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Challenging Media (Mis)Representation: An Exploration of Available Models

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Abstract

This article is a theoretical analysis aimed at articulating the harm caused by media (mis)representation, and at showing existing ways in which this harm can be contested. The approaches analysed are largely from the United Kingdom. However, the issues they raise are not unique and the models explored are potentially transferable. The examples cover a range of media, including British right-wing press, television and *Facebook*; and characteristics protected by equality legislation in the UK such as sex, sexual orientation, race, religion and mental health stigma. Crucially, all the initiatives presented demonstrate the group-based nature of media (mis)representations, which cannot be understood and, therefore, cannot be addressed through individualistic approaches. Therefore, the article concludes that the role of groups as the targets of media (mis)representation and as potential claimants should be fully acknowledged and enabled.

Keywords

Hate speech; organised civil society; media regulation; anti-hate campaigns; media stereotypes and stigma; British right-wing press.

Introduction

Speech that uses demeaning stereotypes, that disparages or maligns disadvantaged groups—(mis)representation—is not frequently considered hate speech. However, not only does speech of this sort form part of the context where discrimination and hate crime occur, it also inflicts a discreet harm in and of itself. This paper explores the harm caused by this sort of speech and suggests the crucial role of individuals and the organised civil society in challenging its use and seeking redress.

The term 'organised civil society' as used in this article references groups of people that organise themselves in order to work towards the achievement of a common aim(s) such as challenging media (mis)representations. The groups mentioned in this article differ from each other in many respects but also have commonalities. All have identified issues that affect the groups they represent—locally and internationally—and have undertaken a range of initiatives in order to redress such issues. Groups of this type are often identified as essential for social movements that seek justice and equality and there is a vast literature about their development, strengths and weaknesses including issues of internal and external dissent (see Baker et al. 2004: 189-207; Perez Portilla 2016: 101-109).

This article is principally a theoretical analysis aimed at articulating the harm caused by media (mis)representation and at showing existing and potential ways in which this harm can be contested. The approaches analysed are largely from the United Kingdom (UK). However, the issues they raise are not unique and the models explored are potentially transferable.

The article is structured in two main parts. The first explores the concept of media (mis)representation and outlines its various manifestations in order to name and describe the phenomenon before proceeding to assess its impact. I argue that (mis)representations are matters of injustice which serve as a means of continuing the dynamics of power and discrimination while inflicting harm in and of themselves. The second part provides a theoretical analysis of contemporary models aimed at contesting media (mis)representations. This includes a range of examples which clarifies why media (mis)representations are a group-based issue and shows the crucial roles that groups can play as targets and as complainants.

The concept of media (mis)representation: Manifestations and impacts

Hate speech can be seen as an umbrella term that refers to speech that is threatening, abusive or insulting, and intended to stir up hatred against people on grounds specified in the relevant legislation. However, every jurisdiction that has enacted hate speech laws has done so in different terms and there are often high thresholds aimed at protecting freedom of expression. In the UK, the *Public Order Act 1986* covers *incitement* to racial, religious and sexual orientation hatred. Besides there being higher thresholds in this Act in relation to religion and sexual orientation compared to racial hatred, there are also specific 'freedom of expression protection' savings (Part 3A ss. 29J and 29JA). These savings, in effect, leave generalised prejudice and stereotyping in mainstream public discourse outside hate speech laws remit. In the view of Malik, however:

> Prejudice and stereotypes in the mainstream media may in fact be more pernicious [than hate speech] because these views and representations are normalised and presented as the ordinary truth about the world in which we live. (Malik 2009: 105)

In a variety of ways and across disciplines, similar views have been expressed by many (Abel 1998; Allport 1979; Ameli et al. 2007; Berg 2002; Dyer 2002; Hall 1997; Parekh 2006; Ramirez Fraser 2003; Young 1990). However, what has been less explicitly discussed is what can be done about speech that falls outside hate speech boundaries specifically set in legislation. Generalised prejudice and stereotyping can take place in everyday interactions, jokes and educational

materials. They can be found in mainstream media, whether generated or reproduced. *Media (mis)representations* of this sort are then subtler but insidious manifestations of hate speech, which are often a central dynamic in discrimination and should, therefore, be addressed and redressed.

Media (mis)representation: Manifestations, dynamics and context

Media (mis)representations are materialised in products: advertisements, images or comments in a television (TV) or radio programme that are stereotypical and/or demeaning. However, they are part of a wider problem which involves a series of inter-related issues in relation to, for example, the conscious or unconscious exclusion of certain groups from appearing in mainstream media. Limited and clichéd representations reinforce stereotypes and do not reflect the diverse composition of society. This issue could be termed *(under)representation*. A further issue relates to the potentially biased or partisan way in which news is reported; for example through derogatory and stereotypical references, lack of balance and objectivity, intolerance, the linking of individual behaviours to entire communities and the reporting of, and platform given to, discriminatory ideas and views without challenge: *coverage*. Moreover, these issues together can be in part the result of the broadcasting structures themselves. This means that negative images and messages are the outcome not only of widespread racism and sexism, but also of the way in which the media is structured. This includes their policies (or the lack thereof), their recruitment/promotion procedures, the existence of pay gaps, the ways in which sponsors' demands are responded to, and the processes and culture generated by those involved in the media industry: *behind the scenes (under)representation*. These categories are explained in Perez Portilla (2016: 228-236). They are the result of an analysis of the strengths and limitations of hate speech legislation in the UK, a consideration of the kind of issues included and ignored by media regulators, and an analysis of the main concerns expressed by some groups from the organised civil society.

