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*Libertà di espressione e linguaggio dell'odio sessista: dov'è il confine?*

*Freedom of Expression and Sexist Hate Speech: Where is the Boundary?*

Abstract

L'articolo analizza il linguaggio dell'odio, della violenza e della discriminazione sessista, sia online che offline, caratterizzando il fenomeno sotto diversi punti di vista, esaminando una serie di definizioni focalizzate su diversi aspetti. In particolare, i diversi fattori che causano e determinano il *sexist hate speech* sono riportati con un quadro d'insieme delle diverse forme che quest'ultimo può assumere: da quello più esplicito (*blatant*) a quello più nascosto e difficile da identificare (*covert, subtile*). Viene fornita, inoltre, un'analisi dei confini tra ciò che rientra nell'ambito della libertà d'espressione e ciò che può essere considerato linguaggio dell'odio, passando in rassegna gli articoli più rilevanti della Convenzione dei Diritti dell'Uomo e delle Libertà Fondamentali (CEDU). Un altro aspetto cruciale, trattato nel presente articolo, riguarda le principali categorie di donne identificate come target specifico del linguaggio dell'odio e della violenza: femministe e donne che difendono i diritti umani. In più, si presenta una visione comparativa delle iniziative e delle misure legali più rilevanti, adottate negli ultimi anni dal Regno Unito e da alcuni Stati Membri dell'Unione Europea, per combattere il linguaggio dell'odio sessista. Infine, le conseguenze del fenomeno sono descritte in termini psicologici, fisici ed emotivi, con un focus particolare sull'impatto nella vita professionale e personale delle donne.

Parole Chiave: Linguaggio sessista dell'odio, libertà d'espressione, uguaglianza di genere, misure legali, social media

Abstract

The paper aims at analysing Sexist Hate Speech, both online and off-line, by characterising the phenomenon under different points of view, providing a comprehensive conspectus of a number of definitions which take into account different aspects of the issue. In particular, a number of factors causing and affecting sexist hate speech are reported, together with a portrait of the different forms that the language of

hate may assume such as *blatant*, *covert*, and *subtle* sexism. Besides, an analysis of the boundaries between what constitutes freedom of expression on one hand, and what can be considered as sexist hate speech on the other is provided, with a particular focus on the most relevant articles included in the European Convention on Human Rights (ECHR). Another crucial aspect addressed in the current paper deals with the main targets of sexist hate speech, together with an analysis of the causes leading to the use of an abusive and violent language towards certain categories of women, particularly, feminists and human rights defenders. The work also presents a comparative overview of the most important initiatives and legal measures adopted by the UK and some EU countries, in the last few years, to contrast sexist hate speech. Finally, the outcomes of the phenomenon are described in psychological, physical, and emotional terms, with a particular focus on the consequences it carries on the professional and personal life of the women affected.

Key Words: Sexist Hate Speech, Freedom of Expression, Gender Equality, Legal Measures, Social Media

### *What is Sexist Hate Speech?*

Providing a complete, comprehensive definition of “Sexist Hate Speech” that takes into account all the different aspects of the phenomenon is not an easy task for two main reasons. First, there is no international definition of “hate speech” (Lillian, 2007); second, the boundary line between what still belongs to the freedom of expression and what constitutes hate speech is difficult to establish and may vary from country to country, according to their own national regulations. In order to gain a better understanding of the problematics concerning hate speech it is essential to define and specify what, in this paper, is meant with the expression “sexist hate speech”. A number of definitions coming from different sources will be compared and contrasted to better focus this controversial issue. Besides, an analysis of the causes, the different forms and the main targets of the phenomenon will be advanced. Finally, in terms of legal actions to contrast sexist hate speech, a comparative overview of the different measures adopted by some European countries and the United Kingdom will be propounded.

