affirms that "Critical Discourse Analysis (CDA) is a type of discourse analytical research that primarily studies the way social power abuse, dominance and inequality are enacted, reproduced and resisted by text and talk in the social and political context.", being my literature review focused on social justice and power of speech.

In agreement with that, I selected the book *Excitable Speech: A politics of the performative* – 1st edition by Butler (1997) in order to base my rationale for this work regarding the power of speech. According to Butler:

> Whether this idealisation of the speech act as sovereign action (whether positive or negative) appears linked with the idealisation of sovereign state power or, rather, with the imagined and forceful voice of that power. It is as if the proper power of the state has been expropriated, delegated to its citizens, and the state then reemerges as a neutral instrument to which we seek recourse to protect us from other citizens, who have become revived emblems of a (lost) sovereign power. (BUTLER 1997, p. 82)

For the discussion on the Internet and social media on freedom of speech vs. hate speech, related to Critical Applied Linguistics and Critical Discourse Analysis, I selected the book *Qualitative Research - 4th edition,* edited by Silverman (2016), and *Qualitative Research: Theory, Method and Practice - 2nd edition,* edited by Silverman (2004), as the works I will analyse, and review are mainly qualitative ones. The 4th edition of the book presents many chapters of a variety of authors discussing relevant topics on research, and I used *chapter 17 - Critical Discourse Studies and Social Media Data* by Unger et al. (2016) to introduce the topic of critical discourse analysis,

From the 2nd edition of the book, I used *chapter 6 - Internet Communication As A Tool For Qualitative Research* by Markham (2004) for the communication purpose of social media and its importance to "study the complex interrelation of language, technology and culture (MARKHAM, 2004, p. 97).

Still, Judith Butler (2021), discusses hate speech from the point of view of the Speech Acts Theory, understanding that language can hurt us if not only for the reason that we humans are linguistic beings, constructed in, across, and through language. Moreover, Butler (2021, p. 11) affirms that "If we are formed in language, then this constitutive power precedes and conditions any decision we make in relation to it, insulting us from the beginning, so to speak, by its prior power.

Thus following, Butler (2021) discusses the problem of the insulting speech, in which there is the questioning about what words are capable of injuring people, focusing on these parts

of the language that are uttered and explicit. Along with that, Butler (2021) explains the difference between illocutionary and perlocutionary speech acts:

> The first are the speech acts that, when saying something, do what they say and at the time they say it; the second are speech acts that produce certain effects as a consequence; when something is said, a certain effect is produced. The illocutionary speech act is itself the deed that derives from it; the perlocutionary only leads to certain effects that are not the same thing as the speech act itself. (BUTTLER, p. 12, 2021)

Additionally, Butler (2021) discusses that suffering from an insulting speech is not only experiencing an unknown context, but also not knowing the time and place of the injury. Thus, "What is revealed at the moment of such rupture is exactly the instability of our "place" in the community of speakers; We may be 'put in our place' by this speech, but that place may be nowhere" (BUTLER, 2021, p. 14)

3 METHODOLOGY

This literature review is inspired by the work by Liu et al. (2003), which I took as a model for this paper organisation in what refers to the sections, mainly on how to present the findings and analyse them.

Aiming at doing a literature review on papers that discuss hate speech versus freedom of speech on social media in Brazil, I decided to use Periódicos Capes database as my only source. All the works selected were papers, excluding thesis and dissertations. All papers selected are data based, excluding non-data-based ones. The search took place on September 4th, 2023, and I used the advanced search tool available in the platform, using the keywords in Portuguese: "discurso de ódio", "liberdade de expressão" and "redes sociais". All the three terms were selected with "any field" and "exactly" criteria. I selected the Portuguese and English works (excluding one result in Spanish) and the option "last 10 years", which is the time frame I aim to analyse. The result was twenty-one (21) articles. As I have decided to select works that are from and for the Brazilian context, I analysed all the articles and checked that all of them fit this criterion.