These issues can overlap but they are distinct from one another and require individual redress. For example, (under)representation cannot be redressed solely by including a few more ethnic minority faces on and off screen; the conditions imposed on such inclusions also need to be critically assessed. Moreover, the issues outlined above can overlap and operate simultaneously with other disadvantages that some groups experience in the media and elsewhere. For example, female journalists can potentially offer views and life experiences different from their male counterparts. However, the media is an environment in which women are not always fully welcome, not only because of ageism or because of difficulties in reaching the highest positions in the industry but also because of harassment from consumers.[1] Research commissioned by *The Guardian* newspaper has confirmed this quantitatively. Analysis of the 70 million comments left on its website since 2006 revealed that, whilst the majority of their opinion writers were white men, eight of the 10 most abused writers were women, and the other two were Black men. As evidenced in this research, women attract more abuse and dismissive trolling than men regardless of what their articles are about. At its most extreme, online abuse can take the form of threats to kill, rape or maim (Gardiner et al. 2016).

Another example of the media as an instrument or a continuation of power and of the connections between media issues and wider inequalities (including political attitudes and ideologies) was exposed by the United Nations High Commissioner for Refugees. This organisation commissioned Cardiff University School of Journalism, Media and Cultural Studies to explore media coverage on the refugee crisis that peaked in 2014. Countries surveyed were the UK, Germany, Sweden, Spain and Italy. The study, which examined 2000 news stories, reported that Britain's right-wing media was uniquely aggressive in its campaign against refugees and migrants. This element of the media tended to feature accounts which stressed the threat that refugees and migrants posed to domestic welfare and health systems at a much higher level than the other countries in the sample. Moreover, whilst British television news reporting was found to feature some of the most

empathetic coverage in the sample, it tended to frame the crisis as a problem of illegal immigration rather than one which partly involved the resettlement of refugees. As a consequence, when discussing possible responses to the 'crisis', reports from the BBC and ITV focussed on discussing the need to strengthen UK and European Union (EU) borders (Berry et al. 2016).

Similarly, the European Commission against Racism and Intolerance (ECRI) reported in 2016 that, in the UK, 'certain tabloid newspapers, which are the most widely read national dailies, are responsible for most of the offensive, discriminatory and provocative terminology' (ECRI 2016: 18). Christian Ahlund, ECRI's chair, said 'it is not a coincidence that racist violence is on the rise in the UK at the same time as we see worrying examples of intolerance and hate speech in the newspapers, online and even amongst politicians' (Council of Europe 2016). Similarly, in relation to the language used by politicians, the British Equality and Human Rights Commission suggested that politicians have legitimised hate after the Brexit vote (UK's EU Membership Referendum, 23 June 2016) and that they must avoid polarising language. Its chair, David Isaac, published a letter to the UK political parties asking for a toning down of their Brexit rhetoric and stated that 'racist, anti-Semitic and homophobic attacks have taken place in the aftermath of the referendum and are all stains on our society' (Isaac and Hilsenrath 2016). This response came after the 2016 ECRI report which expressed concern about the existence of considerable intolerant political discourse in the UK, including the use of terms such as 'invasions' or 'floods' with reference to the migrant crisis ECRI made particular reference to the language used by the then Prime Minister, David Cameron:

> ... when asked about the Calais crisis in July 2015, [he] spoke of a 'swarm' of people crossing the Mediterranean seeking a better life in Britain. The UN Special Representative of the Secretary General for International Migration accused politicians of adopting a 'xenophobic response' to the migrant crisis and said their language had been grossly excessive. (ECRI 2016: 17)

The harm of media (mis)representations: A matter of justice

In order to articulate the harm caused by media (mis)representation, this section argues that media (mis)representation is a matter of (in)justice and a harm that plays a central dynamic in sustaining discrimination and existing power relations.

Fraser's (2003) conceptualisation of justice is helpful in explaining the harm that media (mis)representation creates. For her, being 'routinely maligned or disparaged in stereotypic public cultural representations and/or in everyday life interactions' (Fraser 2003: 13) is a matter of *misrecognition* and thus injustice. Her view of justice as participatory parity means that justice requires social arrangements that permit all members of society to interact as peers (Fraser 2003: 36). This can be achieved through the *distribution* of material resources so as to ensure the participants' economic independence and voice; *recognition* via the institutionalisation of patterns of cultural value that express equal respect for all participants and ensure their equal opportunity to achieve social esteem; and *participation*, which refers to the possibility of making complaints and the ways in which claims are adjudicated (Fraser 2005: 74-76). Although these requirements of justice overlap and interact, analytically, media (mis)representation can be understood as the lack of recognition: a form of misrecognition. This supposes damage to one's identity which, in turn, impacts upon our self- and social-esteem. Identity for the purposes of this analysis signifies 'a person's understanding of who they are, of their fundamental defining characteristics as a human being' (Taylor 1994: 25). Moreover, as Taylor suggests, identity, recognition and misrecognition are intricately related:

> Our identity is partly shaped by recognition or its absence, often by the misrecognition of others, and so a person or group of people can suffer a real

damage, real distortion, if the people or society around them mirrors back to them a confining or demeaning or contemptible picture of themselves. (Taylor 1994: 67)

Self- and social-deprecation are consequences of misrecognition and their remedy is a matter of justice, given their impact upon the ability of targeted groups to interact as peers—moral equals—in society.