Generally speaking, Article 20 of the International Covenant on Civil and Political Rights, 1966 states that: “Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law”. The Council of Europe, on the other hand, provides non-binding definitions of hate speech. In particular, the European Commission against Racism and Intolerance (ECRI), in the General Policy Recommendation n. 15 of December 2016, defines hate speech in the following terms:

The use of one or more particular forms of expression – namely, the advocacy, promotion or incitement of the denigration, hatred or vilification of a person or group of persons, as well any harassment, insult, negative stereotyping, stigmatization or threat of such person or persons and any justification of all these forms of expression – that is based on a non-exhaustive list of personal characteristics or status that includes “race”, colour, language, religion or belief, nationality or national or ethnic origin, as well as descent, age, disability, sex, gender, gender identity and sexual orientation (p.3).

Among the wide range of definitions of hate speech, it is worth considering the one provided by the Canadian Oxford Dictionary (2004) that characterises it as: “Speech expressing hatred or intolerance of other social groups, especially on the basis of race or sexual orientation”. Bhikhu Parekh, professor of Political Theory, explains the phenomenon in further detail: “Hate speech expresses, encourages, stirs up, or incites hatred against a group of individuals, distinguished by a particular feature or set of features such as race, ethnicity, gender, religion, nationality, and sexual orientation” (Parekh, 2012: 40-41).

Despite the different aspects of hate speech revealed by the reported definitions, varying according to the specific target, it always seems characterised by three common essential features: i.e. it is targeted against a specified individual or a group of individuals and based on arbitrary and normatively irrelevant features; it stigmatises the target group by assigning qualities that are widely considered undesirable; it encourages and implies justifying of discrimination caused by the undesirable qualities ascribed to the target group. Furthermore, Parekh maintains that hate speech is often expressed in offensive and insulting language which makes it more powerful, but it is not always the case. It can be expressed in a more subtle way, that will be better explained in the following sections. Nonetheless, what matters is putting the content in the right context. Hate speech, despite its hateful nature, does not necessarily lead to violence or public disorder. The content of

hate speech has a long-term effect on the target group and, therefore, it is a mistake to define hate speech as something that immediately results in aggression and disorder. For instance, some expressions may be oppressive insofar as they are a form of cultural imperialism and subordination but fail to include the face of violence.

In order to see this, in a recent work, Louise Richardson-Self (2017) considers the difference between two types of patriarchy-enforcing speech: i.e. sexist speech and misogynistic speech. The first has a justificatory component that provides reasons to believe that men are naturally superior to women, and it idealizes this hierarchical distinction in support of a patriarchal gender order. Its main aim is compelling behaviour in accordance with patriarchal standards by appeal to people's beliefs, theories, and values, but it does not coerce. The second, on the other hand, is alternately characterized by a "hostility component," in that it conveys implicit and explicit hostility towards women because they are perceived to subvert patriarchal norms. Thus, the main difference highlighted between sexism and misogyny deals with the fact that misogyny implies coercion (its functional essence), and it is not concerned with shaping people's beliefs, theories, and values but only with compliance. Further, and importantly, the author points out that in many cases sexism can be used in the service of misogynistic ends.

### *What Generates Sexist Hate Speech?*

Sexist hate speech is a complex phenomenon that occurs worldwide, takes different forms, online and offline, in different spheres of social life, from family to work, from school to public spaces. It considerably affects the private and professional life of the victims and has detrimental consequences in physical, psychological and emotional terms. In all these cases, the most important outcome is the undermining of women's right to live free from violence and abuse. Thus, it is also a matter of health and personal safety. In particular, as it has been seen, young women are the most vulnerable targets in that they are not aware of the remedies and measures that should be taken to prevent and face sexist hate speech. As a consequence, they constantly live under a state of fear, anxiety, and loss of self-esteem. From a professional point of view, this may result in the withdraw from the Internet and social media, a limit of their career opportunities, a decrease of satisfaction in doing their jobs, sick-leaves, and loss of financial resources.