Furthermore, my first step on analysing the papers was done by skimming and scanning them, and to gather information about the methods chosen, designing a table chart to fill in with the following sections from each paper: goals, main authors and themes, methodology, and

findings. The first section filled in was the main themes and authors, with the most discussed and referenced in all the papers. Then, I proceeded to fill in the other three sections, trying to put information in a concise way.

In the main authors and themes section, I started taking notes on the most referenced researchers and the themes they were exploring on the papers that related to my theme. Later, I could visualise the number of times the researchers were referenced and what themes were mostly discussed. My initial idea was to only select authors and themes that appeared on at least half of the twenty-one (21) papers, having in mind that one of my goals is to analyse the most researched topics and authors in the literature.

Furthermore, I started collecting the goals of the papers, and later identified their main ideas, being able to group similar ones. By doing so, it was possible to visualise the most common goals on the theme. Moreover, I proceeded to collect the methodologies of each paper, also grouping, and quantifying them, when possible, to identify the most frequent methods of research chosen. And lastly, I aimed at gathering all the findings of the papers and discussing them, as a means to identify what the literature has found regarding my research questions and what the implications for future research there are.

4 FINDINGS AND DISCUSSION

Having analysed what appears in the literature for the last ten years (2013 – 2023) on Periódicos Capes database, regarding the discussion between hate speech and freedom of speech on social media in the Brazilian context, it was possible to have a general overview of how the topic is being handled. One of my goals was to identify the most researched topics and cited authors and their theoretical foundations, and their contributions not only to the field of Critical Discourse Analysis within the Critical Applied Linguistics, but also to Social Justice itself. Thus, the first thing aimed at through scanning the articles was identifying the fields of research they were from. Among the twenty-one (21) papers analysed, we identified thirteen (13) in the field of Law Sciences, seven (7) papers in Social Studies, and only one (1) in the field of Applied Linguistics.

With these results, mostly in the areas of Law Sciences and Social Studies, we may infer that the theme of this present paper is commonly researched considering the social aspects and, because hate speech affects human rights and may be discussed as criminal, it is mostly present in Law papers. In spite of that, it is important to remember that Applied Linguistics is present

in all of these papers, because it is a transdisciplinary field, and even Law Studies bring theoretical framework from Social Sciences and Applied Linguistics.

4.1 Main Authors and Themes

The most researched themes identified throughout the articles were *Hate Speech*, *Freedom of Speech*, *Hate Speech vs. Freedom of Speech*, *The use of Social Media/Internet/Digital Communicatio*n, and *Fundamental Rights/Human rights,* considering the criteria of presence in at least half of the papers analysed. For *Hate Speech* alone we identified fifteen (15) papers discussing it, and the most referenced authors on this topic were Sarmento (2006), present in six (6) papers, and Waldron (2010, 2012) present in four (4) papers.

Thus following, the theme *Freedom of Speech* alone was discussed in twelve (12) papers, and the most referenced authors on the topic were Barroso (2004, 2005, 2007, 2008, 2020) present in four (4) articles, Machado (2002, 2014) present in three (3) papers, and Sarlet (2013, 2015, 2018) in three (3) papers as well. Thus following, we also identified the discussion on *Hate Speech versus Freedom of Speech*, which was the most discussed topic on the papers, found in seventeen (17) articles, mainly based on the authors Sarmento (2006, 2015) and Meyer-Pflug (2009).

According to the most cited author defining hate speech, it is: "Sarmento defines hate speech as hate manifestations, contempt or intolerance against certain groups, motivated by prejudices linked to ethnicity, religion, gender, physical or mental disability and sexual orientation, among other factors." (SARMENTO, 2006 apud OLIVA & ANTONIALLI, 2018, p. 31 - 32). Corroborating with that, Leal da Silva et al (2011) was referenced in two papers with the same definition that:

> "Hate speech" is revealed by its segregationist, discriminatory content directed at people who share some characteristic that make them members of a group, that is, hate speech establishes the superiority of the sender and the inferiority of the person affected, considered as bottom. (...) affecting the dignity of a certain group of people who share a common trait. And, at the same time, they encourage readers/listeners to participate in discriminatory discourse, not only with words, but also with actions. (LEAL DA SILVA ET AL, 2011 apud NAPOLITANO & STROPPA, 2017, p. 324)