Legally speaking, the harm caused by media (mis)representation is similar to the harm created by harassment. Both are behaviours that transgress the dignity of the targeted groups and create hostile, degrading, humiliating or offensive environments (*Equality Act 2010* (UK) (s. 26)). Harassment, like (mis)recognition, is rooted in power imbalances and tends to happen in places where the harassed are not welcome (streets, the workplace, the media). Both behaviours existed before they were given a label although those who experience them have always known the feelings they generate. Similarities are also found in terms of complaints. Victims who lodge a complaint about unacceptable behaviour expect to be disbelieved and/or be considered 'troublemakers' as the issue is often deemed 'too petty' to be pursued.

The harm caused to groups by media (mis)representation is similar to the harm created through defamation of an individual, and tackling media (mis)representations involves similar challenges to confronting defamatory remarks. These challenges are largely as a result of freedom of expression considerations and, again, in relation to power imbalances, where those who can defend themselves from attacks (or defamatory statements, images or messages) are *individuals* with power, be it economic or otherwise. That said, what matters is that the law is able to recognise the harm that defamation creates and this harm is similar to that of (mis)representation but in relation to groups rather than to individuals. Indeed, for authors like Parekh it is possible to speak of group defamation:

> Given the deep streak of anti-Semitism and anti-black racism in western societies (as indeed in many others), and given the need to counter the malicious stereotypes to which they have both been subjected for centuries with disastrous results ... [these groups] would seem to qualify for anti-libel laws ... In the light of the increasing Islamophobia in West European countries, Muslims too might perhaps fall in this category. (Parekh 2006: 316)

Defamation, understood as a serious harm to the reputation of the claimant (*Defamation Act 2013* (UK)), is, however, an individualistic concept and, although extending the recognition of this type of harm to groups may be problematic, the law is already capable of understanding this sort of psychological and emotional harm. ECRI has referred to the harm caused by hate speech along similar lines:

> Hate speech is worrying not only because it is often a first step in the process towards actual [sic] violence but also because of the pernicious effects it has on those who are targeted *emotionally and psychologically* [emphasis added]. (ECRI 2016: 19)

The targets have explained the harm in similar ways. When asked for the ECRI report what harm is done by online harassment, Steven Thrasher, writer for *The Guardian*, said:

> Even if I tell myself that somebody calling me a nigger or a faggot doesn't mean anything, it has a toll on me: it has an *emotional effect* [emphasis added], it takes a physical toll. And over time it builds up. (Gardiner et al. 2016)

Media (mis)representation can, then, be understood as a matter of justice but it is also a central dynamic in discrimination. This is not only because of the harm that it causes but also because

discrimination is a multifaceted problem where cultural representations are integral. On this view, discrimination in terms of, for example, the access and enjoyment of goods, services, education and employment does not occur in a cultural vacuum.

> Discriminatory treatment of and hostility against a section of our fellow-citizens, which we rightly disapprove of, do not occur in a cultural vacuum. They grow out of and are legitimised by a wider moral climate which is built up and sustained by, among other things, gratuitously disparaging and offensive remarks, each individually perhaps good-humoured and tolerable but all collectively contributing to the dehumanisation or demonization of the relevant groups. (Parekh 2006: 314)

In *Redressing Everyday Discrimination* (Perez Portilla 2016), I have argued that media (mis)representations constitute a specific form of discrimination that the law is capable of addressing. Part of the argument is that, even if a causal link between demeaning and stereotypical representations and discrimination could not unequivocally be made, media (mis)representations cause harm in and of themselves. They harm the self- and social-esteem of the groups they target. In this sense, they are not 'just speech' but a form of discrimination that demeans reputation, a practice of 'cultural segregation', a kind of 'punch' to the self- and social-esteem of the target groups. They promote their disadvantage; they are a verbal form that inequality takes; and a link in systemic discrimination that keeps target groups in subordinate positions. Therefore, the harm of media (mis)representation is not only what it says but also what it does. MacKinnon analysed pornography along similar lines (MacKinnon 1994:21).

Media (mis)representations, then, not only form part of the climate where discriminatory practices take place; they also inflict a harm in and of themselves which disadvantages individuals because of their perceived or actual membership of a targeted group.

Theoretical conclusions

Media (mis)representation, (under)representation and biased coverage can overlap. They all form part of a wider system of discrimination (within the media industry and the wider society), both feeding into and relying on it.

