Chapter 1: A Feminist Theoretical Exploration of Misogyny and Hate Crime

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Abstract: Misogyny is often evident in women’s experiences of (hate) victimisation. Debates are ongoing about whether to extend legal protections to recognise this accordingly in hate crime legislation. If successful, this would emulate feminist efforts to criminalise violence in which men disproportionately target women, such as sexual assault, domestic violence and female genital mutilation. However, as with these laws, the prevention or prosecution of such gendered violence may be impeded by cultural and structural patriarchy. Including misogyny in hate crime policy and legislation may help evidence the myriad ways in which men harm women, but it would be disingenuous to extol it as a preventative or prosecutorial measure within this pre-existing patriarchal framework.

In this chapter, we offer a critical feminist perspective on misogyny and its positionality with the contemporary hate crime paradigm. We revisit core feminist theorising on men’s violence towards women which highlighted the importance of a gendered analysis which demarcated the agentic male in women’s victimisation. Using this analytical framework, we explore a crucial victimisation paradox: misogyny both manifests in and is often integral to women’s experiences of hate crime, yet gender remains curiously overlooked in hate crime analyses. Offering new insight, we suggest that while male violence towards women is the original and most long-standing ‘hate crime’, the masculinisation of hate crime ideology foregrounds male experiences in a way that renders (women’s) gender insignificant. Our examination of women’s experiences of hate crime highlights the importance of an intersectional focus that also centres on misogyny.

Introduction

Misogyny – the dislike of, contempt for, or ingrained prejudice against, women – is the most pervasive and historic form of hatred that transcends time, space and place. ‘Hate crime’ as a standalone concept is understood as the targeted victimisation of a person on the basis of their identity, although currently in England and Wales it is only legally recognised if aligned to the victim’s race, religion, disability, sexual orientation or transgender identity. Many women who fear or have experienced male violence recognise that gender, both theirs and that of their assailant, often informs related actions and responses (Vera-Gray, 2018). The obscuring of this fact by the demarcation of, and focus upon, legally ‘recognised’ facets of her identity is disingenuous to women’s individual and shared experiences of male violence as women. The degree to which misogyny informs hate crimes committed by men against women is difficult to discern as a gendered analysis is often omitted from examining rationales.

Few jurisdictions recognise gender as constituting a discreet category for legally recognised hostility. In England and Wales, the Law Commission have proposed a public consultation to discern the level of support for implementing a gender-specific focus to domestic hate crime legislation. This demonstrates that, like critical studies on race relations and religious persecution, feminist theorising on misogyny and sexism has finally resonated with policy makers. As with recognised hate crime
strands, the emergent knowledge which critiqued structural and institutional discrimination and persecution has informed and sustained analyses of interpersonal victimisation. In other words, individual acts of hate crime do not occur in a vacuum thus must be understood in their wider cultural context. This underpins the strong argument for disaggregated data collection whereby gender hostility is foregrounded in order to expose the varied manifestations of misogyny. However, as we will argue in this chapter, the ‘hate crime paradigm’ is already inherently gendered as masculine, therefore adding identity categories to the list of strands is not enough. Instead, we propose a radical overhaul that recognises and addresses the silencing effect of current hate crime frameworks of analysis on women’s experiences of targeted victimisation. As feminist researchers working in the (largely separated) arenas of male violence against women and hate crime, we have long questioned the curious divisions between these two fields. In this chapter, we aim to present an insight into why they are, and will remain, uneasy bedfellows if gender or misogyny becomes recognised a distinct category of hate crime.

We begin by revisiting core feminist theorists on male violence against women to demonstrate how they (along with other civil rights advocates) informed subsequent hate crime theorising and policy implementation. Understanding feminist theorising requires an acknowledgement of historical perspectives in feminism. Until the latter part of the twentieth century, feminism focused on highlighting women’s oppression and inequality in a way which measured it against the rights and freedoms afforded to men. The original aim of feminist theorising was to prioritise women’s experience over – and in relation to – that of men. In doing so, approaches sought to espouse sameness (among women), demarcate difference (from men) and expose (patriarchal) dominance. Situating women’s social, political, structural, legal and economic positionality in relation to men helped to depict inequalities in citizenship, as well as how power informed and sustained gender hierarchies. This was often at the expense of recognising other important facets of identity, such as race, sexuality or class. Feminist terminology referring to ‘sex’ or ‘gender’ was often used interchangeably; more recently, greater understandings of diversity have emerged along with explorations of sex and gender as separate entities. Feminism’s focus on how gender stereotypes, roles and expectations contribute to and exacerbate women’s social and structural oppression has benefitted greatly from intersectional approaches. Therefore, our exploration of the hate crime paradigm employs an intersectional approach to highlight how the gendered nature of victimisation is obscured in this discourse. We conclude by suggesting that a gender-specific focus on misogyny is vital if society is to understand and address the true nature and impact of hate crimes towards women.

