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Women's digital body and foundamental rights.
Advertising, hate speech and cyber VAWG

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People might broadly agree that society's failure to address gender-based violence and crimes is symptomatic of a wider social failure to respect and honor each other regardless of sex, age, creed or race. Culture is the sphere where we socialize ourselves and the Internet, global in its reach, is a dimension of that sphere. However, they are also being used as tools to inflict harm on women and girls.

As the internet evolves and social media and networking tools increasingly become an intrinsic part of people's lives around the globe, violence against women and girls (VAWG) evolves too.

The growing reach of the Internet, the rapid spread of mobile information and communications technologies (ICTs) and the wide diffusion of social media have presented new opportunities and enabled various efforts to address VAWG.

Cyber-VAWG is emerging as a global problem with serious implications for societies and economies around the world. The statistics pose risks to the peace and prosperity for all enshrined in the Charter of the United Nations, and, in particular, to the goals of inclusive, sustainable development that puts gender equality and the empowerment of women as key to its achievement.

Attitudes and norms that contribute to cyber VAWG must be addressed with urgency. A collective global effort, led by the United Nations system, has put in place the pillars for a 21st century sustainable development paradigm. The Sustainable Development Goals (SDGs) establishing the global development priorities for the next 15 years includes a goal on gender equality, which places women's access to technology for their empowerment as one of the core indicators for progress. For this to be realized, all stakeholders must take accelerated actions to ensure a safer, more secure Internet for present and future generations – one without endemic VAWG.[1]

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1. Women's body on the web-media: clear discrimination

Spend a day watching YouTube videos, TV shows, and the "news" and readers will be stunned at dichotomy between what we are *saying* is possible for women today (that they can ascend to leadership, launch their own successful businesses, and sit at the board table equally with men, rather than being relegated to low percentage of corporate leadership), versus how women are *actually* being depicted in the media. Popular media (internet first) focuses much more heavily on a whole host of negative or limiting aspects of women, including an intense scrutiny of and emphasis on their looks (think about the obsession US media have with Hillary Clinton's hair and Italy media with Maria Elena Boschi's new look), and a keen focus on how they're struggling so hard to balance life and work, how catty and demeaning they can be to each other, or how they'll throw each other under the bus in order to rise to the top.

There is an enormous variety of images, or representations, of females in magazine and web advertising, ranging from pictures of women with wrenches, to thoroughly sexualized and eroticized depictions. Much of the attention of sociologists has focussed on ways in which women are shown in subordinate, subservient and male pleasing roles, and on how media representation reflects and reinforces sexism in society. It is useful to alert people to some of the more common stereotypes and patterns in the way the female is displayed in popular culture, focussing on mainstream magazine ads, and to help the viewer become aware of some of the obvious, and more subtle, ways in which women are visually subjugated. There is a large universe of print and online media, in a constant state of change, so it is difficult to say (certainly in quantitative terms) if subordinating images constitute the majority of images, but certainly there are lots. [2]

The artificial look - consumers are surrounded by an ideal of female beauty which is impossible to achieve because it is artificial. Firstly the images themselves are created artificially, by studio lighting, by air brushing, and by computer enhancement. Secondly the models themselves not only have a body type (tall, long legged, narrow hipped) that is characteristic of only about 5 per cent of females, but often their bodies are artificially constructed, most commonly with breast implants. Yet, in spite of being so unrepresentative of real women, this tends to be the only female body type we see in the mass media. Women tend to be judged, and judge themselves, against this artificial standard; failure is inevitable. This idealized image of female beauty means women must transform themselves; to be who they are naturally is not OK. In the media images she is often transformed into a doll, a puppet or a mask, a thing rather than a human being.

Dismemberment - Women are often presented in a dehumanized way in mass media images, their humanity sacrificed to display the artificial ideal. Women are not only turned into a thing, but the thing is broken down into component parts, each of which also represents an ideal form. She is dismembered. Hence we get numerous images of lips, legs, breasts, butts, torsos - female body parts. Frequently in such images the head is missing, emphasizing that females are not valued for their intellect, but for their external form, their curves. Presenting women as fragmented and disconnected body parts detracts from thinking about women as real people with their own intellect, feelings, dreams and desires. Women become objects for consumption.