Whether or not anti-refugee, racist or Islamophobic speech leads unequivocally to discrimination and hate crime can, however, be contested. In other words, proving a definitive causal link might be impossible. The connections between 'speech' and physical harms—such as between pornography and rape or sexual abuse—have been explored for many years in eloquent ways (MacKinnon 1994). Moreover, there is widespread acceptance that discourse creates a climate that legitimises and may encourage discrimination and hate crime. Here I argue, however, that the mere expressions of disrespect—through representations that stereotype, malign or disparage targeted groups—are matters of injustice 'misrecognition' and harms in and of themselves.

Therefore, (mis)representations arguably serve as unique forms of transmitting biases that should be understood as comparable to current theoretical conceptions of hate speech. They require, however, redress in modes appropriate to them, not necessarily imprisonment or fines but alternative mechanisms able to redress the harm caused to the self- and social-esteem of their targets.

Available models for contesting media (mis)representation

The examples for contesting media (mis)representation that follow have been selected for a number of inter-related reasons. The first model—complaining to media regulatory bodies—is addressed in more detail than the other models because this is the current official means of

contesting media (mis)representation, and its disputed effectiveness has largely motivated the emergence of alternative models. The examples provided have been in place for the past five to 10 years and cover a range of media (press, television and social media) and characteristics protected by equality legislation in the UK (sex, sexual orientation, race, religion and mental health stigma). Crucially, all the initiatives presented are presently relevant, can be replicated and are examples of the group-based nature of media (mis)representations, which cannot be understood and, therefore, cannot be addressed through individualistic approaches.

Model 1: Complaining before media regulators

Although the media is regulated in a variety of ways, there are similarities amongst jurisdictions. Regulators can be governmental agencies, committees and professional associations. Usually there is a mix of two or more organisations, depending on the jurisdiction and on the type of media they co-regulate.

Media freedom is essential for democracy. This has been argued in a variety of ways and some key ideas about its importance are related to the power/potential it has to be a check on government and to be a public watchdog in imparting information and ideas of public interest (Barendt 2005: 425). Nevertheless, the media is not the embodiment of freedom of expression but, rather, a tool or a platform and not everyone has access to it. Given this background, governments are frequently limited to establishing general rules about the conditions of licensing and about content that can be harmful, such as hate speech. Potentially harmful content that falls outside expressed free speech limits is self-regulated. Besides further safeguarding freedom of expression, particularly against government censorship, self-regulation also involves responsibilities *vis-a-vis* the audience; for example, obligations to have editors' codes which would indicate the kind of content that can be disputed, and to establish fair adjudicating mechanisms. In theory, this covers two of the requirements of justice: recognition and participation (Fraser 2003). The possibility of complaining enables participation whilst the contestation of disrespect and the possibility of presenting alternative views and definitions have the capacity to restore relations of respect and recognition. In the UK, there are media regulatory bodies for radio and TV (Office of Communications (Ofcom)), advertising (Advertising Standards Authority (ASA)) and the press (Independent Press Standards Organisation (IPSO) and Independent Monitor of the Press (Impress)), all having varying levels of independence from the government.

Complaining before a media regulator is the official channel to challenge media (mis)representations. A discussion of the different editors' codes and complaints' procedures exceeds the aims of this paper; this has been done elsewhere (see Perez Portilla 2016: 179-209). In general, although complaining before media regulators is possible and has been successful in a number of instances, it is also problematic. Complaints can be dismissed, adjudicated, upheld or not, at the total discretion of the media and adjudications take place on their own terms thus creating a 'judge and jury' situation. Complaint mechanisms vary amongst different types of media; they are not widely publicised and complaining effectively requires a substantial knowledge and understanding of complaint procedures and editors' (standards) codes. Moreover, complaints need to follow the timeframe established by the regulator. Information is solely, or mostly, available online, therefore assuming that people have good knowledge of and access to the Internet. On no few occasions, people have given up complaining because they do not trust the regulator (Ameli et al. 2007: 101). Additionally, although regulators such as the ASA have said that they do not play a numbers game, there is evidence to suggest that the more complaints that are received, the better the chances for a complaint to be upheld (Perez Portilla 2016: 205). This assessment suggests that complaining before official regulatory bodies does not always effectively meet the theoretical conditions of justice, recognition and participation.

Self-regulation issues and recommendations: The case of the press

This section focuses on regulation of the press because the UK context offers good examples of issues not only of 'misrecognition' but also of self-regulation, notably taking an individualistic approach which misunderstands the harm and fails to address its group-based nature.

In the UK, the regulation of the press has been under particular scrutiny since 2011 when the Leveson Inquiry commenced. This was an investigation into the role of the press and police in the wake of the phone-hacking scandal of the now defunct *News of the World* tabloid. The Press Complaints Commission (PCC), the voluntary regulatory body, was severely critiqued and has since been replaced.

Part One of the Inquiry examined the culture, practices and ethics of the press and, in particular, the relationship of the press with the public, police and politicians. As Part One of the Inquiry concluded, Justice Leveson made some recommendations including that newspapers should continue to be self-regulated and that a new press standards body be created by the industry with a new code of conduct. That body should be backed by legislation, which would create a means to ensure the regulation was independent and effective. The new arrangement would provide the public with confidence that their complaints would be dealt with seriously, and ensure the press were protected from interference. Leveson specifically proposed a system under which the independence of a self-regulator could be assured through a process of independent audit by a special Press Recognition Panel (PRP). Leveson also recommended that, if a publisher did not subscribe to the new self-regulator and, as a result, did not offer free arbitration to claimants, the courts could deprive the publisher of its costs in any reasonably arguable legal claim against it, even if the publisher is successful in that litigation (Leveson 2012).