**Analysing Feminist Theories on Misogyny**

A plethora of feminist research into men’s violence against women (such as intimate partner violence, sexual harassment/violence, female genital mutilation, trafficking, forced marriage, femicide, female infanticide and ‘honour’ killings) has exposed the inherently gendered nature of this harm. Importantly, research has shown that there are very few places women can consider as safe from male violence, especially when in the home, and that men’s fatal violence rarely comes ‘out of the blue’ (Dobash, et al., 2009). Central to this work has been highlighting the ubiquity of misogyny, primarily through exposing the patriarchal infrastructures which inform and sustain the commission of gendered harms (Walby, 1989). This section explores misogyny using a range of feminist literature on men’s interpersonal and institutional violence against women. The primacy of gender advanced understandings around gendered relations, but negated to address other relevant aspects of identity (such as race, religion or sexuality). The emergence of greater intersectional analyses of gendered violence because of these critiques added both nuance and depth of insight, and are explored more fully in the subsequent section.
Situating Misogyny: Fear, Safety and Space

Feminist theorising on women’s safety in public and private spaces highlighted the primacy of (gendered) expectations around individual responsibility. Crime control, personal safety and avoiding violence had always been conceptualised as women’s responsibility (as the potential victim) on both a formal and informal basis. This was often rendered evident in so-called ‘safety’ campaigns and literature, aimed at women, which informed them how to act, dress and behave to lessen their vulnerability to male violence (Stanko, 1992). These messages inferred that some degree of such violence was inevitable and that the targets would be (lone, inebriated) women. Furthermore, this state of affairs was not considered unusual or uncharacteristic; rather, it was carefully constructed to fit the culturally familiar ‘stranger danger’ narrative (Stanko, 1995).

These patriarchal discourses successfully individualised and pathologized particular aberrant male assailants in a way that allowed masculinity as a potential cause of violence against women to remain unproblematised. Contrasting, all women are expected to assume the role and responsibility of potential victims and protect themselves accordingly; failure to do so can result in victim-blaming and accusations of culpability (Burt, 1980). How women are supposed to protect themselves from male sexual predators is also heavily influenced by patriarchal ideas. So pervasive are societal expectations of femininity that recourse to masculinisation was as likely to incur male wrath, albeit of a different, less sexualised, nature (Corteen, 2002). Male violence towards lesbian, bisexual and queer women – particularly those who present in a way that has been socially coded as ‘butch’ or androgynous – is often more physical than sexual in nature (homophobia is explored further in the following section). Instead, women are expected to perform femininity for the male gaze, but remain alert and ready to police this when necessary. Such efforts reinforced the focus on ‘stranger danger’ despite overwhelming evidence indicating that the most dangerous place for most women is in the home (Aldridge & Browne, 2003).

Feminists had to fight long and hard to have women’s vulnerability to male victimisation in the private (domestic) sphere taken seriously. Patriarchal conceptualisations of gender hierarchies in the home situated the male in a position of authority and with control over his wife and children. The majority of domestic violence cases involve women as victims and men as perpetrators (UN Women, 2013). In cases where the violence proves fatal, the overwhelming majority of victims are women and perpetrators are men. The growth and diversity in domestic violence research has led to greater awareness and understanding of how experiences may differ for victims who are in same-sex relationships (Donovan & Hester, 2014), from minority cultures (Day & Gill, 2020), or are male (Gadd, et al., 2002). However, attempts to neutralise the gendered aspect of domestic violence perpetration are dangerous: compared to men, women engage in domestic violence less frequently, less severely and with far fewer fatal consequences. Women are much more likely to be harmed or killed by their current or former male partner than vice versa (Long, et al., 2018). With a death toll averaging two women a week, domestic violence remains one of the most pervasive and sustained forms of misogyny in the UK (Long, et al., 2018).

Similarly, the failure to consider rape within marriage a crime in England and Wales until 1991 demonstrated the patriarchal notion of women (wives) as male property. Upon saying “I do”, wives were considered to have consented to all future sexual intercourse with their husbands. Russell’s (1982) study with married women demonstrated the impact of this on rape victims. Despite finding that 14% of her sample had experiences that were commensurate with legal definitions of rape (at the time), fewer than 1% of these women described it as ‘rape’ (1982: 67). For many, the repeated nature of their victimisation (along with the identity of their assailant) may also have disabused them of the idea that
it was rape due to the pervasiveness of ‘rape myths’ (Burt, 1980). Cultural stereotypes of isolated incidents, occurring at night, involving young women being violently attacked by a male stranger came to popularise the imagery surrounding rape. A vital breakthrough in challenging this came from Liz Kelly’s (1988) seminal work which showcased that many women experience sexual violence on a ‘continuum’. She proved that sexual victimisation was a constant feature in most women’s lives, committed by men who were strangers or acquaintances (including partners), and evolved as they moved through the life course.