Commodification - Women are frequently presented as a product for male pleasure and consumption. A visual association may be made between some product, often alcohol, and the female form. The female and the product become equivalent and interchangeable, and both are promoted as a pleasure object. Females are presented as a thing, a commodity, and in doing so their humanity and subjectivity is denied. Their role is to cater to others' needs and desires, and males are persuaded to think of females as their pleasure providers.

The feminine touch - Women are often presented as desirable commodities - objects for pleasure. Women's hands therefore are less likely depicted engaged in practical, utilitarian activity (conversely male hands may be depicted grasping, manipulating or holding objects) and more likely to be shown tracing the outlines of objects, cradling them or caressing their surface. This pattern in the representation of female hands is called "the feminine touch". The soft, delicate, caressing touch conveys the idea that the product being caressed is precious and desirable. A variation of this is self touching; the women's body becomes the precious product - another way in which females are dehumanized and objectified in common mass media images.

Relative size - The positioning of bodies displays appropriate social roles for the genders, that a person's behavior and appearance can be expressive and symbolic, communicating to observers about their social identity, about their inner states and feelings, about their intentions and expectations, and about the nature of their relationships with others. This approach to understanding human behavior is known as the symbolic interactionist perspective. In every culture symbolic codes are developed (codes of "indicative behavior") which are used for expressing idealized social identities and relationships. Images of women and men together in the media often draw on these indicative codes. For example when females and males are shown together, males are mostly shown as taller than females, even though if females and males were randomly paired together, in one in six pairs the woman would be taller. However the tall female with the short male displays a relationship in which the female has power, according to conventional indicative codes, and so the reverse is preferred, since the cultural ideal is the male "should wear the pants". Therefore the most common image is the taller male, and the shorter female. Exceptions occur where the male is weakened by sickness or old age, or is of lower social status (such as a servant) than the female. Height routinely symbolizes social rank.

Function ranking - Activities can also be expressive and symbolic - who is shown doing what in the image? For example which gender is most likely to show caring for children? Very commonly when persons in the image have functions, these functions are ranked, with the male carrying out the senior functions, the female the junior functions. Men act, and women help men act. Males are more likely to be shown in the executive or leadership role, with females in the supportive, assistant, or decorative accessory role.

Ritualization of subordination – There are a number of symbolic ways in which indicative behavior displays the subordination of females to males.

On the floor - Deference may be symbolized by lowering oneself; in many cultures subordinates express their subservient relationship by prostrating or bowing. To get down on a floor or recumbent on a bed puts a person physically lower than others in a social situation, and this can indicate social identity and social relationship. Thus beds and floors become appropriate places to position females on. Combined with physical lowering, other body language (expressions of the lips and eyes, positioning of hands and limbs) can also be used to convey a social identity as a plaything for males, or as available for the male gaze and male pleasure.

The kiss – there are numerous examples of women not only being aggressively pursued, even hunted down, by males, but also showing them wanting to be chased and wanting to be caught. Their initial refusal is shown a front concealing the desire to be pursued. When they are finally cornered and kissed they are overwhelmed with burning passion for their pursuer. If these images have any persuasive power, they would obviously contribute to a situation in which males expect females to submit to their sexual needs, and to misinterpret refusal as desire. Magazine images also often convey this idea that sex is about male aggression and female submission.

Woman as child - Women are commonly pictured in a childlike role, sitting on a male's knee, or being shielded and protected by the male. Females may also be shown being lifted up in the air just as adults toss little children around. Women may also be shown infantilized, putting their finger coyly in their mouth, standing pigeon-toed, wearing little girl clothes, sucking on lollipops. Older women are very under-represented in ads; the message to females is, "don't grow up - stay passive, powerless and dependent".

