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**Perception and Reception: ‘Anti-Gender British Media’
and The Hate Crime and Public Order (Scotland) Act
2021**

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Disclaimer:

This document represents part of the author's study programme while at the International Institute of Social Studies. The views stated therein are those of the author and not necessarily those of the Institute.

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List of Acronyms and Abbreviations

Acronyms

FAO	Food and Agriculture Organization
ISS	Institute of Social Studies
UNDP	United Nations Development Programme
SNP	Scottish National Party
CDA	Critical Discourse Analysis

Abbreviations

Hate Crime Act	The Hate Crime and Public Order (Scotland) Act 2021
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Abstract

This research focuses on the role of the British media in shaping discourse surrounding the Hate Crime and Public Order (Scotland) Act 2021, focussing particularly on the dissemination of anti-gender sentiments. This study addresses how media narratives can influence social attitudes, amplify anti-gender discourse and shape perceptions of marginalised groups, particularly in relation to the trans community. With stated goals of understanding how the Hate Crime Act is being framed by the British media in public debate and determining why the media is integrating anti-gender discourse within these discussions, this research project employs Fairclough's three-dimensional model for CDA, framing analysis and a poststructuralist feminist lens to identify key strategies and motivations for shaping discourse. Ultimately, the media is evidenced to collectively employ a combination of inflammatory, divisive linguistic and discursive techniques to invoke outrage and controversy, as well as neutralising techniques and the construction of the 'rational middle-ground' which work to legitimise transphobic rhetoric in the public consciousness. The conclusions drawn from this indicate that the media acts as an amplifier of anti-gender discourse, contributing to the acceptance and dissemination of such in public discourse.

Relevance to Development Studies

This research contributes to development studies by interrogating the ways in which the media is shaping societal perceptions of a marginalised group, particularly relating to the context of gender and human rights inequalities. It highlights the role of the media in complicating progress towards intersectional inclusivity in the United Kingdom by working to reinforce structural inequalities.

Keywords

Anti-gender, media, hate crime, free speech, trans rights

Chapter 1

1.1: Introduction

In April 2020, the Scottish Parliament put forward a proposal for the ‘Hate Crime and Public Order (Scotland) Bill’, which was established as an Act in April 2021 and came into force in April 2024. The Bill (and subsequently, the Act) was drafted in response to a prior independent review of hate crime laws in Scotland by Lord Bracadale, with the stated intention to “make sure that the groups covered by the Bill are protected from hate crimes... [and] it also makes sure that the laws that provide that protection are fit for the 21st century.” (Scottish Parliament, 2021a).

The Bill expanded on existing laws concerning several protected social groups to more explicitly encompass protections for the characteristics of age, disability, race/nationality/ethnicity, religion, sexual orientation, transgender identity and variations in sex characteristics (Scottish Parliament, 2020). It also introduced a new offense of ‘stirring up hatred’, which “criminalises threatening or abusive behaviour and the communication of threatening or abusive material which is intended to stir up hatred against a group of people by of their possessing, or appearing to possess the above particular characteristics” (Scottish Government, 2024a). However, ‘the Act’ (from here on used as shorthand, inclusive of the Act, the Bill and its content) has been subject to widespread coverage and debate through the British media and public discourse; it has been praised for its inclusivity (Stonewall, 2024), but concerns have also been raised about how the Act risks infringing on freedoms of speech, could become a “weaponised tool for activists” (Brooks, 2024a), and could add significant pressure to the UK Police Force (Brooks, 2024a; Cook, 2024b).

As a Scottish citizen with an interest in gender issues, I followed the mainstream media’s publications on the Act with curiosity and concern; the number of publications on the implementation of the Act and the debates surrounding it have been significant, and it has consistently been framed within the growing cultural discourse surrounding transgender rights and gender identity. An integral part of the Act’s promotion had been around protections for the LGBTIQ+ community; across the past decade, there has been a consistent increase in reported sexual-orientation related hate crimes in Scotland, and a more recent

spike in reported transgender-identity related hate crimes (Crown Office and Procurator Fiscal Service, 2024). The Scottish National Party – the current leading Political Party – claimed the implementation of the Hate Crime and Public Order (Scotland) Act was integral to their LGBTI-oriented ‘Make Scotland Safer’ campaign, as it would “make it an offence to stir up hatred against people on the grounds of sexual orientation, transgender identity and variations in sex characteristics.” (Scottish National Party, 2021). However, the Act has been met with criticism from groups and individuals who oppose the protections outlined in the legislation, expressing discontent and resistance specifically towards extending transgender rights and changing gender norms, which are being framed as intersecting with longstanding-political debates about freedom of expression and the role of the law in regulating speech (Cook, 2024a).

These debates surrounding the Act echo an international trend of organised pushback against legislative efforts to protect gender identity rights and sexual minorities. This pattern of resistance has gained the title of ‘anti-gender movement’ – a phenomenon which brackets “social movements mobilizing in opposition to what they call ‘gender ideology,’ ‘gender theory’ or ‘genderism.’” (Walton, 2024). The anti-gender movement is understood to be an umbrella term for the opposition to gender and sexual rights, consisting of a constellation of actors, ideologies and strategies; it is both distinctly non-homogenous, but has also established significantly overlapping strategies and goals (Kantola and Lombardo, 2021; OHCHR, 2021, p.8).

Despite the wide array of possible motives, these movements – which have gained international momentum – are generally understood to coalesce in opposition to gender rights and accompanying legislation on the basis that it supposedly infringes on free speech (Kuhar and Patternote, 2017, p.2) and undermines ‘traditional values and social structures’ (Edenborg, 2023), often citing “religious and moral justifications” (McEwen and Narayanaswamy, 2023, p.i) for their opposition. In terms of the practices of the collective movement, disseminating anti-gender discourse and countering progressive legislation appear to be the primary strategies for shifting public opinion in their favour (OHCHR, 2021, p.8). Using the Hate Crime Act as a case study, this paper will argue that it is through these practices that the anti-gender movement is starting to gain footholds in the UK, and that the British media is acting as an amplifier for anti-gender discourse through its coverage of the Hate Crime Act and the debates surrounding it. As the anti-gender movement continues to evolve in UK contexts,

understanding the role of the media in amplifying and shaping these debates will be argued as imperative for tracking how anti-gender campaigns gain traction and popularity.

The ‘British media’ was selected as a topic of focus for this research due to its significant role in shaping public discourse. There is extensive research evidencing how the media is capable of both reflecting and shaping public opinion (Kosho, 2016; McCombs, 2005; McCombs and Valenzuela, 2020). In the UK context, the media has already proven itself to exercise notable influence on public opinion relating to gender discourse; the Rainbow Index – an LGBTI equality scale for European countries – indicated that “anti-trans media commentary was so pervasive that it was cited as a contributing factor to the demotion of the UK from first (in 2014) to fourth place (2018) in Europe” (Armitage, 2020, p.12 – *citing* International Lesbian, Gay, Bisexual, Trans and Intersex Association - Europe, 2018). A recent case study of UK gender-related legislation – reform of the UK *Gender Recognition Act* – and the media’s response to it has indicated a tendency for the media to propagate trans-related ‘moral panic’ by platforming harmful narratives about hypothetical behaviours and intentions of trans women (Armitage, 2020, p.20; McLean, 2021, p.482). The case of the Gender Recognition Act also observed an arguable fixation from the media towards the Act, with “almost daily anti-trans news and opinion pieces published in mainstream media in the months leading up to the close of the consultation, and continuing afterwards” (Armitage, 2020, p.20). This emerging trend of the British media involving itself in gender-related discourse and demonstrating significant influence on related public debate evidences the British media to be a highly relevant point of focus when aiming to observe the spread of anti-gender discourse within the United Kingdom. The research conducted for this paper is therefore oriented towards mapping the discourse surrounding the Hate Crime Act as presented by the British media, identifying specific anti-gender discourse being distributed by the media relating to the Act, and determining the factors which have contributed to why the Hate Crime Act received so much attention by the media to warrant extensive coverage.

Subsequently, this research paper will first map the media-framed discursive landscape surrounding the Act. As will be demonstrated, gender-related discourses aren’t the only argued point of controversy presented by the media concerning the Act, and so it is important to establish context for the anti-gender rhetoric in the broader controversies surrounding the Act to better understand how anti-gender discourse overlaps with other themes, and why the Act initially gained so much attention from the media. Given the expressed focus on gender

discourse relating to the research contexts, it will then narrow the scope specifically to anti-gender sentiments, identifying and analysing direct and indirect enactments of anti-gender discourse.

This exploration and analysis of the discourse surrounding the Act will be complemented with an investigation into the factors which arguably encourage the media to provide such extensive coverage on the Act. Considering the British media as an amplifier of discourse, evaluating discursive trends in their publications through critical discourse analysis and providing contextual research can better inform the circumstances which led to the emergence of this case study, and further insight as to why the media chooses to focus on it.

1.2: Research Problem and Aims

The primary goals of this research paper are to understand how the Hate Crime and Public Order (Scotland) Act 2021 is being framed by the British media in public debate, and to determine why the media is integrating anti-gender discourse within these discussions. Utilising feminist poststructuralism and agenda-setting theory, this research aims to map the discursive landscape surrounding the Act, identify the factors which popularise and contribute to the emergence of anti-gender sentiments, and analyse how the media's discursive narratives both reflect and reinforce power dynamics which contribute to the normalization and acceptance of anti-gender ideologies.

1.3: Research Questions

These aims will be explored through the following research questions:

RQ1) What discourses are emerging from the British media concerning the Hate Crime and Public Order (Scotland) Act 2021?

RQ2) How and to what degree do such discourses reveal anti-gender sentiments?

RQ3) What factors are associated with the dissemination of anti-gender discourse through the British media in relation to the Act?