It has been argued (Peraro, 2016) that the true extent of sexist hate speech is partly hidden by the choice of targeted women to remain silent. Indeed, women find it difficult to talk about sexist hate speech and try not to face the problem at all or cope with it by talking about it privately or publicly, silencing themselves, reaching and responding to the haters, exposing them, asking them to apologise. Still a minor percentage denounces the haters or calls the police for two main reasons: first, denouncing and responding to the attacks is emotionally demanding; second, legal remedies sometimes are not available or not effective enough. For both, targets and witnesses, sexist hate speech represents a threat to their freedom of speech and freedom of choice.

The main causes, nowadays as in the past, have been identified in the unequal power relations between women and men and, therefore, in one of the many consequences of gender inequality. Sexism has been defined as "the practices whereby someone foregrounds gender when it is not the most salient feature" (Mills, 2008: 1). Like racism and other discriminatory forms of language, it derives from larger societal forces, wider institutionalized inequalities of power and conflict over who has rights to certain socio-political positions and economical resources. Presented in these terms, sexism is an index of the on-going conflict between men and women.

The different causes advanced and discussed by the Council of Europe to explain the roots of sexist hate speech include the hegemonic masculinity which is dominant in our society, the culture of sexism and rape, the existence of double standards, the normalisation of sexualised and violent language, the social expectations of women and men's sexuality and roles. Indeed, as regards the latter aspect mentioned, it is worth highlighting the considerable change of women's role in our society throughout the last decades. Indeed, women's development in different spheres has led to questioning the meaning of being a woman nowadays. On the other hand, the same cannot be stated for men as they have not gone through similar changes and evolution leading them to question their dominant masculinity. Accordingly, again, sexist hate speech has been identified with a lack of gender equality, effectively mainstreamed. Cameron (2006: 16), for instance, argues that sexism does not reside in certain words and phrases, but it resides in the beliefs that see women as being inferior to men. For her, sexist language cannot be regarded as simply the naming of the world from a male perspective. Instead, it is better conceptualized as a multifaceted phenomenon occurring in a number of complex systems of representation.

In particular, as far as the role of the media is concerned, it represents a controversial issue for it has been seen, at the same time, as part of the problem and part of the solution of it. On one hand, media contribute to underline the dichotomy men/women by reinforcing gender stereotypes, for example, focusing on specific female rubrics and appreciating women for their looks and men for their performance. Not surprisingly, the media industry is predominantly comprised of market-driven companies, mostly owned and controlled by men. In 2015, the *Global Media Monitoring Project* reported a little increase in the presence of women heard, read about or seen in newspapers, which is 24% compared to 17% twenty years earlier (in 1995). As regards the new digital media in 2015, particularly the Internet and Twitter News, women only represent 26% of the people represented. Thus, it can be argued that despite constituting half of the world's population, the underrepresentation of women in the news and media does not provide an accurate and reliable portrait of the actual situation. On the other hand, women representation in the adverts is even worse if one considers the objectification of women with an additional heavy emphasis on gender marketing.

#### *Different Forms of Sexist Hate Speech*

Although it is a phenomenon with ancient roots, lately, sexist hate speech has been taking a whole new dimension due to the spread of the Internet and social media as a new means of everyday communication. It may take many forms, depending on the medium used to convey hate and the type of victim it is targeted to. For instance, it can be sexist hate speech (i.e. gender-motivated hate speech), sexualised hate speech, cyber-sexism or cyber-gender harassment. Sexist language is learned at an early age and, in some cases, it has been observed that it could be considered as a linguistic habit (Lips, 1997). According to Ruscher (2001), it may be due to the fact that it intrinsically belongs to the written and spoken linguistic code and, therefore, it is difficult to change. In particular, the author refers to the gender biased language that implicitly excludes groups on the basis of their gender and sexual orientation. She maintains that expressions that exclude members of particular group help serve some of the social functions of prejudiced language. For example, “an invitation to faculty and their wives or a statement that the office is *undermanned* suggests where women do and do not belong” (Ruscher, 2001: 42). The negative evaluation and exclusion of the outgroup of women, thus, can also be conveyed through conversational conventions that are part of the everyday speech and,

although more subtle, they equally suggest that the some groups are less visible or important.