Importantly, Kelly’s research also showed how ongoing exposure to this violence led to the development of internalised (often unconscious) coping mechanisms. Women minimised, overlooked, excused, rationalised and justified male violence in ways that suggested either that ‘nothing really happened’ (Kelly & Radford, 1990) or that the woman was in some way responsible for what had happened to her. Feelings of responsibility coupled with rape myths were powerful social regulators, ensuring that women conformed to patriarchal gender roles that demarcated between ‘good’ (i.e. chaste, married and compliant) and ‘bad’ (i.e. promiscuous, provocative or prostituted) women. They also worked in men’s favour, allowing them to commit sexual violence against certain women with relative impunity (Brownmiller, 1975). In her detailed book on rape across time, space and place, Brownmiller documents the pervasiveness of men’s sexual violence towards women in a range of settings: conflict, peace, the street, the home, the family, committed by state agents and civilians, as individuals, in pairs and in groups. She powerfully states the following:

From prehistoric times to the present, I believe, rape has played a critical function. It is nothing more or less than a conscious process of intimidation by which all men keep all women in a state of fear. (1975, p. 15)

Likewise, MacKinnon’s (1991, p. 1301) assertion that ‘women are sexually assaulted because they are women; not individually or at random, but on the basis of sex, because of their membership in a group defined by gender’ also shows the functioning of systemic oppression through misogyny. These ideas continue to hold relevance, with research demonstrating the impact of ‘rape culture’ on all (not just raped) women, particularly in situationally specific contexts such as university campuses where engagement in the sexual victimisation of women becomes part of male group bonding and identity (Sanday, 1996; Phipps, et al., 2017). Therefore, focusing on how misogyny informs male violence against women is crucial to understanding a range of factors: how it manifests; how it shapes social and legal responses; how it impacts on victims; how it ensures perpetrator impunity and / or rationalisations; and how it can escalate to fatal levels. As Stanko clearly stated: ‘To lose sight and insight by ignoring how gender matters impoverishes any analyses of violence’ (2006, p. 551).

Misogyny as Systemic Oppression

Gendered oppression is accompanied by systematic violence which specifically targets the female ‘Other’ in ways which range from harassment and intimidation through to serious harm and death (Young, 1990). This systematic violence is marked out by the social context surrounding it, which not only facilitates such harm but may go some way to justifying its commission. Systemic violence demarcates probable targets on the basis of their group membership and may act on a continuum where everyday gendered (micro)oppressions operate in addition to (and inform) more overt, harmful misogynistic acts. The knowledge that they are vulnerable to male victimisation on account of their gender impacts on women’s sense of self, dignity and freedom, while random, periodic and irregular attacks on women ensure a constant baseline of fear (Young, 1990).
Feminist challenges to the normalisation of male violence towards women highlighted the discursive invisibility afforded to perpetrators. In doing so, they addressed the power of language and importance of agency and naming. Sheffield’s (1992) description of male violence against women as ‘sexual terrorism’ was intended to powerfully indicate the sexual dynamics shaping women’s fears and experiences of victimisation. Pain’s (2014) conceptualisation of domestic violence as ‘everyday terrorism’ highlighted the repeated and cyclical nature of some women’s fear and trepidation. Terrorism was also the descriptor used by hooks (1981) in her examination Black women’s treatment in American history. Notions of terrorism call to mind randomness and unpredictability within a framework of purposeful, targeted attacks; for many women, this accurately captures the volatility of misogyny in their lives. However, somewhat unlike traditional notions of ‘terrorists’, the breadth of feminist research into women’s victimisation has repeatedly evidenced the interpersonal nature of this from men with whom they have close relationships (Britton, 2000).

Men who harm the women they are closest to – partners, family, friends, colleagues – hold views or endorse behaviours that can easily be translated to women who are strangers. A man who lacks respect for a woman (on the basis of her gender and/or any other factor) may make sexualised, vulgar, threatening or abusive comments towards her while passing on the street, or in a vehicle, or when out with friends just because he feels like doing so. A significant characteristic of most crime is that it is opportunistic and done ‘in the moment’ (Cohen & Felson, 1979). Currently, he can do this while knowing that there will be little recourse for his actions, either socially or legally, so long as the remarks he makes are misogynistic. If he can express these sentiments anonymously, then there is even less incentive to refrain from acting in ways that purposefully hurt women. Feminist theorising has therefore recently evidenced the rapid growth in expressions of virtual victimisation through cybersexism (Poland, 2016), revenge porn (Citron, 2014), broader acts of image-based sexual abuse (DeKeseredy & Schwartz, 2016; McGlynn, et al., 2017) online misogyny (Lewis, et al., 2018) and technology-facilitated sexual violence (Henry & Powell, 2018). Online activities may also incentivise off-line violence (Williams, 2006). The online domain evidences the difference between being vulnerable and being vulnerable to victimisation; women do not need to be classed as vulnerable (although some are) to be recognised as vulnerable to misogyny, they just need to be accessible.