1.4: Positionality

As a white queer woman from the Global North, I'm aware of some of the complex intricacies of intersectional privilege and prejudice. I would consider myself privileged in the comfort and security my upbringing has afforded me, and the racial privileges I am granted. However, I also have personally experienced sexism and homophobia in multiple forms, granting me a sensitivity and awareness as to how such prejudice can shape and influence personal, social and institutional power dynamics.

In the context of my research into the expansions of the anti-gender movement in the United Kingdom, my positionality as a member of the LGBTQ+ community grants me a more comprehensive awareness on how the developments of anti-gender sentiments are affecting the conversations around LGBTQ+ rights and the treatment of the community. This also provides me with a sensitivity to how debates surrounding legislation such as the Hate Crime Act can impact the lived experiences of vulnerable groups in ways which are undermined through the framing of 'legitimate debate', as will be explored below. I believe my positionality will ultimately allow me to provide a balanced and comprehensive critical analysis on the emerging discourses in the United Kingdom relating to the anti-gender movement.

Chapter 2 - Context

2.1: The Hate Crime and Public Order (Scotland) Act

Due to the centrality of the Hate Crime and Public Order (Scotland) Act to this research project, it is important to provide a full portrait of the Act which includes the justifications for the Act's implementation, what issues the Act aimed to address, and the discursive axis on which it was introduced. This provides vital context for better understanding the discourses which the media was fed and how that has shaped the reactions to the Act.

2.1.1: Outlined Protections and Offenses

As mentioned above, the Hate Crime Act expanded on existing laws concerning social groups to more explicitly encompass protections for a wider group of characteristics (Scottish Government, 2024a). The Act also introduces new offences of 'stirring up hatred', which "criminalises threatening or abusive behaviour and the communication of threatening or abusive material which is intended to stir up hatred against a group..." (Scottish Government, 2024a). Notably, this new offence mirrors existing UK legislation from the Public Order Act of 1986, which recognises the offense of "stirring up racial hatred" (Public Order Act 1986 c. 64), but the Hate Crime Act expands this in order to account for all of the aforementioned characteristics.

The Bill was drafted in response to a prior independent review of hate crime laws in Scotland by Lord Bracadale, with the stated intention to "make sure that the groups covered by the Bill are protected from hate crimes... [and] it also makes sure that the laws that provide that protection are fit for the 21st century." (Scottish Parliament, 2021a). This emphasis on suitability for modern contexts arguably shaped the framing of the Act's implementation which the media was fed; as mentioned above, an integral part of the Act's promotion had been around protections for the LGBTIQ+ community. As a result, whilst the Act was established to protect multiple groups, the LGBTIQ+ community were at the forefront of the discourse surrounding the Act.

2.1.2: Freedom of Speech

During the drafting of the Act and in the period after its implementation, the topic of free speech has been central to much of the discourse surrounding the Act and has evidenced itself to be of significant interest to the British media (detailed below). The foundation underpinning this attention lies in concerns about the Act's possible infringement on the right to free speech; within the Act, speech is explicitly included as conduct which can amount to harassment and is therefore chargeable as an offense (Hate Crime Act 2021: asp 14, Part 2, Section 3), and many major British news outlets have flagged this clause as controversial (see Section 4.2). However, the Scottish Government defended the Act with the following clarifications (Figure 1):

“The Act does not pose a risk to freedom of speech. It does not prevent people expressing controversial, challenging or offensive views, nor does it seek to stifle criticism or rigorous debate in any way. The right to freedom of expression is specifically built into the Act.

“The Act is compatible with the European Convention on Human Rights, including Article 10 which protects everyone’s right to freedom of expression. There is also a defence available that the behaviour or communication was, in the particular circumstances, reasonable.” (Scottish Government, 2024a)

Figure 1 – Quotation from the Scottish Government

Indeed, the Act provides a ‘protection of freedom of expression’ provision; “...particular regard must be had to the importance of the right to freedom of expression by virtue of Article 10 of the European Convention on Human Rights (ECHR), including the general principle that the right applies to the expression of information or ideas that offend, shock or disturb.” (Hate Crime Act 2021: asp 14, Part 2, Section 4).

The overlap between free speech and hate speech has long been subject to extensive multidisciplinary debate: from philosophy, political science, policy concerns, institutional legislation and tensions in legal practice such at this case study (see George, 2015; Howard, 2019; Yong, 2011 for examples). It could be argued that the Act is contradicting itself by aligning with this ECHR clause whilst simultaneously criminalising speech relating to

harassment, and the possibility for ‘hate speech’ and ‘offensive speech’ to be conflated when further clarifications haven’t been provided within the Act. However, the ECHR offers further context which support the enactment of specific restrictions; Article 10 guarantees freedom of expression, but permits “formalities, conditions, permissions and restrictions as prescribed by law and as necessary in a democratic society” (European Court of Human Rights, 2021, p.12), and lists “the prevention of disorder or crime” (p.12) and “the protection of the reputation or rights of others” (p.12) as further justifications for restrictions.

Despite the clarifications provided through cross-references in legislation, concerns about the Act and potential conflicting interpretations of its content have continued to extend into public discourse. The most prominent debates emerging since the Act’s initial drafting in legislative contexts include whether the speech restrictions of the Act are actually effective or necessary, concerns about the lack of clarity and vagueness of some of the clauses and how this might affect implementation practice, and also the risks of “politicizing victims” – giving more weight in protections to some than others, which will be explored in the broader context of trans rights tensions.

Debating the Necessity of Speech Sanctions in Pursuit of Hate Crime Prevention

When the Hate Crime Bill was initially proposed, the limitations of its potential effectiveness led to scepticism as to whether the risks accompanying speech-related sanctions made the Act a worthwhile or necessary endeavour. Bechtold argues that the “necessity and effectiveness of the restrictions are simply assumed. These measures can also distract from other ways of addressing this problem that do not implicate fundamental rights” (2022, p.250). She called into question whether the complications ultimately outweigh the benefits of the Act when the Scottish Government provides limited evidence in support of this approach to hate crime protections (Bechtold, 2022, p.251), and advocates for focussing on non-criminal alternatives such as public campaigns and educational initiatives (2022, p.256). Advocacy for non-criminal measures in combatting discrimination extends well beyond this case study; Amnesty International has emphasised that they recommend criminal measures to be utilised only as a last resort when other constructive methods don’t suffice (Amnesty International, 2012), and UNESCO highlights their goals of addressing the root causes of hate speech

“through education and media and information literacy [and] promote international standards on freedom of expression” (UNESCO, 2024).

The Law Society of Scotland is one of several organisations echoing this sentiment in relation to the Act – “The Bill alone will not get rid of prejudice. Alongside with the Bill, there must be a programme of raising awareness and education for all” (Law Society of Scotland, 2021). Whilst this presented argument ultimately remains in support of the implementation of the Act, it could be seen to undermine the effectiveness of the Act by emphasising its limitations and pushing it further into controversy discourse.

Implementation Concerns: Lacking Clarity and Legal Practice

One of the consistently voiced concerns relating to the practical implementation of the Act is the arguably vague definitions provided in the legislation which seemingly lack clarity, and risk creating subjective legal standards. The Scottish Courts and Judiciary are tasked with interpreting and applying the provisions of the Hate Crime Act to the court system (Scottish Government, 2023), but the independent Law Society of Scotland has been vocal in their concerns over how the Act’s terminology could complicate the judicial process, arguing that many terms used relating to the clause on ‘stirring up hatred’ are “highly subjective, requiring judicial clarification on a case-by-case basis” (Law Society of Scotland, 2020a). This is understood to be highly problematic because it creates uncertainty on what constitutes acceptable or criminal behaviour and can lead to inconsistent enforcement (Law Society of Scotland, 2020a; 2020b).

With specific reference to complicating enforcement practice, the Scottish Police Federation (SPF) and the Association of Scottish Police Superintendents (ASPS) have released statements voicing concern over the Act; the SPF argued that the subjectivity of the clauses might require police officers to “determine free speech and thereby devastate the legitimacy of the police service” (Scottish Police Federation, 2020). The ASPS echoed this sentiment, warning that an inconsistent enforcement process could erode the public’s trust in the police (Association of Scottish Police Superintendents, 2024). Beyond concerns for inconsistent interpretations, both organisations have also flagged that the Act’s vague definitions establish

a low threshold for complaints, likely necessitating investigations into complaints submitted by the “‘activist fringe’ of particular viewpoints... who will seek to weaponize the new legislation” (Association of Scottish Police Superintendents, 2024). Whilst these publications chose not to explicitly list any ‘activist’ viewpoints of particular concern, the Act has been heavily subjected to broader contextual speculation about how it is “clearly intervening in the ‘culture war’ dividing the country” (Rhodes, 2020) – referring to a constructed framing of the broader debates surrounding the Hate Crime Act in relation to ‘socio-cultural’ issues such as gender identity, which will be outlined in Chapter 4. The subsequent research conducted for this paper is oriented towards these debates, and the way in which these practical critiques of the legislation are exacerbating controversy in relation to them.

2.1.3: Unbalanced Protections and Trans Rights Discourse

Extending from free speech restriction concerns surrounding the Act are debates on how the Act will affect specific groups, particularly as part of a broader cultural discourse concerning gender and sex and the increasing prevalence of trans rights activism and controversy. An overarching concern relating to the Act has been the risk of ‘politicizing victims’, wherein certain groups are given more emphasised protections than others (Chalmers and Leverick, 2020 p.10). One hotly contested issue is the lacking inclusion of sex as a protected characteristic; the original proposals for the legislation did include sex, but a consensus presented by several major women’s rights organisations believed this could be detrimental to the goal of tackling gender-based violence (Equality Network, 2024). Upon reviewing the proposed legislation, women’s rights groups flagged practical concerns about the Bill in its ability to tackle gender-based violence through its hate crime model, arguing it is an “ineffective response to violence against women and does not work to tackle structural oppression” (Engender, 2021). These groups have therefore advocated for specific, separate legislation to tackle misogyny with new proposed recognised offences (Baroness Helena Kennedy QC, 2022; Engender, 2021; Equality Network, 2024), arguing that this is a more effective approach; “equality does not mean treating oppressed groups the same but responding to the particular needs and barriers that are faced by each group in order to realise their rights” (Engender, 2021). However, whilst the Scottish Government committed to introducing misogyny-specific legislation back in 2022 (Scottish Government, 2022), a complete proposal

has yet to be published. This has contributed to tensions in the discourse surrounding the Hate Crime Act, with arguments that the Act has inadvertently communicated to women that they are not worthy of protection (Schweppe, 2012), which will be explored below.