Moreover, among the reasons examined on the base of the phenomenon, as debated, there may be the lack of knowledge about what constitutes sexist hate speech. A study by Swim, Mallet, and Stangor (2004) sheds light on two important aspects of the phenomenon being discussed. That is, not only is sexist hate speech difficult to detect, but the lack of awareness of what can be considered as sexist hate speech also leads to a higher likelihood to make use of it. In particular, the authors of the study provide an accurate definition of three different types of sexism: i.e. *blatant*, *covert*, and *subtle*. *Blatant sexism* is described as “obviously unequal and unfair treatment of women relative to men” (Swim *et al.*, 2004: 117). *Covert sexism*, on the other hand, is defined as “unequal and unfair treatment of women that is recognised but purposefully hidden from view” (*ibidem*). If on one hand, both, *blatant* and *covert* sexism are intended, on the other, only *covert* sexism is hidden in the sense that comes in a less explicit form. Finally, the last type of sexism described deals with *subtle sexism*. Specifically, “(it) represents unequal and unfair treatment of women that is not recognised by many people because it is perceived to be normative, and therefore does not appear to be unusual” (*ibidem*).

Sexist hate speech, thus, in many cases, has been reported to be hidden in the form of subtle sexism in that it consists of speech that, not explicitly, still reinforces and perpetuates gender stereotypes and status differences between women and men (e.g. Crawford, 2001). Interestingly, it has been argued (Swim *et al.*, 2004) that unlikely old-fashion sexists who explicitly endorse gender inequality and traditional gender roles, modern sexists express beliefs that indirectly condone the unequal treatment of women and men. What is dangerous about subtle sexism is that it may not be noticed at all when certain behaviours are not overtly defined as sexist and, consequently, it is not considered as problematic. Neo-sexist beliefs, indeed, have been associated with a lower ability to detect and label sexist conduct as sexist. What is more, this lack of awareness correlates with higher levels of engagement in such behaviour since, as it has been observed, it is not possible to notice or/and label sexist behaviours and to take action against this conduct.

To better understand what subtle sexism might look like, it is worth analysing two examples provided by Richardson-Self (2017). First: “Imagine that a man exclusively calls women *girls*, without much conscious reflection on why he does it, and also that he



does so without expressing any ill will. This nonetheless implies the inferior status of women to (implicitly) adult men, and as such (again, implicitly) justifies men's being given more credence and authority" (p. 261). It can be noticed that this apparently harmless addressing expression, in fact, conveys an undermining status function towards women associating them with a less worth considering category. Interestingly enough, Lynne Tirrell (2012) also pointed out the socio-economic consequences the expression may have on women in the following terms: "its inappropriate use for an adult woman serves a purpose, to rationalize paying her less for her work, treating her as incapable of making serious decisions, and similar sorts of behaviours that undercut the full expression of her autonomy" (p. 193).

The second example propounded concerns the assumption that all women undertake forms of feminine-coded labour that are confined to the household. Specifically, the former Prime Minister of Australia Tony Abbott once remarked, "What the women of Australia need to understand, as they do the ironing [...]" while explaining the economics of carbon pricing (as reported in Richardson, 2017: 262). This can be considered as a subtle form of sexism in that not only does it present as natural and inevitable the gendered division of labour but, most importantly, it implicitly characterises women as cognitively inferior to men. Indeed, it portrays women as unable to understand the nuances of carbon pricing, that is to say, unable to get important public, worldly matters from economics and science.

#### *Where does Freedom of Expression end in Favour of Gender Equality?*

According to professor Edström, from the Department of Journalism, Media and Communication of the University of Gothenburg, gender equality cannot exist without freedom of expression but freedom of expression cannot exist without gender equality (Edström, 2014). The conflict between freedom of expression on one hand, and gender equality on the other, seems to be one of the major obstacles to fight sexist hate speech. The problem is mainly due to social media, representing the most widespread means of communication, for they are less obliged than the traditional media in terms of respect of the ethical standards and quality and reliability of the news and output.