Licensed withdrawal - Another way in which women are disempowered is by displaying them as withdrawn from active participation in the social scene and therefore dependent on others. This involvement with some inner emotional processing, whether anxiety, ecstasy or introspection, can be symbolized by turning the face away, looking dreamy and introverted, or by covering the face, particularly the mouth, with the hands. Rather than being portrayed as active, powerful and in charge, females are commonly shown in this licensed withdrawal mode, removed into internal involvements, overcome with emotions, or symbolically silenced with hand over the mouth. In another variation, females are frequently shown withdrawn inwards into some dreamy introverted state; they pose, become things for others to gaze at and desire. Males will stereotypically be shown active, engaged, and in charge of the situation. They are not so much objects for others' to gaze at, as actors with occupations and professions.

Faced to any feminist objection advertisers replay that ads represent the reality as it is. The statement is false. Lots of studies clearly emphasizes how advertising which conveys discriminatory and/or degrading messages based on gender and all form of gender stereotyping don't necessary show the reality, but they are real obstacles to an egalitarian society[3].

A recent Italian research found that advertising voluntarily tells differently women and men [4], despite since 2008 the European Parliament invited to eliminate gender stereotypes and the advertising sexist and degrading to women [5].

The research identifies some categories to classify how advertising depicts women and men, and examines where (in which category) advertisers have invested to represent women and men (ads products in December 2013). In 64,17% men are depicted as professional or athlete. In 81,27% women are depicted as objects for consumption and to satisfy male needs: model, decorative, sexually available, mannequin, dismemberment, preorgasmic (fig. 1).

In real life Italian women are everything but this: for twenty years they graduate more often than men, more quickly and with better grades.

Fig. 1

Category	Women %	Women investment (euro)	Men %	Men investment (euro)
Professional	9,16	12.447.630	50,97	33.567.194
Athlete	1,40	280.403	13,20	3.548.854
Parent	5,89	6.163.034	4,32	2.831.799
Spouse	0,60	686.946	0,68	546.671
Lover	0,33	32.514	0,23	148.996
Dismemberment - Person are presented in a dehumanized way, as fragmented and disconnected body parts detracts from thinking about them as real people.	4,01	3.169.242	4,07	680.685
Model – Model is a prototype of "beauty", and as such is worthy of emulation, for the purely aesthetic and superficial reasons, any other skills or personal characteristics is not relevant.	35,53	32.604.251	20,71	7.256.844
Sexually available - lots of advertising show facial expression and body language that suggests that the person depicted is sexually available.	12,91	10.894.274	1,71	487.337
Decorative - decorative fill the space (void of ideas) with their beauty.	20,20	16.781.362	3,53	1.704.963
Mannequin - Women are characterized by a certain rigidity expressive, exaggerated by makeup and (generous) use Photoshop, no movement	6,69	1.216.875	---	---
Preorgasmic – no comment needed	1,94	1.101.149	---	---
Emotional - the woman is characterized by a state of "altered consciousness", usually triggered by every day products.	1,34	1.506.198	---	---

Moving to another part of the world, things do not change.

A study of Australian new media in November 2009 found that only 24% of people who were heard, read about or seen in news stories were female. In sports stories this figure fell to 1%. Of the 24% of females in news stories, 44% were victims of crimes, accidents, war, health problems or discrimination.

Family status (mother, daughter, wife, sister, or other family relationship) was mentioned for 33% of women quoted or discussed in the news stories. Only 13% of men had their family status mentioned. In 75% of news articles women were described as homemakers or parents. Only 32% of the stories were presented or written by female reporters and newsreaders. [6]

When people are repeatedly shown images of women as victims, sexualised, or in domestic roles, they are more likely to accept these images as normal. When women are portrayed as passive, dependent or weak, it can seem unusual for them to be active, independent or powerful in society.

This can affect both men's and women's ideas about which careers women might be good at, how important it is for women to be sexually attractive, and whether women should be in positions of authority.

2. Gender hate speech and free speech: there is a conflict between them ?

Internet changed, and still is changing, the relationship between individuals and information and communication. Internet enables anyone and everyone to express themselves, to publish what they want, to leave a comment that can be read and re-commented, disseminating the dominant male and sexist culture. Internet – social networks and others – can reflect what people really think. Internet does not forget and hardly allows people to forget. Internet too often shows the human intolerance and discrimination, against those who are different or week and against women.