Other themes less researched among the papers were *Discrimination/Prejudice/Intolerance* (such as Racism and Homophobia), appearing in seven (7) papers and *Fake News/Misinformation/Access to Information* present in six (6), but not only did they not attend to the goal of appearing in at least in fifty percent of the papers analysed,

but also their referenced authors varied a lot, being that one more reason for not adding them to the analysis. These two topics are totally relevant to the discussion of hate speech versus freedom of speech on social media, and thus it shows the necessity for them to be more explored in future research. On the following table, there are the most prevalent themes (and the number of times they were discussed on the papers) and their most referenced authors.

Table 1 – Main themes and authors identified[1]

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[1] O uso do título e da fonte no quadro do cronograma segue a regra para ilustrações, da seção 5.8, da ABNT NBR 15.287:2011.

Main Themes	Main Authors	Papers
Hate Speech vs. Freedom of Speech	Sarmento (2006, 2015)	Peres-Neto e Pereira (2019) Napolitano & Stroppa (2017) Marinho e Souza (2018) Fabriz e Mendonça (2022) Silva, Silva e Gonçalves Neto (2021) Silva e Favera (2017)
	Meyer-Pflug (2009)	Peres (2022) Oliva e Antonialli (2018) Oliveira, Repolês e Prates (2017) Silva e Favera (2017) Brito e Melo (2021) Souza e Rebelato (2015)
Hate Speech	Sarmento (2006)	Napolitano e Stroppa (2017) Facchini Neto e Rodrigues (2021) Stroppa e Rothenburg (2015) Marinho e Souza (2018) Fabriz e Mendonça (2022) Oliva e Antonialli (2018)
	Waldron (2010, 2012)	Peres-Neto e Pereira (2019) Facchini Neto e Rodrigues (2021) Pezzella e Pannain (2015) Oliva e Antonialli (2018)
	Leal da Silva et al (2011)	Peres-Neto e Pereira (2019) Napolitano e Stroppa (2017) Stroppa e Rothenburg (2015) Silva, Silva e Gonçalves Neto (2021)
Freedom of Speech	Barroso (2004, 2005, 2007, 2008, 2020)	Facchini Neto e Rodrigues (2021) Coura e Machado (2022) Sarlet e Siqueira (2020) Silva e Favera (2017)
	Machado (2002, 2014)	Napolitano & Stroppa (2017) Stroppa e Rothenburg (2015) Sarlet e Siqueira (2020)
	Sarlet (2013, 2015, 2018)	Facchini Neto e Rodrigues (2021) Stroppa e Rothenburg (2015) Sarlet e Siqueira (2020) Oliva e Antonialli (2018)

The use of Social Media/Internet/Digital Communication	Castells (1999, 2005, 2007, 2013, 2017)	Peres-Neto e Pereira (2019) Sarlet e Siqueira (2020) Pezzella e Pannain (2015) Silva e Favera (2017) Brito e Melo (2021) Oliveira e Silva (2020)
	Recuero (2011, 2014,2016)	Peres-Neto e Pereira (2019) Vencato (2017) Silva e Favera (2017)
Human Rights/Human Dignity/Fundamental Rights/Social Justice	Sarlet (2005, 2011, 2015, 2021)	Facchini Neto e Rodrigues (2021) Pezzella e Pannain (2015) Silva e Favera (2017) Brito e Melo (2021)
	Constituição Federal do Brasil (1988)	Vencato (2017) Pezzella e Pannain (2015) Oliveira, Repolês e Prates (2017)
	Sarmento (2006, 2016)	Fabriz e Mendonça (2022) Silva, Silva e Gonçalves Neto (2021) Souza e Rebelato (2015)
Hate Speech on Social Media	Leal da Silva (2011)	Vencato (2017) Souza e Rebelato (2015)
	Sarmento (2015)	Silva e Favera (2017)
Hate Speech vs. Freedom of Speech on Social Media	Castells (2005)	Stroppa e Rothenburg (2015)
	Recuero (2014)	Silva et al (2019)
	Napolitano e Stroppa (2017)	Pardo (2022)

