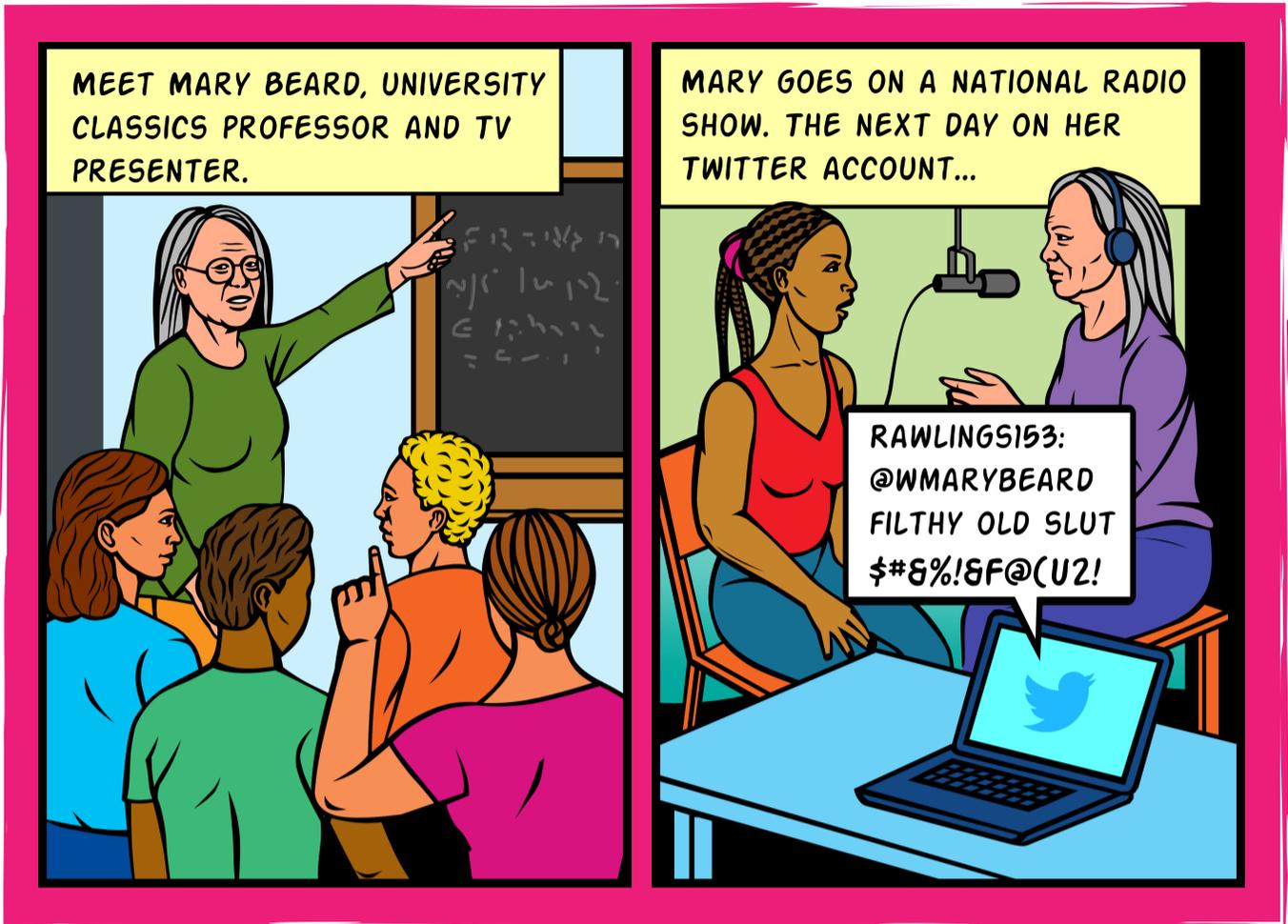


HATE SPEECH



1 2 3 4

HATE SPEECH INCLUDES WRITTEN, SPOKEN OR VISUAL DISCRIMINATION, HARASSMENT, THREATS OR VIOLENCE AGAINST A PERSON OR GROUP ON THE BASIS OF THEIR GENDER, DISABILITY, SEXUAL ORIENTATION, RACE, ETC.



Any speech that trivialises, glorifies or incites violence against women is hate speech, just as speech that trivialises the Holocaust is anti-semitic and speech that glorifies attacks on people because of their race is racist.

Online as elsewhere, we all have a right to freedom of expression, and some people hold pretty offensive views about women. Hate speech is not free speech, however, as freedom of expression does not trump freedom from violence. If speech is expressed in a particularly aggressive, inflammatory or sustained manner, then it may be considered hate speech.

Article 19 of the International Covenant on Civil and Political Rights guarantees the right to freedom of expression, but it also describes a three-part test for restrictions of that right. Any limitations must be:

1. “provided by law,” which means a law must already be in place for any restriction to be upheld
2. aimed at respect for the rights and reputations of others, the protection of national security or public order, or the protection of public health or morals
3. necessary to achieve the intended aim and nothing beyond that

In most countries, hate speech is forbidden when it incites violence or prejudicial actions towards others. In some countries, hate speech also covers disparagement or intimidation. It may be possible to seek protection and redress under civil law, criminal law or both.