A further controversy which has emerged relating to unbalanced protections is what critics are referring to as a ‘hierarchy of protections’ – whilst certain clauses are provided to protect the freedom of expression, some argue that these protections are distributed unevenly. In Section 9 of the Hate Crime Act, the legislation differentiates between religion and the other listed characteristics in what should be singularly exempt from prosecution. Whilst characteristics such as sexual orientation and gender identity are afforded freedom for “discussion or criticism of matters relating to [them]” (Hate Crime and Public Order [Scotland] Act 2021), religion is also awarded freedom in ‘antipathy, dislike, ridicule or insult’, which gives more protections for critical expression than it does for other characteristics (2021). Certain groups such as the Law Society of Scotland express concern that this supposed ‘hierarchy of protections’ communicates that certain forms of expression are more protected than others (2021), whilst others emphasise the relevance of these concerns to current socio-political discourse on gender identity (Murray Blackburn Mackenzie, 2021). Representatives from the Police Force have voiced concerns that such unbalanced restrictions might draw officers into policing social and political debates on gender identity (Association of Scottish Police Superintendents, 2024), and groups which are sympathetic to gender critical discourse have expressed discontent with the limitations to gender identity discussion. They argue that gender identity involves similar types of ‘beliefs and practices’ to that of religion, wherein one ‘believes’ gender is a social construct or ‘practices’ gender self-identification, and critics should be afforded the same right to reject those beliefs and practices as one could with religion (Murray Blackburn Mackenzie, 2021). Whilst such arguments could be framed with genuine concern about the boundaries of free speech, particularly relating to contentious social issues, they also could be seen as lending legitimacy to gender-critical perspectives which seek to undermine the existence of trans individuals and communities.

These arguments and concerns circulating in discourse pertaining to the Act have caught the attention of the British media, who have provided extensive coverage on the Act’s implementation and the discourses surrounding it. The following research will explore the ways in which the media reframes these concerns to both legitimise and encourage anti-gender sentiment development in the public consciousness.

2.2: ‘Anti-Gender’ in the UK: National Manifestations of International Trends

2.2.1: Introduction

“The UK has a credibility problem” said Chiara Capraro, Gender Justice Programme Director of *Amnesty International UK* (Capraro, 2024). She is speaking of the UK’s vocal advocacy for gender equality in the global arena, and the juxtaposing domestic structural inequalities which continue to primarily impact women and LGBTQ+ minorities, as well as the significant development of anti-trans rhetoric in British politics and the media (Capraro, 2024). Scholars and gender activist groups are voicing alarm at developing trends of anti-gender discourse in the UK (GATE, 2022; Lamble, 2024), specifically relating to the targeting of trans rights (GATE, 2022, p.3). However, these developments in the UK are not happening in a vacuum; the ‘anti-gender’ movement – defined here as “social movements mobilizing in opposition to what they call ‘gender ideology,’ ‘gender theory’ or ‘genderism’” (Walton, 2024) – has been gaining traction since the 1990s, where it emerged predominantly in opposition to the adoption of ‘gender’ as a commonplace term in international legal contexts (OHCHR, 2021, p.3), and was pushed by conservative political and religious groups (McEwen and Narayanaswamy, 2023, p.i).

Recent years have witnessed considerable international momentum for the movement; a comprehensive network of transnational actors has developed, engaging with and responding to nationalised anti-gender campaigns across the globe (Kuhar, 2023; Paternotte and Kuhar, 2017, p.253). These patterns of mobilisation are intricate, complex and can vary significantly depending on the geopolitical context (Paternotte and Kuhar, 2018, p.7), and so this literature review will focus specifically on the UK-specific national manifestations of international anti-gender trends.

2.2.2: UK Footholds for International Campaigns

To outline the ways in which anti-gender discourse is gaining traction in the UK, a suitable place to start is by detailing the ways in which international anti-gender actors and campaigns are interacting with and gaining footholds in UK contexts. One of the most overt trends relating to the expansion of the movement is the patterns of funding that anti-gender actors are distributing and receiving; in their publication on anti-gender global funding trends, the Global Philanthropy Project found that in the period between 2013–2017, the anti-gender movement accumulated \$3.7 billion in funding, whilst LGBTI+ movements worldwide received only \$1.2 billion (Global Philanthropy Project, 2020, p.13). A not-insignificant percentage of this funding is making its way into the UK; for example, *Alliance for Defending Freedom*, a notable anti-gender organisation who “campaigns to overthrow Roe v. Wade... increased its spending in the UK from £390,000 in 2020 to £770,000 in 2022” (Capraro, 2024). Recent efforts to trace anti-gender funding patterns have led to conclusions that “there is not one, centralised objective to the movement and its funders... [and] that several, overlapping, decentralised and mutually reinforcing projects fuel anti-gender mobilisation” (European Parliamentary Forum, 2021, p.81). Subsequently, it has been proving difficult to accurately track and extrapolate on such motives and distributions of financing for anti-gender actors in the UK context, and therefore it is important to draw on other techniques of mapping mobilisation to best understand the development of the UK anti-gender landscape.

In 2022, GATE (Global Action for Trans Equality) published a report titled ‘Mapping Anti-Gender Movements in the UK’ – this comprehensive study was commissioned to track the actors, approaches and their impact relating to anti-gender movement mobilisation (2022, p.1). GATE mapped “368 actors that have been active on (or closely linked to actors) campaigning against trans rights in the UK, and 1,036 relationships between them” (2022, p.6), providing a highly comprehensive overview of the UK anti-gender landscape and proved integral to determining the scope of the study and the decision to focus on the British media as a key actor in anti-gender mobilisation in the UK.

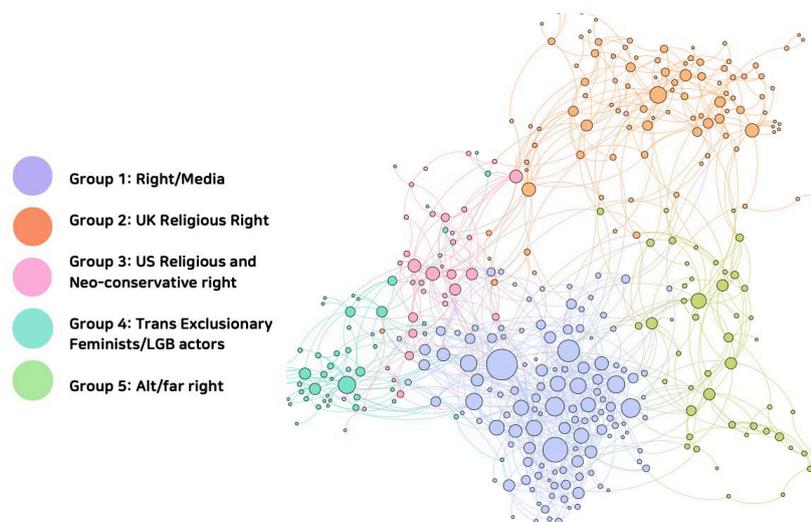


Figure 2 – Gephi Map of UK Anti-Gender Movement, outlining the interconnectedness of individual actors and groups – Source: GATE, 2022, p.10.

Figure 2 displays the findings of GATE’s report; this highly comprehensive map indicates the ways in which international influences and broader trends – such as US neo-conservative groups and the religious right – are exercising considerable influence over UK anti-gender movements. However, GATE emphasise that the most significantly influential group is ‘the right/media’, as “the most populous group on the map and has the highest density of social relations” (2022, p.12). They define this bracket of actors as those “linked to right-wing populism, conservatism, and the post-Brexit right-wing space” (p.12), and emphasise that “this group is closely enmeshed with (and also constituted by) key conservative and centrist media, and a smaller range of left-wing media” (p.12). Considering the substantial influence of the media in the anti-gender landscape specifically, both through their presence as anti-gender actors themselves and their ability to shape public discourse (as emphasised in Figure 3), further research mapping their agendas and analysing their approaches to shaping discourse will be vital for understanding how the anti-gender movement is gaining traction within the UK. These findings informed the shaping of this research project significantly, highlighting the necessity for such research and well-aligning with my wish to explore the Hate Crime Act as an arguable catalyst for significant developments of anti-gender discourse in mainstream public debate.

“At the same time, and perhaps most decisively, we have also seen rising influence and activities of Group 1 (the right/media) on trans rights and related issues in the UK.”

“They are by far the most influential group, even without factoring in their tremendous power to set the media agenda, reach audiences, and influence policy and legal change. Indeed, many of these actors actually are media, government, and wider policymakers...They represent the most compelling driving block for anti-gender mobilisations in the UK in the past six years.”

Figure 3 – Quotation from GATE, 2022, p.12

The rest of this chapter will subsequently focus on outlining other key anti-gender actors and their discourses in the UK with relevance to the Hate Crime Act (as informed by the previous section which outlined the legislative concerns of the Act’s implementation). The purpose of this is based on the consideration of the media’s potential to act as an amplifier to other avenues of anti-gender discourse (expanded upon in the upcoming theoretical framework), allowing for a better contextualisation of the discursive landscape from which the media is operating within.