Hate speech may be defined as expression which is likely to cause offence or distress to other individuals on the basis of their association with a particular group and/or incite to "hate" those group. It is growing phenomenon on the web, under examination by the institution. Lots of hate speech in Internet are addressed against women, most of them are markedly sexist, inspired by the idea that women are subordinated to men and must be dedicated to their pleasure and taking care of the house. As a consequence women should not reach senior position in politics or companies.

In 2013 UN Women advertisement series revealed widespread prevalence of sexism and discrimination against women [7]. Ads are based on searches made with the autocomplete Google system, which show to the writer the most popular searches combined with the words he typed. Typing on the search engine the words "women should" or "women should not" the researcher discovered that system automatically complete them with negative sentiments ranging from stereotyping as well as outright denial of women's right. Few examples: women should stay at home, be slaves, be in the kitchen, not speak in church; women shouldn't have rights, vote; women cannot drive, be trusted; women need to be put in their place, know their place, be controlled, be disciplined …

These results clearly show how far we still have to go to achieve gender equality. For UN Women, the searches confirmed the urgent need to continue making the case for women's rights, empowerment and equality, a cause the organization is pursuing around the world.

In 2014 the Italian Association *VOX diritti* - with the universities of Milano, Roma and Bari - monitored the words of intolerance, using the social network Twitter. They spent more than eight months to extract and study nearly 2 million tweets, to monitor online communities, those considered significant for the guarantee of anonymity they offer (and therefore for greater "freedom of expression") and interactivity they guarantee. Then they developed "maps" that show the level of intolerance on the web against women, homosexuals, immigrants, the disabled and Jews [8].

The maps show an Italy with a high rate of hate and intolerance. An Italy that takes issue with those who are perceived as weak or weaker, and especially with women: that against women, is the most important form of intolerance.

There are no reasons to believe that things are different all over the world.

To restrict hate speech is quite difficult. The first common objection is that free speech is a fundamental right, guaranteed by all UN and UE Charter, so that preservation of freedom of expression requires vigilance by everyone. It is absolutely true, and free speech online requires the vigilance particularly of those who use the Internet. Some suggest that the establishment of a Cyber Civil Rights Initiative through international collaboration is necessary to ensure a safe Internet. Others still stress that international human rights principles already provide the underpinning for a safe Internet, with the Human Rights Council's recognition that human rights apply offline as well as online.

Any action to challenge (even) hate speech and gender stereotyping must be tailored to the difficult framework that surrounds media regulation and the varying cultural approaches to the role of women and men in society across the different States. Furthermore, in most countries interference in the media sector is highly unusual and so binding provisions might not always be appropriate.

On the other hand, there should be no doubt that phrases and epithets insulting or "fighting", vulgar and obscene – those which, by their very utterance, inflict injury or tend to incite an immediate breach of the peace - are not an essential part of any exposition of ideas, and are of such poor social value for the truth of any fact, to exclude any possibility of invoking freedom of expression to justify their use. In these terms expressed the Supreme Court of the United States, a country that consider freedom of expression as a symbol of all freedoms[9].

The European Court, in its settled case-law, held that the forms of expression that are overflowing in hate speech is a limit to freedom of expression, to preside with criminal sanction. Therefore forms of expression which spread, incite, promote or justify hostility based on intolerance can not be protected under the art. 10 of the Convention [10].

3. Words hurts: incitement to violence and discrimination

Words published, repeated, commented … they not remain without consequences and we can not underestimate the effect of repetitive hateful words.

The habitual repetition of hate speech in front of huge audiences, regardless of the vehicle, eventually convince of a number of people that, yes, there are women who deserve to be sexually harassed, raped stoned, killed. Internet also allows the circulation of contents greater and faster than any other communication media, potentially for unlimited time, even when the content is removed.

Gender hate speech is often directed toward women who reached the power. Telling a woman that holds public office that she is a prostitute, or that she had the job not as the result of study and expertise, but only thanks to sexual prowess, is not only derogatory and defamatory: it seriously undermines the image of women in society, since it provides an example "to imitate".