HOW PEOPLE EXPERIENCE HATE SPEECH

REGARDLESS OF WHAT THEY ARE WRITING ABOUT, WOMEN BLOGGERS AND JOURNALISTS RECEIVE A DISPROPORTIONATE SHARE OF HATEFUL COMMENTS AND THREATS. WOMEN WHO WRITE ABOUT ANYTHING TO DO WITH WOMEN OR TACKLE SEEMINGLY MALE-DOMINATED SUBJECTS, SUCH AS GAMING OR POLITICS, RECEIVE AN EVEN BIGGER SHARE.

WOMEN ONLINE ARE CONSISTENTLY ATTACKED NOT ON THE MERIT OF THEIR IDEAS BUT ON THEIR SEXUALITY AND PHYSICAL APPEARANCE. THEY ARE ATTACKED SIMPLY BECAUSE THEY ARE WOMEN USING THEIR VOICES. IN THESE SITUATIONS, THE GOAL OF ABUSERS IS TO INTIMIDATE AND, ULTIMATELY, TO SILENCE FEMALE COMMENTATORS.

AS DANIELLE KEATS CITRON STATES, “[ANONYMOUS ONLINE HARASSMENT] DISCOURAGES WOMEN FROM WRITING AND EARNING A LIVING ONLINE. IT INTERFERES WITH THEIR PROFESSIONAL LIVES. IT BRANDS THEM AS INCOMPETENT WORKERS AND INFERIOR SEXUAL OBJECTS.”

THESE ARE ACTUAL QUOTES FROM WOMEN WRITERS AND ACTIVISTS ONLINE.

“You have the right not to be abused, not to be harassed, not to feel threatened or violated. You have the right to expect the authorities and Twitter and Facebook to protect you. You don't have to face ugliness and have it drive you offline. Stand your ground. People have been extremely supportive of me while I've been undergoing this experience. It's the abuser who should feel the shame, not you.”
Bina Shah

“But why should I shut up, or stop using Twitter? I want the cops to establish procedures to help women find their abusers, because I can't find him myself.”
Aparna Jain

“Speaking to friends who also blogged, but were men, I learned this type of abuse wasn't common, unless you were a woman. . . . Being a woman on the internet seemed to be enough to anger people, regardless of what you were writing.”
Dawn Foster

“My freedom of expression was really stifled by the messages. I decided to change my number and resign from my post.”
Anonymous DRC journalist

“I also will have people who create new accounts because they'll have their accounts blocked, and they just keep creating. There's a guy who is up to, I think, 40+ accounts . . . to tell me that if I were raped, I would deserve it.”
Mikki Kendall

“I can take the heat. Just shouldn't have to. And neither should u. Argue w/ my ideas, not my gender/race/pref.”
Amy Wallace

There have been days when whole groups of people have descended onto my timeline to call me every slur and insulting name under the sun, just because I am a Black feminist woman.”
Feminista Jones

“I feel it's my responsibility to speak to as many journalists as I can, in part to put pressure on platforms such as Twitter, and on the police, to take it seriously. If this has to happen to me, I am determined that I will use it to try as hard as I can to make sure it doesn't happen to anyone else. It's vital to make sure no one else is silenced.”
Caroline Criado-Perez

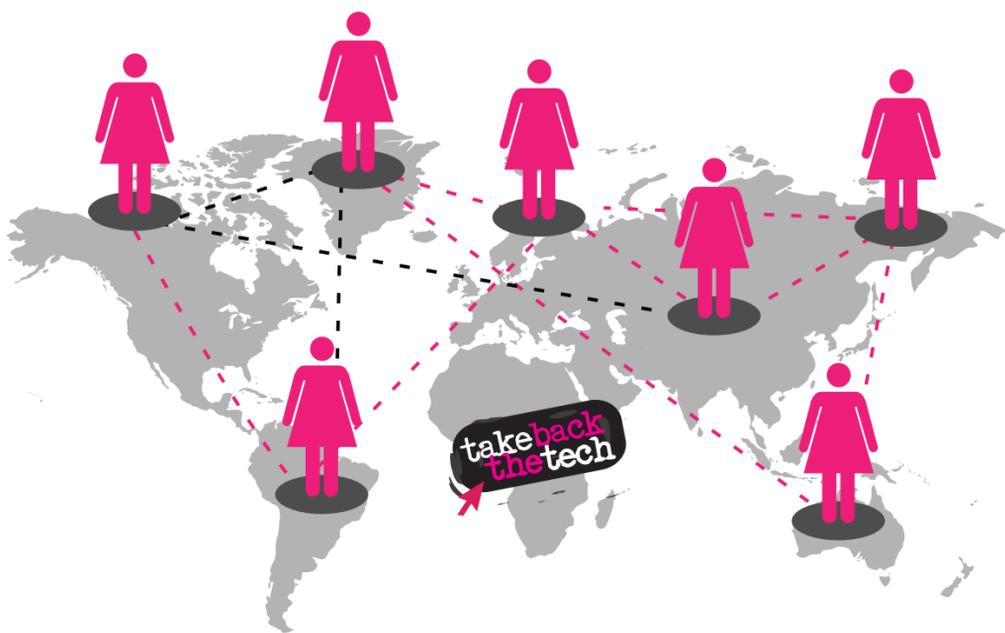
“When you need to go out there and fix shit in the world, Twitter can be awful. There's so much bullying. The whole point of Twitter is to give everyone a voice.”
Mona Eltahawy

“People always say of individual incidents, 'that's not very serious is it? Don't let it bother you.'”