Source: elaborated by the author

Being this present paper an analysis on the literature on hate speech versus freedom of speech on social media, it was relevant to also include the theme and papers discussing it, although it was not so referenced in many papers. *Hate Speech on Social Media* topic was discussed on six (6) papers, being Leal da Silva (2011) and Sarmento (2015) one of the main authors referenced, having in mind that they were also mainly referenced in other topics. And finally, on the theme *Hate Speech vs. Freedom of Speech on Social Media* only four (4) papers had authors referenced discussing them together, such as Castells (2005) and Recuero (2014). We identified other combinations of topics being referenced, such as freedom of speech on social media, but they were not many.

By stating these facts, we infer that the majority of the papers are bringing the discussion in a disseminated way, mostly. Nonetheless, the discussion on hate speech versus freedom of speech being the most referenced shows that this topic is widely discussed among researchers, having them take into account the relevance of the conflict that exists between these two discourses. Thus following, as the second and third most referenced being the two topics alone, also may indicate a concern on exploring the definitions, how it is presented and used in society, and how it is handled.

4.2 Main Goals

Among the twenty-one (21) researched articles, all the goals identified were sorted into ten (10) different goals in general. Ten (10) of them focused on the regulations and responsibilities of social websites against hate speech. Five (5) papers aimed at analysing the limits of freedom of speech against hate speech. Four (4) papers discussed the implications of hate speech and freedom of speech, and how they are handled, according to the Brazilian Law. Three (3) papers had as a goal to discuss the concept of freedom of speech. Three (3) works analysed the production and circulation of hate speech. The following table summarises all the categories identified, their quantities and the papers that discussed them:

Table 2 – Goals identified[2]

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[2] O uso do título e da fonte no quadro do cronograma segue a regra para ilustrações, da seção 5.8, da ABNT NBR 15.287:2011.

Goals	Quantity	Papers
Management of Social Media against Hate Speech	10	Brito e Melo (2021) Fabriz e Mendonça (2022) Gregório, Edral e Juchem (2023) Marinho e Souza (2018) Oliva e Antonialli (2018) Pardo (2022) Silva e Favera (2017) Augusto de Oliveira & Pontes (2019) Souza e Rebelato (2015) Stroppa e Rothenburg (2015)
Limits of Freedom of Speech against Hate Speech		Peres (2022) Peres-Neto e Pereira (2019) Pezzella e Pannain (2015) Silva, Silva e Gonçalves Neto (2021)
The Brazilian Law on the discussion of Freedom of Speech versus Hate Speech	4	Napolitano e Stroppa (2017) Facchini Neto e Rodrigues (2021) Silva, Silva e Gonçalves Neto (2021) Oliveira, Repolês e Prates (2017)
The concept of Hate Speech	3	Peres-Neto e Pereira (2019) Fabriz e Mendonça (2022) Oliveira, Repolês e Prates (2017)
Production and circulation of Hate Speech	3	Peres-Neto e Pereira (2019) Vencato (2017) Coura e Machado (2022)
Limits of the Freedom of Speech against Fake News	2	Silva, Silva e Gonçalves Neto (2021) Sarlet e Siqueira (2020)
The concept of Freedom of Speech	1	Fabriz e Mendonça (2022)
Freedom of Speech vs. Hate Speech	1	Vencato (2017)
Limits of Hate Speech	1	Stroppa e Rothenburg (2015)
The Brazilian Law on Digital Inclusion and the public virtual space	1	Oliveira e Silva (2020)

Source: elaborated by the author

Being *Management of social media against Hate Speech* the most common goal, present in ten (10) out of twenty-one (21) papers (almost fifty percent of the papers) it suggests that the researchers consider it very important to discuss the issue of regulating the hate speech on social media, and take into account the responsibility of the social websites themselves on this matter. The second most common goal was *The limits of Freedom of Speech against Hate Speech*, but only present in five (5) papers out of twenty-one (21), and the other goals were diverse, as

displayed on the table above, which may lead us to think that there are many aspects being explored, but not in a great amount.