To date, there are two regulators: IPSO and Impress. IPSO is almost a replica of the PCC and has the most members (over 1400 print titles and 1000 online titles) but it neither meets the standards of independence and effectiveness recommended by Leveson nor has sought the recognition of the PRP. Impress, the Independent Monitor of the Press, established in 2016, has less publishers abiding by its rules but it does have the recognition of the PRP. However, it was funded by Max Moseley, a millionaire who is no stranger to issues of privacy invasions from the press and is the son of the infamous founder/leader of the British Union of Fascists (1933) banned in 1940. Its legitimacy, therefore, is questionable for some (Jackson 2016).

Leveson's recommendations are relevant in securing proper recognition and participation (Fraser 2003). They also become visibly necessary when looking at the British right-wing press, which has been condemned locally, regionally and internationally. A salient case occurred in 2015 in relation to an article published in *The Sun* by Katie Hopkins where she expressed her lack of sympathy towards the refugee's plight and described them with contempt. Headlined 'Rescue boats? I'd use gunships to stop migrants', Hopkins said:

> What we need are gunships sending these boats back to their own country. You want to make a better life for yourself? Then you had better get creative in North Africa … Show me pictures of coffins, show me bodies floating in water, play violins and show me skinny people looking sad. I still don't care; make no mistake, these migrants are like cockroaches. They might look a bit 'Bob Geldof's Ethiopia circa 1984', but they are built to survive a nuclear bomb. (Plunkett 2015).

The article is no longer available in the newspaper's website. However, as we shall see, it was neither found illegal nor in breach of the Editor's Code. More than 300 people complained and, in the Decision of the Complaints Committee (*Greer v The Sun*: paras 8, 9), IPSO said that there was no breach to Clause 12 (Discrimination) because Clause 12 specifically prohibits prejudicial or pejorative reference to *individuals*. It does not restrict publications' commentary on *groups or*

categories of people. The Committee also said it did not have jurisdiction to deal with potential breaches of the law but understood that the police were investigating the issue.

Indeed, Hopkins was reported to the Metropolitan Police by the Society of Black Lawyers but was not charged (Duell 2015). The British legal and press self-regulatory systems, therefore, did not find Hopkin's article to be illegal or in breach to IPSO's Editors' Code of Practice and disappointed many people and organisations, locally and within the international arena where the column and the handling of the case were soundly criticised. The UN's Human Rights High Commissioner for Refugees, Prince Zeid Ra'ad Al Hussein, criticised *The Sun* newspaper for publishing an article that used the word 'cockroaches' to describe migrants (Jones 2015). Prince Al Hussein said that such language was reminiscent of anti-Semitic Nazi propaganda and pointed out that the word 'cockroaches' was used by both, the Nazis and those behind the genocide in Rwanda. He then urged the UK government and media regulators to respect national and international laws on curbing incitement to hatred. According to Jones' (2015) article in *The Guardian*, Prince Al Hussein also said that 'the Nazi media described people their masters wanted to eliminate as rats and cockroaches' and that such language was 'typical of decades of sustained and unrestrained anti-foreigner abuse, misinformation and distortion when it came to the reporting of migrant and refugee issues in the British media'.

More than 200,000 people signed a petition calling on *The Sun* to sack Hopkins (Plunkett 2015) and the National Union of Journalists (NUJ) condemned the press regulator's decision to reject complaints, arguing that disparagement of whole groups of people should be a potential breach of the code (Sweney 2015).

The Chief Executive of IPSO argued that Hopkin's comments were bad taste only and this was not in IPSO's remit (Plunkett 2016). Nevertheless, as pointed out by the NUJ, the issue of groups being the targets of discriminatory language has been raised for a number of years. In fact, Leveson's Inquiry acknowledged on various occasions the important role that groups play in relation to both media regulation and in making complaints. Leveson recommended that groups were consulted in the drafting of the Editors' Code of Practice (Leveson 2012: 36) and that 'although remedies are essentially about correcting the record of individuals, the power to require a correction and an apology must apply equally in relation to individual standards breaches and to groups of people' (Leveson 2012: 15). This last recommendation has also been backed by ECRI, which recommended amending the Editors' Code of Practice in order to 'ensure that members of groups can submit complaints as victims against biased or prejudicial reporting concerning their community' (ECRI 2016: 23). These recommendations follow years of complaints by group representatives against reporting which they felt was discriminatory but which the PCC (superseded by IPSO) would instead suggest was inaccurate reporting and denied the opportunity to challenge it using Clause 12, Discrimination (Perez Portilla 2016: 192-193).

Even so, skilled individuals have made successful complaints. Miqdaad Versi from the Muslim Council of Britain has become known for his work unveiling press prejudice and *enforcing corrections*. He has nevertheless been criticised by people who believe that his motives are to control the media and silence criticism of Islam. Versi presents himself as someone who is wary of those who masquerade behind the principle of freedom of expression in order to seek a privileged position to attack minorities (Versi 2017). Therefore, it can be said that although media self-regulation is not free from significant issues that need to be addressed, it can be made to work, and corrections, are one way to redress the misrecognition harm caused by (mis)representations.