But it's the accretion of all of these incidents of low level abuse that, and that's very true of female journalists. Both in the virtual world, and the real world, we encounter throughout our working lives low level abuse and low level harassment all the time.”
Catherine Mayer

“When I publicly shared what was happening to me, the perpetrators responded by escalating their harassment campaign and attempting to DDoS my website and hack into my online accounts. They also tried to collect and distribute my personal info including my home address and phone number. They made pornographic images in my likeness being raped by video games characters which they distributed and sent to me over and over again. Attempts were made to discredit me and my project by creating and posting false quotes or fake tweets attributed to me. There was also a flash game developed where players were invited to 'beat the bitch up'. Unfortunately I still receive threats and explicit images on a semi-regular basis.”
Anita Sarkeesian

RELATED RIGHTS



YOUR RIGHT TO FREEDOM OF EXPRESSION

ARTICLE 19, UNIVERSAL DECLARATION OF HUMAN RIGHTS: “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers.”

A great deal of hate speech is directed at women journalists, bloggers and activists simply because they are women. When a woman speaks up online, some people use hate speech to try to silence her or drive her out of a particular digital space. When the writer is a woman of colour and/or LGBTQI, she will often face hate speech attacking her gender, race/ethnicity and sexuality.

Women of all backgrounds have a right to use their voices and to express themselves however they want. Hate speech is a violation of this right. Many of the same people committing such violence are very vocal about their own right to free speech, ignoring how their attacks restrict the free speech of women. Hate speech is not free speech, and anyone working to promote freedom of expression online should be concerned about how hate speech affects this right for women.

YOUR RIGHT TO FREEDOM FROM VIOLENCE

UNITED NATIONS DECLARATION ON THE ELIMINATION OF VIOLENCE AGAINST WOMEN: “States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination. States should pursue by all appropriate means and without delay a policy of eliminating violence against women... [This includes] any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.”

Council of Europe Convention on preventing and combating violence against women and domestic violence: “Parties shall take the necessary legislative and other measures to promote and protect the right for everyone, particularly women, to live free from violence in both the public and the private sphere.”

Hate speech is a form of violence, and states have a duty to eliminate such violence. The United Nations International Covenant on Civil and Political Rights addresses hate speech in Article 20 but only when it advocates “national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence.” There is a movement underway, however, to address gender-based hate speech, and some online platforms include gender in their policies against hate speech.

YOUR RIGHT TO PRIVACY AND FREEDOM FROM DEFAMATION

ARTICLE 12, UNIVERSAL DECLARATION OF HUMAN RIGHTS: “No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.”

People who commit hate speech sometimes engage in doxing, which is hacker slang for publishing someone’s personal contact information online to intimidate or punish them. Doxing is an obvious violation of your right to privacy and anyone who does this without your permission is breaking the law. Generally, in law, the right to privacy trumps freedom of expression.

People who spend their time committing hate speech against women online take advantage of the anonymity the internet can give them. As with freedom of expression, some of the same people who violate women’s privacy online do so while fiercely maintaining their own right to privacy.

YOUR RIGHT TO WORK

ARTICLE 23, UNITED NATIONS UNIVERSAL DECLARATION OF HUMAN RIGHTS:

(1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment. . . .

(3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection. . . .

Hate speech interferes with women’s professional lives. Online attacks discourage women from writing and earning a living on the internet. Media outlets should take action to ensure that their commenting policies do not allow hate speech and that they have protocols in place for dealing with such violence when it appears.

US lawyer Danielle Keats Citron posits that online abuse constitutes “discrimination in women’s employment opportunities”. She argues that gender-based attacks on women publishing on the internet should be against the law in the US under Title VII of the Civil Rights Act of 1964, which outlaws discrimination based on race, religion, or gender.

YOUR RIGHT TO PUBLIC PARTICIPATION

ARTICLE 27(1), UNITED NATIONS UNIVERSAL DECLARATION OF HUMAN RIGHTS: “Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.”

Since hate speech is designed to silence women and push them out of public spaces, it affects the right to participate in culture and reap the benefits of scientific advancement, including technology. As the internet has become a key public sphere where broad-ranging decisions are made, policies and strategies are debated, opinions are expressed, ideas are shared and work is performed, women’s right to participate in online culture is a critical part of full participation in public life.