Misogyny detrimentally impacts women. As well as physically and sexually (Tjaden & Thoennes, 1998), the abuse and effects can be psychological (Briere & Jordan, 2004; Bates, 2016) and thus harmful to women’s mental health (Westbrook, 2008; Silvestri & Crowther-Dowey, 2016). These impacts can be felt from indirect misogyny, as demonstrated in Perry and Alvi’s (2011) research on the ‘in terrorem’ effect of hate crimes, where knowledge of individual acts affect the wider community. Yet despite the raft of changes made to awareness campaigns, policing practices, prosecution policies and wider criminal justice mechanisms, most women still choose not to report their experiences of male violence to authorities. Reasons for this range from feeling that there is little (or nothing) the authorities can do through to victims feeling responsible for what has happened to them. There are inherent risks in calling for, or accessing, justice processes as women, especially when these are characterised as vengeful attempts to criminalise ‘ordinary’ men. As a result, ‘the dangerousness of violent men is rarely challenged by criminal justice. Women largely still choose to keep victimization away from state intervention’ (Stanko, 2007, p. 218).

Hate crime studies have been strongly influenced by critical feminist theorising. However, the theoretical schism between identity politics and violence against women has resulted in segregated policies and laws. The evolution of hate crime and feminist studies along intersectional lines allows a greater recognition of how misogyny informs and sustains systemic violence, oppressively functioning
to maintain group privilege or domination while also marking out targeted groups as vulnerable to persecution based on identity alone. Violence is often a social and symbolic practice, where bonds are strengthened as a result of shared identity formation and persecution of the ‘other’ (Young, 1990). Furthermore, individuals who commit acts of violent (misogynistic) persecution may find this tolerated and legitimised as a result of the patriarchal status quo:

[W]hite, middle-class men are rarely held accountable for their violence as their identities are not criminalized, there is a huge latitude for their behaviour, and they are seen as always/already redeemable (Russo, 2018, p. 97).

However, as Carol Smart (1976) has stated, laws alone do not protect women from men’s violence, so advocating for more law may not always be the right response. Instead, Britton (2000, p. 74) suggests that a more appropriate focus might be on justice, rather than law, to offer a better framework for redress and/or harm reduction. Enfranchisement is also highlighted by Barbaret (2014) who, in her global analysis of gendered citizenship, advocates for women to be afforded greater agency in contributing to aspects of public and private life in which they are directly affected. This is especially important when read alongside McPhail (2002, p. 135), who noted some time ago that ‘[w]hat may be “new” arguments for many actors within the hate crime police domain are actually old arguments within the feminist movement.’ The following section demonstrates this by applying feminist theorising to explore the manifestations of misogyny in hate crimes, demonstrating how crucial gender dynamics are routinely overlooked.

**Theorising Misogyny within the Existing Hate Crime Paradigm**

The previous section demonstrated the extent to which research and theory on men’s violence against women has formed a distinct and separate body of knowledge that has influenced law, policy and practice. Born from feminist campaigning and linked to often carceral and criminal justice initiatives, gendered violence as distinct category has been separated from the hate crime policy domain. This is also demonstrated by women’s organisations often being reticent to campaign for the inclusion of gender in hate crime provisions for fear that it might dilute the focus on women’s experiences and subsume them within a larger policy umbrella which incorporates a variety of biases (Gill & Mason-Bish, 2013). In this section, we explore why it is important to highlight misogyny within already recognised hate crime strands and the consequences of not having a separate gender category. We suggest that although women clearly experience hate crime, they are routinely overlooked in policy efforts which foreground the experience of minoritized men. In short, for most women, hate crime will always have a gendered dimension whether this is officially acknowledged or not.

**The Intersectional Experiences of Women**

Coined by Kimberlé Crenshaw (1991), intersectionality is the principle of understanding how categories such as race and gender intersect to create multiple layers of oppression. They are produced and sustained by systems of patriarchy, white supremacy and capitalism. Hate crime can be understood as a way of maintaining the dominant position of whiteness, heteropatriarchy and ableism. Offenders are drawing on common cultural narratives to act out this dominance. What Crenshaw was critical of was that too often, the experiences of black women were missing in any understanding of racial (and gendered) discrimination. They faced a double, multi layered form of injustice which was complex. Similarly, feminist work on violence against women came from a white perspective and failed to include women of colour in campaigning or policy developments. Collins (2017) took this further to note that the move towards private, intimate violence that came to dominate western feminist campaigning efforts
elides the public harassment that women of colour experience. The emergence of feminist disability studies has also pushed for further focus on the nuances of how disabled women experience hostility and violence (Mays, 2006; Shah, et al., 2016). Put simply, policy campaigning and criminal justice initiatives have not been successful at recognising how women might be victimised.