Indeed, it is quite common that gender equality and freedom of expression are seen as contrasting rather than intertwined principles because of the abused freedom of



expression as a pretext to justify and legitimise cases of sexist hate speech. That is why, there are several cases of legislative attempts to combat sexist hate speech perceived as censorship. The Council of Europe has reported (Peraro, 2016) that even in the Nordic countries, where the two rights are indisputably seen as two core principles, freedom of expression is often more valued than gender equality.

Nowadays, to face the problem, many countries have adopted particular legislations to prosecute sexist hate speech perpetrators. For instance, it is worth mentioning article 10 of the European Convention on Human Rights (ECHR) (1950) on the limits of freedom of expression:

Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. [...] The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others.

Thus, the ECHR provides that “everyone has the right to freedom of expression” but, most importantly, this right does not constitute an absolute right since its exercise carries “duties and responsibilities” and is subject to restrictions prescribed by law when it comes to protecting the reputation or rights of other human beings.

Concerning sexist hate speech in the media, article 17 of the ECHR particularly concerns the participation of the private sector and the media in the prevention of violence against women and domestic violence. It states that:

Parties shall encourage the private sector, the information and communication technology sector, and the media, with due respect for freedom of expression and their independence, to participate in the elaboration and implementation of policies and to set guidelines and self-regulatory standards to prevent violence against women and to enhance respect for their dignity. Parties shall develop and promote, in co-operation with private sector actors, skills among children, parents, and educators on how to deal with the information and communications environment that provides access to degrading content of a sexual or violent nature which might be harmful.

Article 17 is particularly relevant since it provides a fundamental legal instrument obliging social media to follow the same regulations, codes, and ethics of the traditional

media. Indeed, because of the great impact they have on nowadays communication, as well as the cultural influence to present certain stereotypes, it is necessary for them to limit their abused freedom of speech and to take responsibility when they provide “access to degrading content of a sexual or violent nature which might be harmful”.

Another major problem with the attempt to monitor and control the content provided and spread by social media concerns first, the amount of information produced on a daily basis and, second, the anonymity of the authors. As already mentioned, differently from the traditional media, social media seem to be more reluctant to establish comprehensive rules and standards to avoid any action that could be seen as restraining freedom of speech. Accordingly, they do not take any form of responsibility for the content conveyed by their channels. As regards the first aspect discussed, it can be argued that freedom of expression can certainly be waived in case of hate speech, making sure that the other users' identity is still protected. On the other hand, as far as the huge amount of information difficult to control is concerned, more refined and effective technological tools need to be developed to detect and prevent the spread of hate speech online.

#### *Main Targets of Sexist Hate Speech*

The main targets of sexist hate speech may vary on the basis of two main factors: first, women do not constitute a homogeneous group; second, there is a need to consider sexuality beyond the gender binary system, taking into account all the multiple aspects of discrimination including gender, sex, gender identity, sexual orientation, etc. Also, it is worth highlighting that gender discrimination often crosses other forms of discrimination such as race, colour, ethnicity, language, disability, religion, national or social origin, birth or other status and, accordingly, an intersectional approach is required.

Another crucial aspect to address, when considering the targets of sexual hate speech, deals with the type of the Internet and social media users. The main reason why young women have been identified as a particularly vulnerable target group is linked to both their age and sex. Indeed, young people are the main users of social media and the internet but, in some member states such as Albania, there is a considerable disparity between men and women in the use of the Internet. Moreover, young people generally lack media literacy and knowledge of their rights, resulting in young women being identified as the main victims. Sexist hate speech has become so frequent even in the forms of a joke in

young people environments, especially at school, that young women have integrated it in their code and do not consider the seriousness of the phenomenon and do not stand against violence and abusive derogatory language.

Besides, a particularly attacked category of women is represented by those who consider themselves as feminists and human rights defenders, especially if they are visible in the media, such as celebrities, public figures, and journalists. In these particular cases, hate is used as a “defensive” response to feminism, its achievements, and claims. Emma Watson, UN Women Goodwill Ambassador, is a clear example of public figure been object of sexist insults, harassment, and hate speech.