Model 2: Media monitoring

As we have seen, although identifiable groups can be the targets of media (mis)representations, they—or their representatives—will not always be recognised as complainants and, therefore,

the 'participation' aspect of justice in Fraser's model is not met. Nevertheless, representatives of the organised civil society have, for years, actively challenged on various grounds (mis)representations of groups. It is important to highlight that it has been the organised civil society that has taken the lead because, more often than not, disadvantaged groups lack economic resources (redistribution in Fraser's model). Lack of resources makes disadvantaged groups (such as refugees and migrants) more vulnerable to abuse and less likely to complain. This is, therefore, a clear example of the interdependence amongst all aspects of justice (Fraser 2003). Groups such as Stonewall and the Islamic Human Rights Commission (IHRC) have carried out their own research, monitored the media and made specific recommendations.

Since 1989, Stonewall has campaigned for lesbian, gay and bisexual (LGB) people's rights including equalisation of the age of consent, adoption, securing civil partnerships and equal marriage. They have also tackled homophobia and homophobic bullying in schools and promoted fair coverage in the print and broadcast media. Media (mis)representation is but one of many issues that creates and supports the disadvantage of certain groups; however, as already noted, it is connected to all the other issues.

The Stonewall organisation has conducted research projects in relation to media's influence in homophobia (Cowan 2007; Cowan and Valentine 2006; Guasp 2013). A study conducted in 2010 regarding the representation of LGB people in youth television (Guasp 2010) found that, in a sample 126 hours of viewing, 49 per cent of all portrayals was stereotypical. Gay people were depicted as figures of fun, predatory or promiscuous; 31 per cent of all portrayals was realistic but negative (for example, gay people were seen to be upset or distressed, most often about their sexual orientation). Passing references depicted gay people largely for comic effect, to tease or insult. Seven minutes did feature scenes where homophobia was challenged but only 37 seconds of 126 hours and 42 minutes of output portrayed a scene where sexuality was an explicit focus in a positive and realistic context (Guasp 2010: 3-14).

The IHRC based in London, has carried out similar research. In 2007 it published the study, *The British Media and Muslim Representation: The Ideology of Demonization* (Ameli et al. 2007)*.* Ten years on, its findings are still relevant. The study researched the language and discourse relating to Islam and Muslims prevalent in television, news programmes, literature (classic and popular) and mainstream films. According to the study:

> Whilst on the one hand media creates the 'invisibility of minorities' by marginalising their voices, on the other, actual portrayals more often than not fall into restricted and negatively stereotyped contexts. (Ameli et al. 2007: 8)

Based on theoretical analyses on representation and empirical studies, the research points out—like Stonewall—that the issue of misrepresentation is both cause and by-product of discrimination and injustice in other contexts. This is because the media discourse is often the expression of existing power relations and the main source of people's knowledge, attitudes and prejudices. Moreover, it adds that when discourse is about 'minority groups' and the audience has limited contact with these groups, the role of the media as the sole provider of information becomes even more critical (Ameli et al. 2007: 8). Notable complaints include the perpetual portrayal of Muslims in dramas as problematic, terrorists, violent, misogynistic, and so on, and as defined by their religion (Ameli et al. 2007: 100).

The IHRC's recommendations are aimed at tackling overt vilification and demonisation of Muslims. In their view, effective recourse must be made available to those offended to: a) complain about offending work; and b) to achieve some form of recompense, by way of *apology, correction or right of reply.* Current watchdogs, as perceived by the respondents to HRC's 2007 study, afford little scope for people to complain about generalised prejudice in the media which

significantly discourages making formal complaints (Ameli et al. 2007: 100-101). Media monitoring, therefore, can unveil prejudice and help make informed recommendations.

Model 3: Anti-hate campaigns

Besides conducting research and suggesting ways to redress the harm, some groups within the organised civil society have also challenged through campaigning against specific instances of media (mis)representation: 'misrecognition' in Fraser's model. Their initiatives demonstrate their present and potential role in complementing, guiding and assessing the media industry's work and culture, media content and self-regulation. Their efforts are also reminders about the way in which rights, freedoms and change are almost invariably achieved. This is through the commitment and struggle of ordinary people.

The examples included here are about campaigning against media (mis)representations in the press and in social media. The latter is the campaign by a group called Women, Action, & the Media (WAM!) which was led by Laura Bates of the Everyday Sexism Project and the writer and activist Soraya Chemaly to remove supposedly humorous content endorsing rape and domestic violence via *Facebook*. Examples included a photograph of the singer Rihanna's bloodied and beaten face captioned with 'Chris Brown's Greatest Hits' (a reference to the assault by her ex-boyfriend) and a photograph of a woman in a pool of blood, captioned 'I like her for her brains' (Rory 2013).