Critics of hate crime policy have argued that one of its failings has been the lack of recognition of intersectional experiences of hate crime. Nancy Fraser’s work would suggest that we should be unsurprised by this because recognition struggles often force a focus on simplistic identities that do not really challenge underlying structures (Fraser, 2005). Moran and Sharpe describe this as the ‘either/or’ logic, pointing out that violence is either seen as hate crime or something else. They challenge that it is very difficult to find research or indeed prosecutions of transgender experiences of racist violence for example (2004, p. 410). Although police forces have the ability to tick multiple boxes in police reports for hate crime, there is little evidence to suggest that this then leads to demonstrably different victim support mechanisms. This is indicative of the limited capacity of current justice processes to address intersecting experiences of harm. We argue here that this failure to recognise intersectionality is especially the case for women and that even in the established victim categories of hate crime policy, the focus is often on men. As Sloan notes:

> Crimes against gay women, female Muslims, disabled women, trans women and women from other racial backgrounds … all share the fact that they are women; however, the femaleness goes under-examined compared with examining the ‘otherness’ of such victims relative to the general population (Sloan, 2017, p. 73).

**It’s about men**

In her critique of hate crime legislation, Amber Ault asserts that the development of policy in this area has been ‘marred by sexism’ (1997, p. 50). The seemingly gender-neutral categories enshrined in law mainly apply to violence against men. The male experience is seen as the referential form of hate crime and this has been evidenced by particular figurehead crimes which have garnered media attention and policy focus. Most people would be hard pushed to name a high profile hate crime case involving a woman as the victim. Yet many could cite the racist murder of Stephen Lawrence (UK), or James Byrd Jr (US). The homophobic murder of Jody Dobrowski (UK) or Mathew Shepard (US). The simplicity of motivation in these cases, seemingly unmarred by the complex interaction of gender, meant that they were used as examples of hate crime which then went on to shape policy and campaigning efforts.

Also of relevance though, has been the direction of feminist campaigning that ran in parallel to hate crime activism. As the former was shifting focus onto the home as the place of male violence against women, local activists highlighting racism and homophobia were gathering empirical evidence about victimisation on the streets. Until the last five years, there has been very little discussion about how women experience hate crime. Research by Gill and Mason-Bish (2013) showed a lack of support for hate crime initiatives meaning that stakeholders were not in a position to ensure that the experiences of women were understood or explicitly discussed in relation to hate crime. Simply put, without a clear understanding of the role of misogyny in hate crime and with the male experience as the key normative category, women’s experiences of hate – and particularly their intersectional dimensions – have been obscured.

As a case in point, Ault draws particularly on violence against lesbians and how this has been muted in both research and policy. Specifically, she says:

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The presentation of lesbians and gay men as a seamless collective in the literature, policies, and grassroots practices focused on homophobic violence inscribes lesbians as more like gay men than heterosexual women, frequently makes invisible what may be real and important differences between the experiences of gay men and lesbians, avoids situating both anti-gay and anti-lesbian violence in a larger context of violence against women, and constructs anti-lesbian violence as a “hate crime”, while excluding anti-woman violence from this category (Ault, 1997, p. 50).

This means that differences in the gendered victimisation of lesbians are lost. This can be noted in data collection efforts, whereby very few reports by either the public sector or criminal justice agencies separate the experiences of lesbians and gay men. Scholars such as Karen Corteen have found that, as they were seen to transgress both gender and sexuality norms, lesbians were at increased risk from violent attacks (Corteen, 2002, p. 266). Women were more likely to be targeted when they were not performing gender appropriately – such as when wearing trousers, no make-up or flat shoes (Corteen, 2002, p. 270). The gendered nature of violence against lesbians was demonstrated in 2019, during which a lesbian couple were viciously attacked while on a London bus. Melania Geymonat and Chris Hannigan were targeted by four male teenagers who asked them to kiss each other, made sexual gestures and demanded to know how they had sex. Media reports subsequently lost the nuance of gender by subsuming this lesbian experience under the broader umbrella of homophobia (i.e. ‘sexual orientation’).

The lack of attention paid to addressing misogyny in hate crimes against lesbians means women are less likely to report victimisation (Bartle, 2000). This in turn affects deficits in understanding around lesbians’ specific needs as victims of crime, or in terms of recovery strategies.