2.2.3: Far-Right and Religious Mobilisations: Conservative Alliances

The first actor collective to highlight here is the far-right, major religious organizations, and the conservative alliance they have formed. Specifically, I will be outlining how international influence from alliances between the far-right and religious groups is translating to UK contexts, with specific reference to the conservative discourses which these alliances mobilise around. The emergence of anti-gender politics is largely accredited to the Catholic Church, who were one of the key organisations who voiced concerns about ‘gender ideology’ in the 1990s in response to the term’s incorporation into international policy (Corrêa, 2018; Lamble, 2024, p.506). A subsequent trend emerged of right-wing groups wielding ‘gender ideology’ as a political instrument to achieve their respective goals (Corredor, 2019, p.616; Norocel and Giorgi, 2022), and this shared aim of propagating anti-gender discourse has resulted

in powerful transnational alliances developing between conservative governmental, religious and civil society actors (OHCHR, 2021, p.8), which are recognised as a fast-spreading international phenomenon that is central to the emergence of national anti-gender mobilisations (Kuhar and Paternotte, 2018, p.6).

For example, in their 2023 *UNRISD* paper, McEwen and Narayanaswamy draw attention to the US Christian right as a dominating instigator of anti-gender politics in the international arena (p.9). They argue that this coalition holds a position of significant influence due to their role as “prominent funders and stakeholders in anti-gender movements” (p.9), and through coordinating high-profile international conferences which advocate in favour of the ‘natural family’ and mobilise against LGBTIQ+ rights (p.10). Indeed, GATE recognises this US interference to be a significantly influential force in UK anti-gender mobilisation (2022, p.8), and other academics and advocacy groups have supported this argument with reference both to other national instances of these alliances and the international coalition collective (see GATE, 2022; Norocel and Giorgi, 2022; Paternotte and Kuhar, 2018), with a consensus that these ‘far right’ and religious organisations are establishing alliances over shared conservative values which underpin this rejection of gender ideology.

The shared values and discourses of these alliances are integral to the development of the anti-gender movement, because they have allowed both groups to mobilise around a common narrative; Paternotte and Kuhar stress the complexity of anti-gender campaign mobilisations and the ways in which they can diverge or be in competition with each other (2018, p.7), which emphasises the value in understanding the ways in which different actors can converge in solidarity against ‘gender ideology’. For religious groups and their right-wing political counterparts, their agendas converge in support of discourses which emphasise the promotion of ‘traditional values’ and the protection of the ‘natural family’ archetype, with ‘gender ideology’ framed as a threat these institutions (Norocel and Giorgi, 2022, p.418). Finding roots in both adherence to religious values as well as traditional conservative expectations for the family unit and preservation of the state socio-political order (Graff and Korolczuk, 2022, p.6), this narrative is often accompanied by opposition to LGBTIQ+ rights and in many instances, an anti-feminist narrative (Norocel and Giorgi, 2022, p.418). In the European context, this narrative has been strengthened significantly through collisions with right-wing populism (Paternotte and Kuhar, 2018); in their book *Anti-Gender Politics in the Populist Movement*, Graff and Korolczuk argue that anti-gender discourse is increasingly

framed as a populist discourse; “it persistently juxtaposes innocent, gender-conservative people, whom it claims to represent, against corrupt, immoral elites who are accused of spreading ‘gender ideology’” (2022, p.7).

In terms of how right-wing populist and anti-gender movements can contribute to each other’s mutual development, scholars have demarcated further solidarity in discourse; Fassin argues that anti-intellectualism is central to this alliance, and “populist discourses rely on the antagonism...between ‘the people’ and ‘the elites’. But right-wing versions focus on cultural rather than economic dimensions of elitism” (2020, p.69). Allying with conservative religious groups to strengthen their appeal (Graff and Korolczuk, 2018, p.7), populist actors garner support by portraying themselves as defenders of these traditional values, national identity and the ‘ordinary’ people (Norocel and Giorgi, 2022, pp.422-423) against the ‘progressive elite’, which is significantly contributing to the support of anti-gender developments in Europe (Paternotte and Kuhar, 2018, p.11).

In the UK, whilst the overt religious axis to conservative values doesn’t hold as much power compared to other European contexts with more tightly knit religious national identities (GATE, 2022, p.11), the collective populist and conservative right are a major driving force behind anti-gender mobilisation (2022, p.7). By utilising a ‘common sense’ framing to strengthen arguments against gender ideology and in favour of these traditional values (Graff and Korolczuk, 2018, p.17), the collective far right is garnering support and a more mainstream platform for its discourse and values (GATE, 2022, p.12). What is now important to consider is how these values are translating into UK anti-gender campaigns, which will now be outlined in relation to the UK’s influential ‘gender-critical’ political developments.

2.3.4: the UK’s ‘Gender-Critical’ Feminist Agenda

As mentioned above, national contexts are highly influential in determining trends and priorities in regional anti-gender mobilisations. Key mobilising values and discourses can therefore vary between countries, and the UK is no exception to this; whilst many European countries work to target a spectrum of progressive social issues in their anti-gender

campaigns, the UK actors have displayed a unique single-issue approach in targeting trans rights (Lamble, 2024). The core tenets of the anti-gender movement as ‘opposition to gender ideology’ supposedly conflict with acceptance of trans rights and the trans community, often making them a central target to anti-gender campaigns.

Whilst this discussion has contextualised the anti-gender movement as primarily pedalled by the collective far right with its anti-progressive values, Lamble observes that “the anti-trans politics in Britain defy conventional left-right divisions” (2024, p.507) with significant support from a so-called ‘feminist’ collective in the UK. Whilst this can be recognised as an example of manifesting alliances from across the political spectrum over shared anti-gender ideals (GATE, 2022, p.12), Lamble argues that this anti-trans mobilisation in the UK should be recognised as a separate ‘gender-critical’ movement in its own right (2024, p.504). Briefly outlining the similarities and differences between these two movements, it will then be possible to evidence how this ‘gender-critical’ movement contributes to dissemination of anti-gender discourse, better contextualising this research project and the discourses surrounding the Hate Crime Act. Furthermore, in Chapters 4 and 5, the ‘key actors’ of the gender-critical movement as determined by the media will be outlined to better contextualise the media’s efforts to shape narratives surrounding this unique anti-gender mobilisation.

The ‘gender-critical’ movement is generally defined through its opposition to ‘trans ideology’ (Amery, 2024), which overlaps significantly with the goals of the anti-gender movement. However, these two movements diverge in their allyship with the ‘feminist’ agenda; whilst anti-gender actors “typically accuse feminism itself of ‘gender ideology’, figures in the ‘gender critical’ movement often (although not always) style themselves as feminists primarily concerned to defend women’s rights.” (Amery, 2024). In the UK, the gender-critical movement initially mobilised as a feminist endeavour (Pearce et.al, 2020) in direct response to governmental trans rights proposals (Lamble, 2024, p.506; Pearce et.al, 2020), making these gender-critical narratives and discourses of particular relevance to this paper and its focus on the Hate Crime Act.

The goals of the gender-critical feminist agenda manifest primarily as “rejection of trans women from the category ‘woman’ and [advocating] for single sex spaces that would exclude trans women” (Shaw, 2022, p.769). Whilst this parallels conservative narratives expressed by

the far-right, particularly in relation to ‘traditional family values’, gender-critical feminists also platform their own set of values and narratives which further the anti-gender agenda through other means. Extending from the conservative family unit ideals is an advocacy for biological sex as representational of the ‘natural’ order, as opposed to the ‘invention’ of gender (Global Philanthropy Project, 2020, p.5). Gender-critical feminists centre arguments of biology heavily in their campaigns, often refusing to recognise trans people’s gender on the basis of sex and gender technicalities (Shaw, 2022). Whilst such arguments are often tied to a pro-natalist populist stance, embedded within anti-gender campaigns which also reject LGBTQ+ rights as a whole (Rasmussen, 2023), the UK once again offers a unique divergence to these international trends through the ‘LGB’ alliance from cisgender members of the queer community, established with gender-critical feminists.

This coalition of whom much of the far-right international anti-gender movement stand in opposition to, evidences a further discursive anti-gender trend which transcends the political; increasingly, the trans community are being framed as an inherent threat to the safety of cisgender women (Turnbull-Dugarte and McMillan, 2023). These framings are often gendered, usually presenting trans women in particular as embodying the threat of ‘male’ sexual predation, linked to broader trends of gender-based violence against women (Westbrook and Schilt, 2014). Whilst GATE posits that these gender critical feminist/LGB alliances aren’t a strong driving force of anti-gender mobilisation in isolation (2022, p7), they are proving highly influential in media contexts (Lamble, 2024, p.509), with this narrative about women’s safety concerns gaining traction as favoured by media amplification (Lamble, 2024; Turnbull-Dugarte and McMillan, 2023). This once again centres questions pertaining to the role of the British media in disseminating anti-gender discourse and strengthens the justification for focussing on media outlets when researching UK anti-gender discourse trends relating to the Hate Crime Act.

Chapter 3 - Methodology

3.1: Theoretical Frameworks

3.1.1: Epistemology

The epistemological frameworks informing this research project are social constructionism and poststructuralism. Social constructionism provides a suitable foundational epistemology through its belief that knowledge and reality are constructed and maintained through social processes (Berger and Luckmann, 1991, p.12), and that language is particularly integral to the existence of these constructed realities (Andrews, 2012). Godler et.al. (2020) emphasise the value of such social epistemological frameworks to media and journalistic studies, highlighting the tendency to practice “agnosticism about objective facts” (p.214) and adopt a social constructionist perspective of ‘facts’ as something which is instead “commonly accepted as truth” (p.214). Such epistemological framing justifies centring the British media in this research as it recognises their capabilities in shaping public perceptions of the Hate Crime Act and the discourses surrounding it through their publications.