Starting from sexist utterances it is easy to pass to verbal violence, that can instigate even physical violence; this can happen also encouraging comments on sexist post and video. Gender hate speech offends gender equality, personal dignity, individual freedom, sexual freedom, the social life, the right to work and, not least, the physical and mental integrity and health of women.

UN[11] and UE[12] charters state gender equality and outline a protection system that, if necessary, requires recourse to criminal prosecution. UE often highlighted the links existing between the representation of women in public space and real violence, and the fact that a certain kind of stereotypes can encourage the violence [13]. Most recently it urged States to eliminate gender stereotypes, and to make combating violence against women a criminal policy priority[14].

The German philosopher Hannah Arendt said, "*With the word and act we join the human world, and this insertion is like a second birth.*"[15] Then yes, a word thrown like a stone poisons the minds and distorts thinking. And in the end may be gesture: Hitler and the Nazis were careful to blot out the name of their victims, reducing them to the tattooed on their arms.

4. Cyber VAWG

The 2015 report on cyber VAWG, released by the United Nations Broadband Commission, reveals that almost three quarters of women online have been exposed to some form of cyber violence. Millions of women and girls around the world are subjected to deliberate violence because of their gender. Violence against women and girls knows no boundaries, cutting across borders, race, culture and income groups, profoundly harming victims, people around them, and society as a whole.

Cyber violence is just as damaging to women as physical violence, women are growing even more vulnerable to cyber violence as more and more regions gain internet access.

The report estimates that 73% of women have endured cyber violence, and that women are 27 times more likely as men to be harassed online. In Europe, nine million girls have already experienced some kind of cyber violence by the time they're 15.

The U.N. defines violence against women as "*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.*" The report notes that cyber violence is an extension of that definition, that includes acts like trolling, hacking, spamming, and harassment.

The report also argues that cyber touch is recognized as equally as harmful as physical touch, suggesting that online harassment might be just as lethal as domestic violence or sexual abuse. "*Dead is dead,*" says Phumzile Mlambo-Ngcuka, Under-Secretary-General of the U.N. and Executive Director of U.N. Women. "*Whether you are dead because your partner shot you or beat you up, or you killed yourself because you*

couldn't bear cyber-bullying, or you were exposed to many of the sites that lead people to suicide pacts— bottom line, we lose a life."

Even if women don't end up dead cyber violence can still dramatically affect women's ability to participate in the modern world. With 450 million more women expected to come online in the next three years, more and more women are relying on the internet for educational and professional resources.

If the internet isn't a safe place for them they risk swearing off it altogether. If the woman is tormented, she may then decide that she doesn't want to have anything to do with technology. To be disconnected from technology in the 21st century, it's like having her own freedom disrupted: her own right to work, her own right to meet people, her own right to learn, her own freedom of speech. So if women become so intimidated and traumatized from the experiences they may have, it's a whole world that will be lost to them for the rest of their life.

Cyber VAWG includes hate speech (publishing a blasphemous libel), hacking (intercepting private communications), identity theft, online stalking (criminal harassment) and uttering threats. It can entail convincing a target to end their lives (counselling suicide or advocating genocide). The Internet also facilitates other forms of violence against girls and women including trafficking and sex trade. Not only does commercialized sex on the Internet drive the demand for the sex industry overall, it also allows traffickers to use the legal aspects of commercial sex on the Internet as a cover for illegal activities

The use of WhatsApp instant messaging, for example, has become, according to some reports, the latest harassment tool of choice in countries like India and Malaysia, and increasingly around the world. Pornographic imagery produced in one country now lands in the hands of anyone anywhere.

Violence online and offline, or 'physical' VAWG and 'cyber' VAWG, feed into each other. Abuse may be confined to networked technologies or may be supplemented with offline harassment including vandalism, phone calls and physical assault. Similarly, the viral character of distribution is now explosive. What was once a private affair can now be instantly broadcast to billions of people across the digital world.