The tendency of policy and practice to overlook the experiences of women does not only apply to lesbians and bisexuals within the LGBT umbrella. For transgender and non-binary people, legal redress took many years to catch up. Sentence enhancement for sexual orientation hate crimes was added to legislation in 2003, but transgender identity was not added until 2012. Police and Crown Prosecution Services have traditionally merged homophobic and transphobic policy, arguably creating an even less nuanced picture about the experiences of victims. For transgender and non-binary people, hate crimes often focus on their masculine or feminine gender presentation (particularly associated physical traits). They are significantly more likely to be victims of all forms of hate crime than non-transgender LGB people are, and to have experienced it on more than one occasion (Antjoule, 2016). Walters et al. (2017) describe this as a form of systemic genderism which means that not only are trans people more likely to suffer hate crime, but the lack of societal support afforded to them, combined with a poor police response means that they suffer from compounded harms. Trans women in particular share the gendered experiences of their cis-ters by being subject to higher rates of sexual assault and abuse. The Human Rights Campaign points out that the majority of trans and non-binary people murdered each year are trans women of colour (HRC, 2020). They share other high-risk characteristics with cisgender women including prevalence of sex work, homelessness and poverty. It is this combination of womanhood, transphobia and structural misogyny that makes them vulnerable to hate crime. In her personal account of being transgender, Rebecca Dittman talks about how she spent many years completely invisible because she was a white man. To live as a transwoman is to become hypervisible and have her gender and behaviour assessed as fair game. She is living as a visible woman, with all of the scrutiny that this entails (Dittman, 2003).

One domain of academic scholarship and research which has been attuned to gendered dimensions of motivation and public visibility is in the area of religiously motivated hate crimes. Chakraborti and Zempi (2012) contend that the concept of Islamophobia is often portrayed as gender neutral in its
application but for Muslim women, their experiences suggest that anti-Muslim sentiment and misogyny are intertwined. It is reinforced by a popular portrayal of veiled Muslim women in particular as culturally dangerous, ‘doing gender’ in a way that is at odds with Western values. Research has demonstrated the prevalence of Islamophobic hate Muslim women face and that it is more commonplace in their daily lives than for Muslim men (Mason-Bish & Zempi, 2018). Furthermore, the victimisation demonstrates the way that misogyny and Islamophobia work together. In their research on veiled Muslim women, Mason-Bish and Zempi (2018) found many examples of women being seen as ‘agents of terror’ because of their wearing of the veil in public spaces. When being subject to abuse, attackers would reference their clothing, demanding to see their faces and bodies. Threats of sexual harassment and rape were not uncommon. They often described this as a form of sexual terrorism and took restrictive measures in their everyday lives such as staying home or only leaving the house with a male friend or relative. The Muslim woman and in particular ones wearing a face veil represent a popular cultural image of the dangerous other – assumed to be an oppressed woman with little agency and yet also under suspicion of being a terrorist.

Women as weapons
The development of hate crime policy in the global north has been significantly shaped to redress the historic persecution of minoritized groups (Jenness & Grattet, 2001). All of the victim groups within hate crime provisions share a long history of violence, subjugation and discrimination both in public life and at the hands of the criminal justice system. Yet within this has been relatively little connection made with the experiences of women in conflict zones and the way that hate crimes against them have operated as a form of ethnic cleansing. During the Balkan conflict it is estimated that up to 50,000 women and girls were raped as part of a strategy of ethnic cleansing. They were brutalised, raped with objects, burned, forced to have abortions and watch female family members be violated. The extreme misogyny towards women during the Srebrenica massacre demonstrates how gender is a central feature in the genocides experienced by women across the world (Remembering Srebrenica, 2017). Hateful atrocities against women during the Rwandan genocide, in Vietnam, during WW2 and currently towards the Yazidi women in ISIS areas have often been described as “weapons” of war and subsumed within the broader remit of “crimes against humanity”. Some feminist scholars argue that this is problematic because it takes the focus away from women as individual victims and an understanding of the intersectional interplay between them as ethnic minorities and as women (Henry, 2014). Henry points out that to overly focus on rape in conflict is to overlook other forms of victimisation that impacted on men and women as minorities. In this sense, it is problematic to assume that the experience of women in war is only about their gender as in reality it is often much more complicated than that (Grewal, 2010).