The addition of a poststructuralist framework to this epistemological foundation can offer insight into how and why these socially constructed truths take certain forms; poststructuralism’s critical foundations are oriented towards power dynamics and how they can legitimise certain types of knowledge (Campbell 2013, p.223). Similarly to social constructionism, poststructuralism concerns itself primarily with language and text (Edkins, 2007, pp.91), and offers a suitable framework to explore the relationship between power, language and discourse in this research. Foucault contributed much to the poststructuralist paradigm through his observations on discourse formation; he posited that discourses embody knowledge systems from socio-historical contexts and are created through shared collective meaning (Foucault 1970, as referenced by Newman, 2005, p.5). Poststructuralists argue that these discourses become accepted as normative ‘truths’ through the enactment of various socio-political power dynamics, and language operates as a key mechanism through which these power dynamics can be enforced (Norton and Morgan, 2012, p.1). As a result, this epistemological framework is well suited to this research in how it allows for a better understanding of the creation of shared ‘truths’ through social interactions, which can be applied

to the context of the British media as a manufacturer of discourse, and the addition of post-structuralism can help to better understand the power dynamics which shape these ‘truths’, particularly those which are legitimising anti-gender discourse.

3.1.2: Agenda Setting Theory and the British Media

Building on the previous chapter, the following theoretical framework is important for determining how the media shapes discourse through their influence over public perception of socio-political issues, ultimately indicating why media framing practices are of importance to research relating to the dissemination of anti-gender discourse.

The media is generally understood to play a major role in determining how the public perceive topics and issues; widely accredited to McCombs and Shaw (1972), ‘Agenda-Setting’ is a theory which posits that the selective coverage and emphasis which the media provides on certain issues “shapes political reality” (p.176). Happer and Philo argue that this “is not to say that the media simply tell us *what* to think... but they are key to the setting of agendas and focusing public interest on particular subjects” (2013, p.321). The effectiveness of agenda-setting lies in its psychological explanations and its techniques; the ‘accessibility bias’ model – promoted by Iyengar (1990) – indicated that “information that can be more easily retrieved from memory tends to dominate judgments, opinions and decisions, and that in the area of public affairs, more accessible information is information that is more frequently or more recently conveyed by the media.” (1990, p.2). This approach of “issue salience” (Takeshita, 2005, p.281) in media agenda-setting and the repeated centring of key arguments and issues by the media can therefore be significantly impactful on the ways in which the public perception of an issue is shaped. In the case of this research, identifying the most repeated discourses and arguments relating to the Hate Crime Act is a strong indicator of what the public consensus towards the Act is manifesting as. This theory extends to ‘anti-gender’ salience also, and the circulation of such discourses by the media as attaching themselves to the public consciousness.

Takeshita argues that there are likely two types of agenda-setting - that which is determined by accessibility bias, and “a deliberate ‘genuine’ agenda setting involving active inference” (2005, p.279). This second process, wherein “people actively learn from news judgments what important problems are facing the country” (p.279), understands that some people rely heavily on the media to deliberately shape their agendas and worldview. Understanding that the British media is recognised by some as an authority voice on socio-political issues is vital for this research in terms of gauging their influence on the dissemination of anti-gender discourse. Granted legitimacy by the public, the British media can be framed as an amplifier of anti-gender discourse through its choice of discourse and its agenda-setting power. Applying agenda-setting theory to my research strengthens the justification for selecting the media as a key actor relating to the dissemination of anti-gender discourse, and it also provides the foundations for the analytical framework which explores how the media shapes discourses surrounding the Hate Crime Act, which is outlined in Section 3.4.

3.1.3: Feminist Poststructuralism: The Construction and Contestation of Gender

Accompanying the above framework oriented towards the media’s agenda-setting power and capabilities, this section outlines the power dynamics relating to the construction of gender and their relevance to anti-gender discourse. Grounded in the contexts of poststructuralist feminism, this framework presents the ‘anti-gender’ opposition to gender discourse as an exercise of power, which is important for understanding the ways in which the media’s narrative strategies and framings can actively contribute to the oppression of trans communities.

Drawing on the metatheoretical network of poststructuralist thinking, feminist poststructuralism challenges ‘biological essentialist’ notions of gender categories as fixed and unchanging and instead views them as socially constructed, embedded within complex power dynamics (Frost and Elichaooff, 2014, p.43). Such arguments suitably position poststructural feminism in direct opposition with anti-gender discourse, allowing for effective problematisation of the content of their discourse, as well as the power dynamics which shape them; in Butler’s highly influential *Gender Trouble*, they posit the theory of ‘gender performativity’, whereby gender is not biologically determined but is instead “a set of repeated acts” (1999,

p.43) which have shaped ‘naturalised’ social categories through performance. In poststructuralist contexts, social categories such as these are understood to be shaped by and tightly interwoven with socio-political power dynamics and hierarchies, which continue to enforce them (see Foucault, 1978, pp.152-154). Indeed, in Ezie’s *‘Deconstructing the Body’*, they refute arguments that sex classifications can be accepted as biological ‘truth’ binaries and argue that they should instead be seen as socially constructed categories which discipline and regulate ‘the body’ (2011, p.144).

Ezie’s work is of particular value to this research because it both frames the enactment of gender as innately power-laden, and also demonstrates the ways institutions regulate bodies by disciplining those who don’t adhere to naturalised gender categories (2011, p.155). Trans and intersex individuals are subjected to ‘othering’ processes by legal and medical institutions which frame them as ‘deviants’ from the naturalised sex binary (2011, p.156), legitimising wider pathologizing discourse towards these communities and reinforcing normative expectations for gender and sex. These conclusions are highly relevant to this research context; by perpetuating discourse which reinforce these essentialist framings, the media as an institution is also engaging in the regulation of gender non-conformity and furthering the anti-gender agenda by reinforcing gender norms, strengthened by their aforementioned influence as agenda-setters.

To Davies and Gannon, “the point of a feminist poststructuralist analysis is not to expose the hidden truth of sex/gender in all its simplicities, *but to disrupt that which is taken as stable/unquestionable truth*” (2005, p.320). In essence, feminist poststructuralism is a highly suitable theoretical approach to utilise in opposition to anti-gender discourse because it is well-positioned to refute the biological essentialist arguments driving most anti-gender narratives, whilst also deconstructing the hidden power dynamics which work to enforce them, and subsequently disrupting the endeavours to enforce anti-gender narratives as ‘unquestionable truth’.

3.2: Dataset Selection

3.2.1: Media Outlets and their Articles

UK News Outlets

The news outlets chosen for the sample are all UK-based, and their articles are all listed on UK or Scotland-specific pages on their websites. Given that the Hate Crime Act applies only to the jurisdiction of Scotland, this research paper aims to unpack the discourse in its geographical context. However, the dataset also consists of articles written and framed in a broader UK context and published by UK outlets. The primary justification for this is due to UK media outlet branch structures; Scotland is a country which exists within the UK as part of a multinational state (Scottish Government, 2023). There are very few major Scotland-specific news outlets which aren't encompassed by a UK parent outlet, such as *BBC Scotland* existing as a branch of *BBC News*. As a result, articles drafted by Scottish journalists as part of the Scottish branches are included in their respective outlet databases alongside those drafted from other departments. Furthermore, when determining the most popular news outlets for the research process, the majority of the available data did not separate Scotland from the UK in its figures and estimates, and so the sample was gathered from the outlets indicated as most popular in the UK overall.

Digital Media Publications

The data gathered for this research consists of digital publication news articles, sourced from news outlets determined by popular readership of their online platforms. The choice of a digital dataset was determined for practical reasons; whilst 'news articles' have historically been distributed in print newspapers, the printing industry has witnessed a significant decline in engagement and profitability since the invention of the internet (Bhuller et.al., 2023, p.318). In the UK, almost all major news outlets have a digital platform where they circulate and distribute existing print articles and online-exclusive articles, and some outlets have switched to digital-only publications (Thurman and Fletcher, 2018). The choice of a digital dataset was therefore initially a practical decision, settled on in terms of accessibility – it was easier and more cost effective to review articles online instead of having to purchase

individual newspapers or gain access to an archive of previous prints – and searchability, wherein online search functions streamlined the compiling of the dataset.

The outlets selected for the dataset are the most ‘popular’ news outlets across the UK, based on estimated online readership numbers and polled consensus (see Ofcom, 2022; 2023) in order to account for their potential influence in public discourse due to their broad scope of engagement (Chung, Nam and Stefanone, 2012). The following outlets have been selected for the dataset; the BBC (British Broadcasting Corporation), The Daily Mail, The Sun, The Guardian and The Times. Most mainstream British news outlets are understood to have a political leaning, and whilst this wasn’t a determinant in the choice of outlets, the sample ultimately displays a somewhat balanced array of political orientations, as shown in Figure 4. In the upcoming chapters, the individual characteristics and practices of these outlets will be expanded upon to better contextualise the discourses they produce.

	Media Outlet	Political Leaning (Source: Information Commissioner's Office, 2020)	Outlet Type	Owned by	Number of Articles compiled for the dataset
	BBC News	Maintains a statutory remit, requiring it to be impartial and balanced. Delivery of this remit is subject to political debate.	Public service broadcaster	Publicly owned	25
	The Daily Mail	Right-leaning	Tabloid news outlet	The 4th Viscount Rothermere's <i>Daily Mail and General Trust</i>	87
	The Guardian	Centre-left leaning	Mainstream news outlet	<i>The Scott Trust</i>	15
	The Sun	Right-leaning	Tabloid news outlet	Rupert Murdoch's <i>News Corp</i>	9
	The Times	Centre-right leaning	Mainstream news outlet	Rupert Murdoch's <i>News Corp</i>	175

Figure 4 – Chosen Outlets (author’s creation)

3.2.2: Article Selection Process

Upon determining the news outlets the dataset was to be compiled from, the articles to create the full dataset were selected. The list of articles was compiled from the respective news outlet databases – each news outlet website has an internal search engine function which was used to search through their databases (as opposed to external databases which didn't guarantee a full list of all articles). The search terms utilised were “Hate Crime Act” and “Hate Crime Bill” (to account for articles published before the Act was passed), and all articles from the search results were read through to cross-check for mentions of the Act (or Bill). Figure 4 outlines the number of articles compiled for the dataset, and a purposive sampling strategy was then employed (Bryman, 2016, p.409 – explained below) to select a sample from within this compiled dataset, with a goal of determining a workable but comprehensive sample size based on constraints to the length of this paper and time available for research and analysis.