Despite the goals being diverse, but in small numbers, as displayed on the table above, it may also suggest that the topics hate speech, freedom of speech and social media are starting to be explored more, leading to future research.

4.3 Main Methodologies

Among the papers analysed, we identified three (3) types of methodologies used. The most common was bibliographical-documental research, present in eighteen (18) articles, one of them being a historical analysis. There were two (2) papers using the method of Discourse Analysis on social interaction on the Internet, and one (1) Theoretical Essay through a literature review. Being twelve (12) papers from the field of Law Studies, it may explain why the most used method was bibliographic-documental, keeping in mind that the Juridical System is consulted constantly.

4.4 Main Findings

Having analysed all the twenty-one (21) papers and collecting the findings, it was possible to visualise what the literature has researched about the discussion on hate speech vs. freedom of speech on social media, and other related aspects on these three themes. As well as the previous sections, we decided to group the similar findings, but also collect all of them, not only the most common. The results found are presented below:

Table 3 – Findings identified[3]

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[3] O uso do título e da fonte no quadro do cronograma segue a regra para ilustrações, da seção 5.8, da ABNT NBR 15.287:2011.

Findings	Papers
Freedom of speech is used as hate speech, which violates the human rights of vulnerable individuals and groups of people, especially on social media. There needs to be an effective moderation from platforms and assistance from the juridical system.	Stroppa e Rothenburg (2015) Vencato (2017) Peres-Neto e Pereira (2019) Coura e Machado (2022) Oliveira e Silva (2020) Silva e Favera (2017) Brito e Melo (2021) Fabriz e Mendonça (2022) Peres (2022) Silva, Silva e Gonçalves Neto (2021)
Brazil's juridical system has laws designed to combat the issue, but does not seem to be entirely effective on putting limits on freedom of speech and preventing hate speech (especially on social media)	Napolitano e Stroppa (2017) Sarlet e Siqueira (2020) Souza e Rebelato (2015) Brito e Melo (2021) Pardo (2022) Oliveira e Silva (2020) Pezzella e Pannain (2015)
STF jurisprudence is adequate for guaranteeing the right of freedom of speech, but the State is necessary on this matter to assist with regulating social media	Facchini Neto e Rodrigues (2021) Oliveira, Repolês e Prates (2017)
In general, platforms have improved on reporting hate content, but have not been efficient on moderating and removing cyberhate and also not transparent with the methods used to solve the issue.	Silva et al (2019) Fabriz e Mendonça (2022)
Abuse of Freedom of Speech and invasion of privacy/hate speech is a challenge to the Law and affect human rights	Coura e Machado (2022) Oliveira e Silva (2020)
Facebook is one the social medias that has invested the most on combating intolerance online, but is not clear with the methods used and what are the criteria for deleting accounts, for example	Silva et al (2019) Marinho e Souza (2018)
The U.S. juridical system, seems to differ from the modern theory on human rights	Silva e Favera (2017)
The way of combating hate speech on social media in Brazil is similar to the German model	Facchini Neto e Rodrigues (2021)
Bloggers with many followers are not engaged on the discouragement of the practice of hate speech	Brito e Melo (2021)

Necessity of finding legally legitimate alternatives to combat the spread of fake news on the digital environment with Press help to rapidly spread the correct information	Sarlet e Siqueira (2020)
Repetition of arguments by subjects and presence of pre-established statements and regulations is used to justify hate speech	Gregório, Edral e Juchem (2023)
Necessity of investment in education as a fundamental tool not only to prevent social division/inequality on the access to the Internet, but also giving every citizen the right to speak	Oliveira e Silva (2020)
Strategies of counter discourse can be effective against hate speech, may lessen the pressure on platforms about taking action, and may help create discussions less superficial online.	Oliva e Antonialli (2018)
Making platforms responsible for deciding what is hate speech or not can be problematic, because their criteria may turn against the violated groups and may hinder strategies of counter discourse	Oliva e Antonialli (2018)