As with the targeting of ethnic minority women during wartime, Klaff’s chapter indicates that the historic prejudice experienced by Jewish women has long roots yet it is still very much alive. She highlights how high profile celebrities and Members of Parliament have been subject to harassment and persecution that displays both anti-semitic and misogynistic tones. Luciana Berger MP left the Labour party in 2019 after voicing concerns about the amount of anti-Jewish sentiment she was experiencing. This included serious threats to her life and typically misogynistic abuse including “images of her head being Photoshopped onto rats and pornographic photos, letters signed by self-declared supporters of her former party leader and delivered to her office by hand, warning that she would be raped, stabbed and covered in acid” (Kentish, 2019). Researcher Seth Stephens-Davidowitz found that Jewish women MPs were 15 % more likely to receive abuse online than their male peers with far-right websites profiling them and singling them out for abuse. This is misogynistic in nature, commenting on their appearance, body and professional status (Harpin, 2018).
Racism is inherently gendered and can be further noted in the experiences of black politician Diane Abbott. Amnesty International found that in the run up to the 2017 general election, Abbott received 45% of all hateful tweets targeting female MPs. She commented “It’s highly racialised and it’s also gendered because people talk about rape and they talk about my physical appearance in a way they wouldn’t talk about a man. I’m abused as a female politician and I’m abused as a black politician” (Elgot, 2017). Feminist scholars have urged caution around the tendency to see particular individuals as exceptional cases, or offenders as far right extremists. Palmer (2020) outlines how, in order to understand misogynoir, one must challenge the “distinctive brand of hatred directed at Black women” which is often used by white women to maintain hierarchical structures of domination. Additionally problematic is the way that hate crime narratives around race are dominated by the experiences of black men and how white women claim control of stories around misogyny. This combination ensures that the intersectional experiences of black women are silenced or seen as exceptional.

*Intersectional Margins*

Hateful violence and abuse experienced by disabled women is often seen as a ‘niche issue’ in policy and practice (Morris, 1996; Thiara, et al., 2011). Specifically within hate crime research there has been little attempt to interrogate the way that misogyny and disablism interplay in offending behaviour. Yet disabled women are twice as likely to experience sexual assault and have high rates of domestic abuse; institutional violence and street harassment (Chenoweth, 1996; Thiara et al. 2011; ONS, 2018). Nixon (2009) describes the complexity of their experiences as ‘compound oppression’ and speaks to the way that misogyny and disablism operate together. For example, women with visual impairments have spoken about the hostility shown towards them including comments about their appearance and their sex appeal (Kavanagh, 2019). Wheelchair users talk about how they have been forcibly pushed without their consent and subjected to a barrage of verbal hostility when they raise an objection (Low, 2019). As Sherry (2016) has shown, hate crimes against disabled women are often hyperviolent and hypersexualised in an ableist world that views the disabled body as an object of pity or disgust.

Despite evidence to suggest the prevalence of disability hate crimes against women, it is questionable as to whether including misogyny in hate crime provisions would make a difference. Critics have noted that for disability hate crime there has been confusion over motivation and a difficulty in police and justice agencies taking adequate records of hostility (Mason-Bish, 2012). Rates for prosecution and conviction of disability hate crimes remain stubbornly low in the UK (CPS, 2019). Scholars have suggested that this is partly down to a struggle to move beyond the assumption that disabled people are victimised because of their perceived vulnerability (Mason-Bish, 2012; Roulestone & Sadique, 2012). Given that there is already debate about whether domestic violence or rape are hate crimes, it is possible that the inclusion of misogyny in hate crime policy would do little to improve the poor services currently afforded to disabled women. In her life narrative research, Simplican points out that “ableism and sexism intersect to construct disabled women as asexual, miserable and powerless” (2017, p. 115) and that feminist disability studies aims to retrieve the dismissed voice and those who have been misrepresented. As such, consultations around hate crime and misogyny have the power to open these conversations and to develop an understanding about the experiences of disabled women outside of assumed frameworks. Yet it is doubtful whether this can actually achieve wider structural change.

The opportunity for discussion amongst stakeholders, victims and criminal justice practitioners has been one of the benefits of hate crime policy development. For some marginalised groups of women these opportunities have been utilised to develop ‘bespoke’ approaches to hate. As Campbell (2018) has noted, sex workers are stigmatised due to a combination of ‘whorephobia’ and misogyny. They
experience prejudice and ‘othering’ and are targeted for being ‘fallen women’. In response to the murders of several sex workers, including Anne Marie Foy in 2005, Merseyside Police amended their hate crime policy to include sex workers as a protected group. This involved working with local community partnerships; speaking with sex workers about their needs and looking for trends and patterns of violence and abuse towards them. Since then, a handful of other forces have adopted a similar approach, with mixed evaluations. While applauding such initiatives for encourage reporting, there was caution around the fact that most cases resulted in no further action (N8, 2019). Furthermore, focus on the ‘vulnerability’ of particular groups of women arguably does little to dismantle the structures of patriarchy, heteronormativity and capitalism which fundamentally reinforce their oppression.