3.3: Purposive Sampling Strategy

3.3.1: Rationale

Upon establishing the full dataset, it was decided that a sample should be selected due to the size of the dataset and constraints of the research paper. Determining a strategy for selecting the sample required consideration of the uneven number of articles available between each news outlet in the dataset (see Figure 4); whilst random sampling techniques could help to limit researcher bias (Teddlie and Yu, 2007), it could also risk excluding certain news outlets or discourses platformed in particular articles which are pertinent to the goals of the research. As a result, a purposive sampling strategy was employed and articles for the sample were selected deliberately, based on criteria aligning with the research objectives (Teddlie and Yu, 2007, p.80). This strategy allows for the inclusion of articles which demonstrate key themes and discursive strategies relevant to the goals of the research (Patton, 2015, p.105), particularly those which provide portrayals of the Hate Crime Act and display anti-gender discourse.

However, due to the inductive approach underpinning a significant part of the research objectives and RQ1 focussing on the emergence of discourse from the public debate,

selecting a sample through pre-determined criteria when unfamiliar with the content of the entire dataset would've significantly hindered the opportunity to detect patterns and themes emerging from the data (Strauss and Corbin,1998). As a result, an iterative framework was selected to accompany the research process (outlined below), enabling the revisiting of data and analysis throughout the research process to adjust and refine its analytical focus (Srivastava and Hopwood, 2009), which helped to develop a more comprehensive interpretation of the findings.

3.3.2: Iterative Framework

A qualitative iterative framework was adopted for this research process, underpinning the sample selection strategy, the analytical approach and the documentation of findings. Berkowitz defines the qualitative iterative process as “a loop-like pattern of multiple rounds of revisiting the data as additional questions emerge, new connections are unearthed, and more complex formulations develop along with a deepening understanding of the material.” (1997). Given that this research project relies partially on an inductive approach to enquiry, the analytical process is driven by a goal of identifying patterns and themes as they emerge from the data (Strauss and Corbin,1998). However, an important consideration for qualitative analytical approaches is the role of the researcher in this process; Berkowitz (1997) and Srivastava and Hopwood (2009) emphasise how the motivations, subscribed theoretical frameworks and positionality of the inquirer all shape the analytical process. Strauss and Corbin (1990) caution that “the trouble is that researchers often fail to see much of what is there because they come to analytic sessions wearing blinders, composed of assumptions, experience, and immersion in the literature” (p.75), and so scholars such as Srivastava and Hopwood advocate for framing our understandings of qualitative enquiry reflexively to account for this (2009, p.77).

Due to the use of a purposive sampling strategy and the role of the researcher in determining 'relevant' data for the sample in this research, as well as the subjective nature of the analytical process overall, engagement with an iterative framework was deemed important to encourage awareness of any biases through reflexivity. In applying an iterative framework to this research paper, the sample selection strategy, analytical approach and documentation of findings were all subject to consistent reflexive scrutiny.

3.3.3: Sampling Selection Process

Stage 1: Thematic Filtering

After reading through all the articles in the dataset, I conducted a preliminary filtering process to select articles with the most relevance to my research questions.

Informed by the literature compiled for the previous chapters and the iterative framework approach, I concluded that a thematic filtering method would be suitable for initially narrowing my dataset according to relevance, and determined a list of thematic codes which I would use accordingly.

Informed by the literature, the themes I settled on were as follows:

‘Anti-gender’ discourse

Trans rights

Free speech/hate speech

Explicit Political Alignment/Socio-political stance

Informing these codes and the selection process was a personal awareness of the ‘orientation’ of articles; from initially reading through the dataset, it became clear to me that some articles focussed primarily on reporting a particular update or event relating to the Hate Crime Bill, Act, or its implementation process, whilst some articles focussed more on documenting or interpreting reactions to the Act from a wider audience. In media studies, multiple scholars have indicated the potential power of personal exemplars and reactions in media reports for shaping public perception and attitudes to political discourse (Andersen et.al., 2017; Yu et.al., 2015, for example). Considering this, a further filtering guidance principle was added which involved the orientation towards reactions to the Act, and selecting such articles on the basis that they were more focussed on mapping and shaping the discourses relating to the Act.

In practice, this filtering step reduced the number of articles to select the sample from on the basis of thematic relevance, and I drafted a list of articles which displayed one or more

of these thematic codes and excluded articles which didn't. From there, I moved to the second step of the sampling selection process, which is relevance scoring.

Stage 2: Relevance Scoring

Inspired by Cesario, Morin, and Santa-Donato's 2002 article on evaluating levels of evidence in qualitative research, I adopted the approach of relevance scoring to determine my final sample for subsequent analysis. Relevance scoring involves assigning a number to qualitative data to indicate its relevance relating to a set of criteria (Cesario, Morin and Santa-Donato, 2002, p.711). Whilst Cesario et.al. provide an extensive list of criteria for broadly determining the quality of literature (2002, p.712), I repurposed their criteria to instead denote the relevance and intensity of the determined themes with relevance to the research questions.

In this case, I established a three-point scale with the following criteria:

- 1 (Low relevance) – mentions the Act or gender discourse but centres other debates and presents a predominantly 'neutral' focus.
- 2 (Moderate relevance) – focuses on gender discourse and adjacent debates but doesn't necessarily indicate a strong social/political stance.
- 3 (High relevance) – focuses heavily on gender discourse, indicates a strong social/political stance.

Upon scoring all the remaining articles from my dataset list, I had several things to consider for determining my sample. Whilst conducting my preliminary review of the dataset, I became increasingly aware that the different news outlets would present different 'narrative voices', largely correlating with their widely recognised political stances or reputational practices (generally known for 'impartial' reporting versus sensationalist opinion pieces). As a result, if I scored all articles and selected only those with high relevance, my sample would be disproportionately balanced towards certain outlets. I therefore organised my articles into categories, grouped under their respective outlets and approximately determined proportional numbers of articles to be selected for the sample, per outlet (adjusted to account for the constraints of this research paper) – as shown in Figure 5. By choosing my sample accordingly, I was able to more accurately reflect the full dataset by limiting unbalanced representation.

Outlet	Total no. of articles	No. of articles chosen for sample
BBC	25	5
Daily Mail	87	11
Guardian	15	4
The Sun	9	3
The Times	175	15

Figure 5 – Number of Articles Selected for Sample (author’s creation)

A second consideration was how many articles I should select from different relevance categories; I had initially planned to exclusively select the ‘most relevant’ articles for my sample, but during the revisiting of the dataset and literature as part of my iterative approach, I became aware of the prevalence of ‘subtle’, covert microaggressions in gender-related and trans rights discourse. Nadal (2008) defines microaggressions as “brief and commonplace daily verbal, behavioural, or environmental indignities, whether intentional or unintentional, that communicate hostile, derogatory or negative slights and insults towards members of oppressed groups” (p.23). Nadal, Skolnik and Wong (2012) researched occurrences of microaggressions as experienced by trans communities in the USA, emphasising the prevalence of such discrimination in everyday circumstances (p.75). Meanwhile, Lu and Jurgens (2022) have focussed in on ‘subtle transphobia’ perpetuated primarily by aforementioned ‘Gender-critical feminists’, which follows trends of “statements [which] often appear seemingly positive and promote women's causes and issues, while simultaneously denying the inclusion of transgender women as women” (p.79). Acknowledging the prevalence of trans rights debates in this research and subsequently the varying ways in which anti-trans rhetoric can manifest, I determined that selecting my filter based on overt, opinionated instances of gender discourse could risk excluding such microaggressions which are concealed in more subtle, ‘neutral’ language. As a result, I decided to compile a sample which included instances of both type 2 and type 3 articles, with a goal of establishing representation of a wider spectrum of gender discourse and language.

A final consideration was establishing a compromise between content relevance and spanning the dataset’s full timeframe. I hoped to include (where applicable) publications from before the Act was implemented, during the first week of April – immediately after the Act came into force – and then the most recent publications in order to map how the

discourses have developed and changed over time. To do this, I selected mid- to high-relevance articles which roughly aligned with these timeframes first, and then selected the rest of the sample according to relevance and adherence to the above criteria.

3.4: Analytical Methods

3.4.1: Critical Discourse Analysis

Critical Discourse Analysis (CDA) will act as the main analytical approach for this research, with Fairclough's Three-Dimensional Model functioning as the primary analytical framework. CDA focuses on how discourses “construct, maintain, and legitimize social inequalities” (Mullet, 2018, p.116); it heavily centres language as a key instrument in the enactment of socio-political power dynamics and also considers “the context of language use to be crucial” (Wodak and Meyer, 2009, p.5), making it a highly suitable discipline to engage with when researching the influence of text-based media publications on evolving socio-political discourses, such as anti-gender discourse.

In terms of the specific discourses which this research is concerned with and the power dynamics which underpin them, CDA is also well-suited; Wodak and Meyer emphasise the centrality of power to CDA approaches, due to the way “discourse (re)produces social domination, that is, the power abuse of one group over others” (2009, p.9). This makes this methodological approach well aligned with the epistemological foundations and theory of this research, as well as the goals of the research in terms of understanding how anti-gender rhetoric is produced and communicated to audiences, whilst also accounting for the repercussions of this discourse in the shaping of public consciousness.

3.4.2: Fairclough's Three-Dimensional Model

In terms of practical applications of CDA to this research, Fairclough's Three-Dimensional Model proved highly suitable to the goals underpinning the RQs, which prioritise identifying and analysing emerging discourses in media publications as well as the contexts and factors associated with these developments. Fairclough's Model is identifiable in its objective of combining three dimensions of analytical approach into one; analysis of text (description), processing analysis of the ways in which the text is produced and received (interpretation), and social analysis of the socio-cultural contexts (explanation) (Fairclough, 1989, pp.25-26; Figure 6). As well as accommodating for the multiple levels of analysis that this research requires, this approach is also well suited to the adopted iterative process because it provides several points of analytic entry, allowing me to develop my analysis of the broader socio-political contexts and the dataset itself in tandem.