The campaigners persuaded advertisers to withdraw their advertisements. This was made possible due to exposure of the issue through more than 57,000 tweets; over 4900 emails highlighting the issue under the #FBrape; protests of more than 100 advocacy groups; and the support of over 60 feminist groups signing an open letter to *Facebook*. This letter called on *Facebook* to:

1. Recognize speech that trivializes or glorifies violence against girls and women as hate speech and to make a commitment not tolerate this content.
2. Effectively train moderators to: a) recognize and remove gender-based hate speech; and to b) understand how online harassment differently affects women and men, in part due to the real-world pandemic of violence against women (Bates et al. 2013).

Facebook responded arguing for freedom of expression and pointing out that it includes a diverse community of more than a billion people (Levine 2013). However, the pressure from the community and the loss of revenue from advertisers (at least 15 companies) proved successful and *Facebook* took on board the demands made for 'swift, comprehensive and effective action' in the letter (see WAM! 2013).

Various elements in this campaign are worth highlighting from a strategic point of view because they help explain the campaigners' success and can inform future initiatives. In no particular order, the *first* was that the campaigners chose very specific instances of hate. They did not refer generally to hate speech against women but to the 'representation of rape and domestic violence on *Facebook*'. Being specific allowed for concrete actions and the signalling of unambiguous examples. They referred to groups, pages and images that explicitly condoned or encouraged rape or domestic violence, or suggested that they are something to laugh or boast about. An example provided of an unacceptable page was 'Kicking your girlfriend in the fanny [vagina] because she won't make you a sandwich'. Images included photographs of women beaten, bruised, tied up, drugged, and bleeding, with captions such as 'Next time don't get pregnant' (Bates et al. 2013). The *second* strategy was addressing an open letter to *Facebook* asking it to take very specific actions and to present a public response. The *third* element was the issuing of an online petition for supporters. This gathered more than 220,000 signatures and the campaign gained the support of over 100 groups from within the organised civil society. A *fourth* component was '*Twitter* pressure' through the #FBrape; more than 60,000 people supported the campaign. The *fifth*

feature of the campaign was the persuasiveness of the letter exposing contradictions, hypocrisy and double standards within *Facebook*'s behaviour and policies. They highlighted that, while *Facebook* regularly removed content such as pictures of women breastfeeding, women post-mastectomy and artistic representations of women's bodies, pages boasting about and making jokes about violence against women were approved by their moderators.

Similarly, the campaigners pointed out inconsistencies in relation to *Facebook*'s practices stating that 'in many cases [*Facebook*] refusing to remove offensive rape and domestic violence pictures when reported by members of the public, but deleting them as soon as journalists mention them in articles' (Bates et al. 2013).

The *sixth* element was that the campaigners sought changes in policy, not a mere temporary *ad hoc* response. Campaigners made reference to *Facebook*'s existing procedures, terms and community guidelines in relation to content that is violently racist, homophobic, Islamophobic and anti-Semitic and argued that *Facebook*'s 'refusal to similarly address gender-based hate speech marginalizes girls and women, sidelines our experiences and concerns, and contributes to violence against them' (Bates et al. 2013).

The *seventh* component was the threat of potential financial loss from advertising. The campaign included a call on *Facebook* users to contact advertisers whose ads on *Facebook* appeared next to content that targeted women for violence and to ask these companies to withdraw from advertising on the social network until *Facebook* met the campaign demands (Bates et al. 2013). This strategy worked because, ultimately, *Facebook* is a business. Indeed, the same strategy is being used to challenge hate in the press, as we shall see in the next example. However, it is worth noticing from the outset that, when 'change' is achieved through a threat of loss of financial gain as opposed to on a principled manner, it entails the risk of having relative success and of being subject to the 'market trends'. In other words, harmful speech may subsist as long as someone with enough economic resources keeps it in place.

Another campaign, 'Stop Funding Hate', was started by an online community horrified by the upsurge in media hate speech that accompanied the UK's EU Membership Referendum of 2016. Originally, it was a small online discussion which has now turned into a Community Interest Company (CIC) supported by tens of thousands. They challenge what they identify as hate campaigns of the British right-wing media and encourage 'Britain's best loved brands' to pull their ads from tabloids such as *The Sun*, *Daily Mail* and *Daily Express*. Mostly through emails and tweets, the campaign uses 'consumer power' to persuade companies to pull their advertisements from newspapers that spread fear and hatred. Companies such as Lego and the Body Shop, for example, have agreed to end their relationship with the *Daily Mail*, and several of *The Sun* online advertisers have pulled their ads. In the end, the campaign's strategy is to 'change the business model' that makes hate pay so that real journalism can be properly rewarded (Stop Funding Hate n.d.).

Stop Funding Hate is entirely consumer based. Its campaigners are not seeking changes in the law or regulation beyond the laws that already exist on incitement to racial hatred. However, the idea that the fundamental right to 'free speech' should override opposition for any reason—including the curtailing of hate speech—is, to a large extent, based on ideologies, political views and values that may, in fact, be supported by many consumers and companies. This is not to suggest that the work of this campaign is misguided. It is, however, an issue that should be considered because (mis)representations inflict a harm whose redress cannot be left entirely to the power of consumers and/or their economic means. A more principled change in the work of the media can be more effectively achieved through a solid recognition of the harm caused by media (mis)representations and through the improvement of existing standards codes and complaints procedures.