Furthermore, studies show that after viewing pornography men are more likely to: report decreased empathy for rape victims; have increasingly aggressive behavioral tendencies; report believing that a woman who dresses provocatively deserves to be raped; report anger at women who flirt but then refuse to have sex; report decreased sexual interest in their girlfriends or wives; report increased interest in coercing partners into unwanted sex acts. Boys aged 12-17 are the largest consumer group of Internet porn. This suggests that the first images and information surrounding sex that a young boy is exposed to would include violence towards a woman.

4. Conclusions

The 2015 report on cyber VAWG, released by the United Nations Broadband Commission urges governments and industry to work harder and more effectively together to better protect the growing number of women and girls who are victims of online threats and harassment.

It's usually difficult to convince some people that this is a problem to take seriously. She recalled some resistance from industry leaders, particularly in the gaming space, who seemed to think that cyber

violence was not their problem. The usual attitude is like, '*this sells, this is a business we make money off it, so what are you asking us, to reduce profits?*'.

It is necessary to emphasize that cyber violence exists on a continuum with physical violence, and that both problems are byproducts of a society that is inherently unequal for women.

The report warns that without effective legal and social controls of online anti-social and criminal behaviors, online violence will continue to grow as a threat to women. The report sets out three key recommendations for establishing a global framework to counter online violence.

These are:

- Sensitization – Preventing cyber violence against women through training, learning, campaigning and community development to promote changes in social attitudes and behavior,

- Safeguards – Implementing oversight and maintaining a responsible Internet infrastructure through technical solutions and more informed customer care practices, while ensuring the respect of other freedoms and rights,

- Sanctions – Develop and uphold laws, regulations and governance mechanisms to deter perpetrators from committing these acts.

Failure to address and solve cyber VAWG could significantly impede the digital inclusion of women everywhere, putting women at increasing disadvantage for being excluded from enjoying the benefits of ICTs and the Internet.

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[1] Report by the UN Broadband Commission for digital development working group on broadband and gender, published on 2015 September 24th.

[2] http://www.jeankilbourne.com/; http://www.cabrillo.edu/~mmoore/imageswomen.html

[3] Among others: UE study *Women and Girl as Subjects of Media's Attention and Advertisement Campaigns: The Situation in Europe, Best Practices and Legislations*, 2013 www.europarl.europa.eu

[4] *Come la pubblicità racconta le donne e gli uomini in Italia*, research by Art Directors Club Italiano with Università Alma Mater of Bologna and Nielsen Italia, https://giovannacosenza.files.wordpress.com/2014/11/come-la-pubblicitacc80-racconta-gli-italiani.pdf

[5] European Parliament resolution of 3 September 2009 on how marketing and advertising affect equality between women and men (2008/2038(INI)), ; UE *New Strategy for gender equality post 2015*, www.europarl.europa.eu

[6] http://www.communities.wa.gov.au/

[7] *The Autocomplete Truth*, http://www.unwomen.org/en/news/stories/2013/10/women-should-ads

[8] http://www.voxdiritti.it/ecco-le-mappe-di-vox-contro-lintolleranza/

[9] U.S. Supreme Court, Chaplinsky v. New Hampshire - 315 U.S. 568, 1942

[10] Gunduz vs. Turkey, 2003; Vejdeland and others vs Svezia, 2012, which also examines the connection between verbal violence and physical violence, which – pursuant to the Court - justifies the intervention of the State

[11] Convenzione sull'Eliminazione di ogni Forma di Discriminazione contro le Donne – CEDAW (1979); Dichiarazione sull'eliminazione della violenza contro le donne, adottata dall'Assemblea dell'ONU nel 1993

[12] artt. 2 e 3 TUE, artt. 8, 10, 19, 157 TFUE, art. 21 e 23 Carta dei diritti fondamentali dell'Unione europea

[13] Risoluzione del Parlamento europeo del 25 febbraio 2014 recante raccomandazioni alla Commissione sulla lotta alla violenza contro le donne (2013/2004(INL)

[14] Convenzione Europea dei Diritti Umani – CEDU – che presidia il rispetto della parità vietando ogni forma di discriminazione (art. 14), Risoluzione del Parlamento europeo del 12 marzo 2013

15 *Taking Charge: On Responsibility and Personal Identity,* Di Manuel Cruz