As regards journalists, Pamela Morinière, from the *European Federation of Journalists*, claims that “Journalists are targeted because they are trained to tell the truth” (Peraro, 2016: 20). Indeed, the International Federation of Journalists reports that, in 2015, 109 journalists were killed and only three died of accidental death. Although both, female and male journalists die and receive threats daily, there is a substantial difference between the two, that is, only women receive sexualised threads. Accordingly, female journalists are discouraged to be sent out into the field whereas, online, they receive insults, threads, and harassments through emails and social media. What is more, there is also a risk of impersonation when their name is used to spread false statements. Interestingly enough, this is particularly frequent when dealing with issues that are traditionally considered male fields (such as politics and history), which exposes female journalists to an even more violent form of harassment.

#### *Measures Against Sexist Hate Speech in the European Union and the UK*

In the last few years, several proposals for action against sexist hate speech in different contexts have been advanced by different countries. In particular, the *No Hate Speech Movement* (NHSM) has set up several campaigns to raise awareness and fight sexist hate speech, including sexism and subtle sexism, encouraging people to report sexist hate speech. This is a particularly useful tool allowing the mapping of the phenomenon and, at the same time, it provides examples of different forms through which sexist hate speech exists online.

Through 2016-2017, the main aims of the NHSM campaign have focused on first, the denounce of song lyrics, films, games, commercials, and websites; second, the organisation of media and information literacy training; third, reaching out to social media platforms to push a report button labelling some words and expressions as sexist hate speech to take action against this type of content.

Concerning the proposed activities for the other council of Europe sectors, it is worth highlighting the updating of the recommendation on hate speech so that to be more inclusive of other categories that go beyond the binary distinction female/male. From a legal point of view, there has been a special interest in pushing for national laws addressing all forms of violence against women together with their effective implementation. This can be achieved through collective initiatives such as addressing the gaps in the current legislation by including the prohibition of hate speech as a core principle in the fight against all forms of violence against women. Moreover, the effective implementation of administrative and civil measures is necessary together with more effective training of the law enforcement officials (i.e. police, judges, lawyers) for them to take the issue seriously, using existing policies to track down perpetrators.

In terms of measures adopted to combat hate speech, it is worth considering the report *Responding to 'hate speech': Comparative overview of six EU countries* by the association *Article 19*, within the European campaign *Media Against Hate* of the European Federation of Journalists (Article 19, 2018). A comparative overview of the legal framework and practices related to 'hate speech' in the United Kingdom and five Member States of the European Union (EU): Austria, Germany, Hungary, Italy, and Poland is presented. The research finds hate speech to be a significant issue across all the countries investigated, in that they are failing to adequately address it, despite some examples of good practice. The main aim of the study was to comprehensively assess the legal and policy framework on hate speech in each country, with a particular focus on the media, to develop recommendations towards ensuring better protection of both the right to freedom of expression and the right to equality in the EU and the UK.

From the report, it is possible to identify widespread deficiencies in the respective national frameworks on hate speech in terms of their compatibility with the aforementioned international freedom of expression standards, as well as inconsistencies in the application of existing legislation. These deficiencies are responsible for making the legal framework open to political abuse, especially towards those minority groups that

the law should protect. What is more, the respective national frameworks generally fail to provide effective remedies to victims of hate speech, and are insufficient to enable instances of inter-communal tensions to be effectively resolved or to enable poor social cohesion to be addressed.

The Constitutions of Austria, Germany, Hungary, Italy, and Poland provide for both the protection of the right to freedom of expression and the right to equality. The right to freedom of information is additionally recognised either in a dedicated law or, in the case of Italy, in the jurisprudence of the Constitutional Court.