Model 4: Humour, art and festivals

Art and fun are other ways to counter (mis)representation. Since 2007, the Scottish Mental Health Arts Festival (SMHAF) (Clarke and Knifton 2009) has challenged mental health stigma. SMHAF has done this by building not only on the potential of art to be empowering, allow self-explorations and aid recovery, but also on its potential to contribute to social justice by challenging deeply embedded and culturally reinforced prejudice. The first Festival's primary aim was:

> To influence the public and the media as the sources of stigma. We aimed to reduce public prejudice by attracting large and diverse audiences and having a positive impact in their beliefs, attitudes and behaviours. Additionally, we hoped to positively influence media reporting to gain wider social impact. (Aldam et al. 2017: 300)

Since then, the Festival has contributed to mental health literacy and, thus, to the possibility of speaking more openly about mental health. This, in turn, facilitates not only seeking and receiving help but also—and crucially—demanding help be available where it does not exist. Its constant and focussed presence also has the potential to tackle stigma that can hinder opportunities in, for example, employment or education of those who experience ill mental health. The Festival has undergone three distinct phases:

> From its inception as an anti-stigma campaign, to a broad-based social movement harnessing grassroots activism, and finally, to achieving international reach and artistic recognition. (Aldam et al. 2017: 299)

In relation to the Festival's contribution to struggles against *misrecognition* (Fraser 2003), a highlight is that it has used a method that enables *participation* based on coproduction and the 'hub-and-spoke' model. This is a planning and programming model which depends on the building of broad alliances with individuals and organisations throughout Scotland. Research suggests that the Festival's success in reaching marginalised groups such as low-income households and Black and ethnic minority communities can be attributed to the model that has been established:

> By playing a direct role in programming and developing events, communities have been able to shape their local Festival programme to address their concerns and build on the work that local services are already carrying out ... whilst benefitting from the media and marketing campaigns of the Festival's core team. (Aldam et al. 2017: 303)

In this way, the Festival helps to meet all three requirements of justice: *recognition*, via the representation of a diverse range of lived experiences which are not stereotypical or demeaning; *participation*, by facilitating those with lived experience to take an active role in all aspects of the process; and *redistribution*, by identifying the areas and sectors of the population least likely to benefit from art and facilitating their use of art to actually point out those areas, their needs and concerns.

Humour was an initiative from the IHRC when it launched the 'Islamophobia Awards' in 2014. This is an annual event aimed at acknowledging—through satire, revue and comedy—the worst Islamophobes of the year. Islamophobia as explained by the IHRC is:

> A contemporary and emerging form of prejudice that can be described as stereotypes, bias or acts of hostility towards individual Muslims or followers of Islam in general ... it leads to viewing Muslims as a greater security threat on an

institutional, systemic and societal level and perceiving their views to be intrinsically problematic, violent or unethical. (Islamic Human Rights Commission 2016)

The event involves a gala dinner and the 'awards' are both entertaining and raise awareness of serious and growing prejudice. As a part of the event, genuine awards are given to those who have battled against Islamophobia. The use of humour catches attention but it does not come without downsides. Jokes can be powerful tools to send difficult messages but they can be misunderstood and have adverse effects.

Other difficulties that may be encountered through using humour to impart a message include the reality that art festivals, independent media productions, and other awareness raising events may only or mostly reach people 'already on board'. This is positive for reinforcing existing bonds and inspiring new actions. However, mainstream public discourse and those who consciously or unconsciously propagate hate and stigma may be untouched and unaffected by such approaches. The SMHAF recognised this challenge and has worked towards expanding from an annual event into a year-round arts programme. It appears, then, that *mixed methods* may be appropriate. For example, to reliable mechanisms for complaining before media regulators can be added media monitoring, campaigning, and art and fun events aimed at enabling visibility and power to (mis)represented groups.

As explained by Young (1990), most cultural change cannot occur by edict; the expression of jokes or fantasy cannot be regulated because the risks to liberty are too great. On this view, being 'just' in matters such as (mis)representation amounts to bringing these phenomena to discussion: that is to say, to politicise them (Young 1990: 152). Legal intervention, then, would not be concerned with the making of cultural rules but with providing the institutional means for fostering discussion, and with making forums and media available for the expression of the views of disadvantaged and under-represented groups. Bringing counter-arguments through corrections and right of reply, for example, can help redress the harm caused by media (mis)representations.

Conclusions

Media (mis)representations of historically disempowered groups serve as a means of continuing the dynamics of power and discrimination. However, they also inflict harm in and of themselves on par with contemporary understandings of hate speech in the public sphere. Although there may be official mechanisms available to challenge (mis)representations, these are not always adequate. Rather, it has been the organised civil society which has articulated harms and found, created and recommended means of redress. Given this background, the role of groups as the targets of media (mis)representation and as potential claimants should be fully acknowledged and enabled.

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[1] Miriam O'Reilly, ex-host of the rural affairs show *Countryfile,* won an ageism case against the BBC (BBC 2011) after being 'warned to be careful with her wrinkles when high definition comes in' just months before being dropped from the programme (*O'Reilly v BBC & Anor 2200423/2010* (ET)).

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