In this section we have examined the way that women as victims of hate crime experience complex, nuanced and compound harms when victimised. Yet this is the problem. As Ault (1997) attests, when male experiences of hate crime are seen as the reference point, then adding or addressing misogyny is either too messy or too complicated. This in part explains the exclusion of gender as a discreet category of hate crime, and of wider understanding about women’s experiences. Yet without an intersectional understanding of hate crime we are not forced to confront challenging questions. The carceral framework that has dominated hate crime initiatives favours the experiences of cisgender heterosexual (‘cishet’) white women to the detriment of minoritized men and women. While the Nottinghamshire initiative around street harassment has focused attention on the everyday misogyny that women experience, there is much to suggest that it will be mainly white women who report (Stavri, 2016). As feminist Zoe Stavri critiqued, it is likely to be that reports increase when ‘a Nice White Lady™ is victimised by a Nasty Black Or Brown Man™.’ How do we develop a hate crime framework that is inclusive of women but that is also intersectional? Many would argue that while we are committed to a carceral solution to hate crime, this is not a possibility.

**Conclusion**

Moran (2001) considered how the legal recognition of offences motivated by identity hostility had the potential to offer several possible outcomes to those affected by targeted victimisation, ranging from redress through to the potential for a reduction in such harm. In addition, the shift in focus towards the perpetrator’s motivations or intentions when undertaking the act provided new ways of thinking about and understanding the social and structural factors informing hostility and how it manifested in instances of interpersonal victimisation. However, Moran also cautioned against allowing such a focus to shift attention too far from wider contributory factors:

A focus upon the perpetrator threatens to occlude an important theme that has been central to the politics of violence in general and the victim survey movement in particular; the failure of State institutions and, in particular, those of criminal justice to take certain types of violence seriously and the violence of those same institutions. (2001, p. 334)

Continuing to render invisible this ever-present hostility could be considered a form of institutional misogyny in itself. Stanko (2006) states that to challenge violence we must tackle its legitimisation; to do this requires listening carefully to the discourses used by victims, perpetrators and others to examine who, or what, is condoned and/or condemned. Recognising the ways in which patriarchy operates – through covert mechanisms which function to sustain women’s oppression through to overt acts of male violence – is essential to effectively challenge misogyny on individual and societal levels. Taking a three-tiered approach, feminist activism therefore needs to continue highlighting and challenging how misogyny operates on the micro level (for individuals), the meso level (for cultural / societal change),
and the macro level (for legislative / policy change). Social harms which manifest on a macro scale may be experienced very differently on a micro level, therefore, examining structural violence allows for greater inclusion by focusing on experience as well as identity while ensuring that men’s violence against women is not placed in a cultural or socio-political vacuum (Barbaret, 2014). Furthermore, without wider social change there will be little positive effect from criminalising behaviours which perpetrators do not consider to be problematic:

Societal structures that devalue women and reinforce male power, social norms which dictate rigid gender stereotypes, myths that justify violence, and peer approval of violence in our day-to-day environments – these are all common factors underlying different forms of VAWG [violence against women and girls]. (Cerise & Dustin, 2011, p. 14)

As this chapter has argued, women are being short-changed in hate crime policy despite feminist efforts heavily informing the adoption of its victim-focused framework. Feminist theory and praxis endeavour to improve women’s social, economic, legal and political situations by challenging patriarchy. The plethora of different feminist approaches are aligned in their focus on women, but have demonstrated the potential for greater dialogue and interconnectivity. A primacy of gender can include consideration of other characteristics, identities and factors, but to do so must allow room for multiple voices and experiences. The advances made through identity politics offered greater insight into theorising the experiences of black and ethnic minority women, lesbian/bisexual/queer women, trans women, disabled women, women from different class backgrounds, and so forth. Reinforcing a gender focus grounded in women’s lived experiences enhances our understanding of misogyny’s cultural specificities. Similarly, a focus on misogyny within these bodies of knowledge, such as queer theory, critical feminist race theory and masculinities theories will benefit feminist endeavours to fully expose, challenge and tackle misogyny on a broader scale. Capturing multiple sites of discrimination in police recorded hate crimes is crucial to ensure that the addition of a misogyny or gender-focused category does not become merely a repository for the experiences of specific women (namely those who are white, able bodied, cisgender, heterosexual). By capturing the range of misogynistic experiences (including sub-criminal hostilities or hate incidents) that all women are subjected to, particularly women with minority statuses, will shed light on the parameters of misogyny while expanding our understandings of and beyond misogynoir and transmisogyny.

On a final note, we recognise that to speak of misogyny is to risk (invite?) counter-discussions about misandry. As feminist theorists, we welcome these discussions: first, because they help highlight the nuanced gender differences between the two concepts which make them impossible to compare without doing disservice to either, and second, because they both highlight the damaging effects of patriarchy on individuals and society. Misappropriations of feminism as misandrist (‘man-hating’) are misguided; feminism is, and always has been, focused on patriarchy, not individual men (unless those men are actively supporting or embodying the patriarchal forces to which we are opposed). Furthermore, it is not just feminists who recognise that misogyny and misandry are incomparable. As the famous saying goes: “Men are afraid women will laugh at them; women are afraid men will kill them”. Misogyny matters.

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