The association *Article 19* assumes that the lack of consistency in decision-making at the national level can be partially attributed to the lack of consistent guidance on how to approach 'hate speech' by the jurisprudence of the European Court. Indeed, the inconsistent approach of the European Court is echoed in 'hate speech' jurisprudence within the six countries under review. Accordingly, a case-by-case approach to 'hate speech' is usually employed. Nonetheless, it is important to highlight that the European Court has held on multiple occasions that certain elements do not constitute hate speech, not defining the precise meaning of hate speech, and has not adopted any specific hate speech test.

As far as the specific case of online hate speech, the broadcast regulations examined in all six countries contain both negative and positive obligations for the media that are applicable in relation to it. In Austria, for instance, the Communications Regulatory Authority (KommAustria) can order the temporary suspension of the reception and re-transmission of radio and audio-visual programmes originating from any EU Member State in the case of any “explicit and serious violation of the ban to contain incitement to hatred based on the difference of race, sex, religion and nationality” (Article 19, 2018: 29) committed at least two times within the previous twelve months.

In Germany, in terms of discrimination, the media law of North-Rhine Westphalia further requires private broadcasters to promote effective gender equality and the equal participation of persons with disabilities, and the integration of people with diverse cultural backgrounds through their programming.

In Italy, audio-visual media services are prohibited from transmitting programmes that contain incitement to hatred on any grounds. The legislation bans programmes "that instigate intolerant behaviours based on differences of race, sex, religion or nationality"

and "any incitement to hatred based on race, sex, religion or nationality" (Article 19, 2018: 30).

In the UK, Ofcom, which regulates amongst others broadcast media and the BBC, has legal obligations to promote plurality, diversity, and inclusion of minorities in the media. It prohibits the broadcasting of "material likely to encourage or incite the commission of a crime or to lead to disorder," including "hate speech which is likely to encourage criminal activity or lead to disorder". Hate speech is defined as "all forms of expression which spread, incite, promote or justify hatred based on intolerance on the grounds of disability, ethnicity, gender, gender reassignment, nationality, race, religion, or sexual orientation" (*ibidem*).

Self-regulation in the countries under review is very much conditioned by the specific media environment in each of them. What the research shows is that these mechanisms have been largely ineffectual in dealing with 'hate speech' in the media. This is largely because the press regulators are either captured by political or commercial interests and are designed to be toothless and self-serving (or both).

### *Conclusions*

The present work provides an insight into one of the most debated conceptual category in the anti-oppressive politics including its roots; the different forms it may assume, depending on the medium used to convey the abusive language and on the degree of explicitness of the abusive language (i.e. *covert, subtle, implicit* etc.), both online and offline; the impact it may have on the victims; the legal measures developed by different countries to contrast the phenomenon. On the basis of the analysis of previous and current research on the subject, a number of conclusions can be drawn. First, it is a phenomenon which is often overlooked, particularly by the media. Second, it has been observed that the lack of knowledge of what constitutes sexist hate speech increases the probability of use of the abusive language, especially among young people. Third, the victims tend to remain silent not only because denouncing is psychologically demanding but also for the insufficient or difficult to apply legal measures adopted. This is due to the discussed legislative gaps which fail to provide well defined boundaries between freedom of expression on one hand and gender equality on the other. Thus, it can be concluded that it is a phenomenon with real and detrimental consequences on women, considerably

affecting different spheres of their personal and professional life. Therefore, it is crucial to understand and univocally define what constitute sexist hate speech, including a more nuanced account of the type of expressions that can and should count as instances of hate speech. In addition, a great deal of energy and political effort must be devoted to developing more effective strategies to detect, characterise, and legally penalise sexist hate speech in all the forms it may assume, both online and offline. Finally, it is necessary to raise awareness that also those subtle and covert form of sexism, less explicit and rooted in our communicative conventions, in fact, represent abusive forms of language which still contribute to denigrate, undermine, and exclude women from different spheres of the social and professional life. Indeed, when a woman restrains her freedom of expression, of political, social, or artistic involvement, the whole society is negatively affected by the phenomenon since there is a loss of diversity of opinions resulting, in turn, in a threat to democracy itself.



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