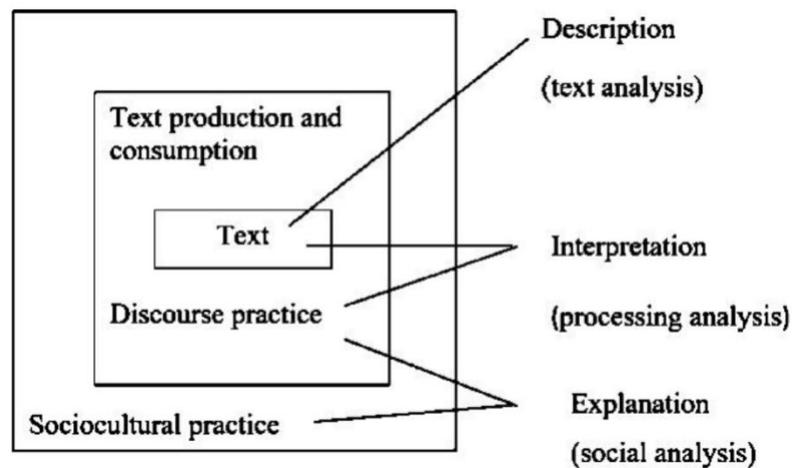


Figure 6 – Fairclough's Three-dimensional Model (*Concept: Fairclough, 1989; Diagram: Ahmed et.al., 2017, p.156*)

3.4.3: Framing Analysis

Complementary to Fairclough's Model for the primary analytical framework, framing analysis will also be utilised to provide a more detailed examination on how the British media can shape public perception of the Hate Crime Act and the surrounding debates. Entmann (1993) defines the process of 'framing' as to "select some aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation for the item described" (1993, p.52). Essentially, communicating texts – such as media publications – can selectively present, withhold or angle information to shape audience perceptions of issues. Such analysis has particular value in the context of this research project; D'Angelo (2002) applies parts of Entmann's logic to the news paradigm, outlining the varying ways in which frames are embedded in the communications process (p.873). He outlines several identifiable conjectures for news frame evaluation, namely the content, the conditions through which the frame was produced, and how frames interact with the recipients on both cognitive and socio-cultural levels (2002, p.873), which can all contribute to how a particular news frame can shape public perception. It is also well-supported by the aforementioned 'agenda-setting' theory which will be utilised in tandem with this analytical approach. Much in the way that Fairclough's model accounts for textual, discursive and social practices, these multifaceted models of frame analysis complement the CDA approach, with a targeted goal of understanding how the media both communicates and legitimises anti-gender discourses through particular narratives and presentations of information.

Chapter 4 - Going to [Culture] War – Mapping the Battlefield

4.1: Introduction to Discussion

The 38-article dataset covered a diverse array of actors, arguments and content, but through the iterative coding process, two key media approaches to circulating and popularising anti-gender sentiment emerged: inflammatory techniques, and legitimisation techniques. The following two chapters combine the findings and analysis of this research and are divided accordingly, mapping the discursive and linguistic techniques which shape them. This chapter deals with inflammatory content and its effects on public consciousness, particularly relating to how it shapes opinions on trans rights and anti-gender sentiments. It will unpack and problematise how the media both frames and incites conflict with a particular focus on the centring of the ‘culture war’ phenomenon in discourse.

Referring to the ‘media’

Throughout the analysis, there are consistent references to ‘the media’ as a collective, particularly in the ways in which they shape discourse. It is important to acknowledge nuanced opinions between outlets and articles, but this overarching reference is used primarily to represent dominant themes from the sample overall. This risks doing a disservice to the individual journalists and outlets who might express different opinions, so in relevant instances of notable divergence, clear distinctions will be made.

4.2: Framing the Conflict

When beginning the analysis, my coding process relied heavily on my contextual research and collected literature as a starting point for developing categories. As such, Chapter 2 and the previously established ‘primary’ concerns relating to the Act informed my analytical approach and allowed for an in-depth analysis into how the media has framed this existing debate and how discourses have evolved from these initial concerns.

As part of my initial coding process, I documented all quoted mentions of the Hate Crime Bill and Act to identify the most referenced parts of the legislation and give insight into which discourses the media was prioritising in its coverage. Figure 7 [below] lists the most referenced parts of the legislation and the contexts in which they were mentioned, primarily the criticisms they received, grouped thematically from the codes which emerged.

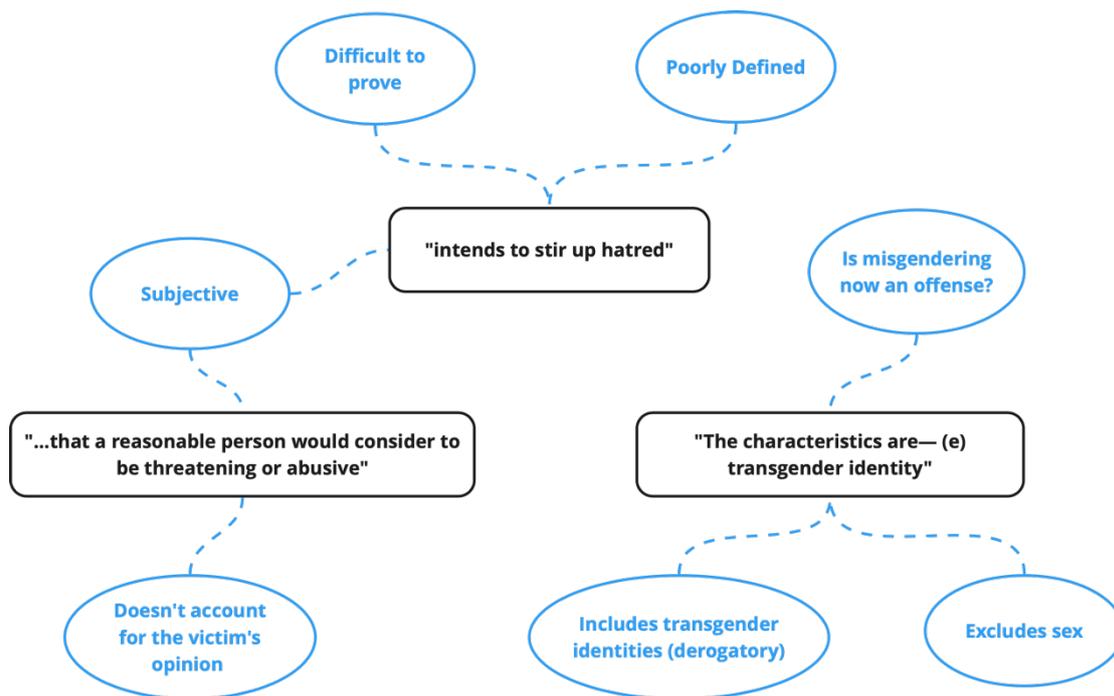


Figure 7 – Diagram displaying the most referenced quotes from the Hate Crime Act and common accompanying codes and frames (author’s creation)

It is important to mention that the Bill was subjected to amendments at several points during the implementation process (Scottish Parliament, 2021b), some of which addressed concerns that had been circulating in public discourse, such as the inclusion of the term ‘insulting’ as part of the ‘stirring up hatred’ offenses (Smith, 2020 [BBC]). However, the majority of the sample articles were published after the Act has been redrafted and are therefore referring to the finalised legislation.

From this analysis, it became clear that the British media was collectively formulating three main speculative topics for debate - or 'setting the agenda' – and centring them in their discourse:

- 1) Is 'it' a hate crime? (Or more specifically, is 'it' a criminal offense relating to the stirring up of hatred?)
- 2) Is 'it' transphobia? (and is that a hate crime?)
- 3) Is this going to impact the right to free speech?

Acknowledging McCombs and Shaw's 'Agenda-Setting' (1972) theory to argue that, by repeatedly centring these questions in the discourse surrounding the Hate Crime Act, the media is shaping public perception of the Act in ways which legitimise these concerns. Relevant to the techniques and implications of this agenda-setting is a pattern of evoking emotional responses through the construction of perceived threats; all three questions communicate some kind of 'threat' to the public (embedded in the accumulated discourses these questions represent). The first of these topics emerged most clearly in relation to the mentions of the 'stirring up hatred' offense and the 'reasonable person' excerpt. The phrasing of the question aims to encompass the aforementioned uncertainty towards both the wording of the legislation and the subjectivity of its enactment, which has been at the centre of much of the media's commentary on the Act's general limitations for the British public. In essence, the media is manifesting a threat of prosecution, arguing that the subjectivity of the Hate Crime Act risks 'unfair' prosecutions in instances of uncertainty of offense on behalf of the perpetrator, often framed as a shared concern amongst the entire Scottish population. Both the first and second questions are framed speculatively, relating to an unspecified 'it' - this is deliberate, as it aims to encompass the media's tendency to suggest that 'anything' could be considered a hate crime, as evidenced in Figure 8, for example.