The most common finding, present in ten (10) papers, regards the use of freedom of speech as hate speech, highlighting that this act goes completely against human rights and that it mainly affects vulnerable individuals and groups of people, which can be related to the definition of hate speech of Sarmento (2006) on the 4.1 section, when he defines hate speech as "manifestations, contempt or intolerance against certain groups, motivated by prejudices linked to ethnicity, religion, gender, physical or mental disability and sexual orientation, among other factors." (SARMENTO, 2006 apud OLIVA & ANTONIALLI, 2018, p. 31 - 32). All these papers also infer a moderation is necessary to prevent the misuse of freedom of speech, and that it needs to be with juridical assistance, to criminalise these acts.

The second most common result, present in seven (7) papers, regards that the Brazilian Juridical System has laws designed to combat the issue, but still faces problems with putting limits on the use of freedom of speech, and, consequently, preventing hate speech. However, another two (2) papers affirm that the Brazilian jurisprudence is adequate for guaranteeing the right of freedom of speech, but the State is necessary on this matter to assist with regulating social media. Thus, all these three categories imply that, although we have the laws, it still is a challenge to the Juridical System and the State to prevent and criminalise the action.

Moreover, we found more diverse results related to the discussion, but less common among the literature, such as the role of online platforms on improving the combat of hate content, reported as inefficient on moderating and removing cyberhate, adding the lack of transparency of the methods they use to solve the issue, as reported by Silva et al (2019) and

Fabriz & Mendonça (2022). Thus following, we identified other findings that need to be more researched in the future, such as the invasion of privacy that comes with the abuse of freedom of speech, reported by Coura & Machado (2022) and Oliveira & Silva (2020).

All these findings are considered relevant to this present paper, because they show what has been mostly researched in the literature and what has been stated but needs future studies to expand it.

5 CONCLUSIONS

This article aimed at revising papers about hate speech and freedom of speech in the context of social media in Brazil in the last ten years. The research was based on two main goals: identifying the most researched themes and quoted authors concerning hate speech versus freedom of speech in this context and gathering the contributions of these studies to society regarding social justice.

The most researched themes and authors were, respectively:

1. *Hate Speech vs. Freedom of Speech*, by the authors Sarmento (2006, 2015) and Meyer-Pflug (2009)

2. *Hate Speech*, by the authors Sarmento (2006), Waldron (2010, 2012) and Leal da Silva et al (2011)

3. *Freedom of Speech*, by the authors Barroso (2004, 2005, 2007, 2008, 2020), Machado (2002, 2014) and Sarlet (2013, 2015, 2018)

4. *The use of social media/Internet/Digital Communication*, by the authors Castells (1999, 2005, 2007, 2013, 2017)

5. *Fundamental Rights/Human rights*, by the authors Sarlet (2005, 2011, 2015, 2021), Sarmento (2006, 2016) and by the Constituição Federal do Brasil (1988).

Among the papers selected, other themes were identified, such as *Hate Speech on social media* and *Hate Speech vs. Freedom of Speech on social media* (which is the theme of this paper), but in less than fifty percent of the literature analysis, which may infer the necessity of more research on them, as they are both related to the main objective of this article.

The findings of the papers analysed showed the prevalence of hate speech used as freedom of speech and the problems it causes, especially to vulnerable individuals and groups of people. It also brings the challenges that come with combating it, even though they show that the Brazilian Juridical System has laws designed to handle the issue. Regarding limitations of the research, even though there are laws in the Juridical System, there is the necessity of

more studies on the moderation of social media regarding their policies and transparency on handling cyberhate, and other issues such as privacy invasion and the spread of misinformation. Although Law Studies and Social Studies are within the Applied Linguistics field, there is the necessity of more exploration of the theme of this paper in the field of Critical Discourse Analysis within Critical Applied Linguistics.

In conclusion, after reviewing the most researched themes and quoted authors regarding hate speech versus freedom of speech on social media in Brazil, there is the need for future research on the limitations observed, addressing the importance of studies on this topic regarding strategies to combat the degrading effects that hate speech has on social justice and the human rights of citizens on the Internet.

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