"Thomas Ross, QC... warned it would be 'impossible' for Scots to know if they had committed a crime, which could lead to debate on controversial subjects being stifled."
(Watson and Wilcock, 2020 [Daily Mail])

"These are such marvellous and uplifting times to be a Scotchman. The greatly respected Scottish parliament has just passed an act making it illegal to hate anybody."
(Liddle, 2021 [The Times])

Figure 8 – Quotations from Sample

This uncertainty extends further into the heavily referenced protections of transgender identity by the 'stirring up hatred' clause. Question 2 extends this concern of uncertainty into the debates surrounding the legitimacy of trans identity. It was highly apparent that many of the news outlet displayed both overt and covert transphobic rhetoric (explored below) and framed trans rights as a highly controversial issue (see Cook, 2024a; Daily Mail 2024). By situating this concern of accidental offenses in what is framed as a contentious debate, it manifests negative connotations towards both trans rights discourse and the Act. Whilst the authors are unable to determine what stance the reader takes on trans rights, this framing draws on multiple socio-political frameworks which encourage opposition. Firstly, it panders to populist solidarity against elitist, academic debate which is often framed in opposition to 'common sense', exacerbating this through the potential injustice of prosecution for holding such a position. Secondly, it aligns with the feminist poststructuralist argument on techniques of pathologizing trans and intersex identities in a somewhat backwards approach, disciplining those who oppose protections to the trans identity in ways which encourage the harbouring of resentment, ultimately delegitimising them further. The actual answers to this question, heavily rooted in anti-gender discourse, will be explored below in relation to those involved in the debate.

The third question concept underpins the first two in the form of concerns about free speech as a consequence of such uncertainty and the threat of prosecution. This argument reframes the prosecution concerns and turns them inwards, alluding to an inevitability of self-policing speech (in several instances referencing Orwellian quotes concepts such as the 'Thought Police' and 'Groupthink' – see Hartley-Brewer, 2024; Harris, 2024). Discursive

agenda utilises a trend of accusing the Act of having a “chilling effect’ on free speech (22 mentions of this phrase across 37 articles), a quote supposedly accredited to philosopher and politician John Stuart Mill in the 1850s in his essay ‘On Liberty’ (Cook, 2024a). Repeated use of this phrase contextualises these concerns in historical trends, arguably legitimising them as a pattern of oppression to be challenged.

When evaluating these questions, this is not to say that the media ‘created’ these concerns from a vacuum; adhering to Fairclough’s model and recognising the importance of the production/reception trends and the socio-cultural contexts (Fairclough, 1989, pp.25-26), it is important to emphasise that the media draws on the existing discourse outlined in Chapter 2 from legal experts and scholars who legitimise these concerns. However, the media discourse diverges from these scholarly debates through these trends of emotive, inflammatory linguistic tools, utilised towards the public consciousness and designed to evoke concern, anger and distress from the readers. As will now be outlined, this trend of inflammatory discourse is also utilised for broader gender debates where anti-gender sentiments predominantly manifest, encouraging the adoption of anti-gender sentiments in the public consciousness.

4.3: What is the ‘Culture War’?

4.3.1: Creating the Divide

In his foundational works on the origins of culture wars in the West, Hunter defines the culture wars as “competing moral ideals as to how public life ought to be ordered and maintained...visions from which the policy discussions and political disputes derived their passion” (2006, p.14). BBC editor James Cook frames the culture wars as ideological conflict over socio-political concerns which transcend the left-right political frameworks (2024b). In *The Times*, columnist Iain Macwhirter speaks of the culture wars as the present era where “it is difficult to find such a reasonable being in the age of performative outrage” (2024).

The ‘culture war’ is not a new phenomenon - it is rooted in broad socio-historical discourse but continues to evolve. This section is devoted to understanding the ‘culture war’ as constructed and framed by the media and evaluating how they use these frames to justify and

disseminate anti gender sentiments. Ultimately, the cultural ‘debate’ is clearly identifiable in the discourse beyond the media and tied to the legitimised concerns relating to free speech and subjective legislative enforcement mentioned above. However, it can be argued that the media has constructed a ‘warzone’ of conflict and polarisation in which to situate this debate, arguably increasing readership, engagement and emotional reactions. Key to this discursive construction of conflict is what scholars Berry and Sobieraj flag as “a new genre of political opinion media that we term *outrage*” (2014, p.5). Subsequently defined through “its hallmark venom, vilification of opponents, and hyperbolic reinterpretations of current events” (2014, p.5), ‘outrage’ as a political commentary lens is becoming increasingly prevalent in online news broadcasting, and I will argue that this discursive arena is no exception. Furthermore, the prevalence of this commentary style will be argued as being primarily responsible for exacerbating this culture war, and integral to the development of hostility and anti-gender sentiments across the discursive landscape.

Overt Positionings of Trans Debates and Divisions

The media has expanded the discourse surrounding subjectivity concerns in the Act’s legislation to centre and include debates surrounding trans rights. It does so overtly in several ways: most explicitly is the repeated mentions of trans activists and their supposed behaviours, attitudes and opinions on the Act. Frequently portrayed as ‘hysterical’ (Macwhirter, 2024 [The Times]), “shrieking maniacs” (Liddle, 2024 [Daily Mail]) or “zealots” (Hoffman, 2024 [The Sun]), right-leaning media outlets consistently display ‘outrage’ commentary and villainise supporters of trans rights by situating them in opposition to rationality on varying axes. This is exacerbated by situating these linguistic trends in framings of the entire trans rights debate as oppositional to rationalism and the public benefit, quoting instances where misgendering and ‘stating biological facts’ could be considered transphobia and resulting in scenarios where “perhaps 95 per cent of the population might be considered transphobic” (Massie, 2021), once again positioning the Scottish population in opposition to the Act.

A second clear technique for centring trans rights debates in the Hate Crime Act discourse is the repeated mentions of ways in which women’s rights and safety are potentially compromised, often at the expense of trans rights inclusion. Multiple outlets express a clear trend of positioning women as the most vulnerable demographic in society, exacerbated by

their exclusion from the Act (see Figure 9). Many articles don't mention the SNP's expressed commitment to a separate Misogyny Bill to better account for the protections of sex and countering misogyny, as advised by a women's rights Working Group, commissioned by the Government (Scottish Government, 2020).

“The re-definition of 'woman' to include every man who declares himself one has already had serious consequences for women's and girls' rights and safety in Scotland, with the strongest impact felt, as ever, by the most vulnerable, including female prisoners and rape survivors.

(Rowling, 2024; as quoted by Grennan et.al, 2024 [Daily Mail])

“As of Monday, it is illegal to ‘stir up hatred’ against someone who self-identifies as a gender that’s different from their biological sex, but women – more than half of the population, and a group that receives more abuse, violence and threats of violence than any other – are conveniently ignored.”

(Harris, 2024 [Daily Mail])

Figure 9: Quotations from Sample

This framing strategy likely evokes strong emotional reactions from readers – especially biological women – who feel they are experiencing injustice by being excluded from the Act. Figure 9 also highlights a trend of emphasising the violence and mistreatment which many women face – a highly prevalent social issue which needs addressing – and arguably further evoking strong emotional responses through calls to shared experiences, which increase the emotional stakes a person might have in this debate. This framing approach is reminiscent of a trend in anti-gender campaign mobilisation, identified by Paternotte and Kuhar (2018), which employs populist rhetoric mechanisms such as scapegoating and reversal of victim/perpetrator roles (p.12). These techniques – bracketed as “politics of fear” by Benveniste et.al, are employed “to raise the affects of the people and arouse their immediate feelings” (2016, p. 12). By coupling this framing technique with linguistic dehumanisation and ‘othering’ of trans identities, the media has shaped a highly polarising discursive landscape which emphasises a divide between the trans community and cisgender women, encouraging a rejection of the Act and resentment towards those who are prioritised by it.

Covert Positioning Techniques

Accompanying the linguistic and discursive tools which explicitly orient the Hate Crime Act debates towards trans rights, the media has exhibited more covert approaches towards centring this discourse in the public consciousness. One of the most notable is the act of repeatedly centring trans rights in the articles; every article in the dataset mentions either the inclusion of transgender identity in the legislation or the centrality of trans rights in subsequent debates. Drawing on agenda-setting theory and Takeshita's observations on "issue salience" (2005, p.281), it is possible to credit the extensive power being exercised by all major outlets from the sample in saturating the discourse and shaping public consciousness to accept the centrality of trans rights debates within the Hate Crime Act controversy. Perhaps ironically, several right-leaning outlets make accusations towards trans activists as those responsible for 'forcing' the trans rights agenda into mainstream discourse (Hoffman, 2024 [The Sun]; Liddle, 2024 [Daily Mail]), whilst simultaneously saturating their content with trans-related discourse.

The fixation on trans rights debates has become so central to the Hate Crime Act coverage that in one *Guardian* article - the only left-leaning outlet of the sample - several interviewed activists raise concerns about the redirecting of the debates surrounding the Act away from the core concerns about the realities of hate crime in Scotland and the suffering of those from all protected categories for whom the Act is designed to protect (Brooks, 2024b). By framing trans rights as a divisive issue, the media is both amplifying the 'culture war' and obscuring the primary purposes of the Act in its protections for marginalised groups. By encouraging animosity and fear through 'outrage' commentary, the media has shifted the focus away from intersectional inclusivity and towards a mobilisation against gender diversity acceptance, weaponizing free speech concerns and fearmongering over women's safety in order to set social power dynamics in 'traditional' frameworks which continue to pathologise trans identities. Furthermore, there is a newly emerging body of research devoted to identifying correlational trends between the expression of inflammatory language online and forecasting hate crime violence (Calderón et.al, 2024; Liu, 2024), supporting an argument that the media's inflammatory framing techniques can have significant negative consequences on marginalised groups through the incitement of animosity, and in this context, potentially be counterproductive to the Act itself.

4.4: Motives and Factors Determining Conflict Framing

Reflecting on the consistent discursive and linguistic techniques utilised by the media to shape the discourse surrounding the Act into a culture war, as outlined thus far, it can be concluded that for at least some outlets this provocation of the public consciousness is intentional. It is important to understand collective media stakes and motives in the discourse surrounding the Act as context for why the media is encouraging ‘warfare’ and – in the case of the right-wing outlets – clearly leaning in opposition to the Act. Doing so allows for a stronger understanding as to how and why anti-gender sentiments might continue to circulate through the media and help identify further narrative trends. As alluded to previously, this research is shaped according to limitations on what information can be gathered on media motivations from secondary research. As such, enquiries into the motives underpinning the media’s choice of framing - as aligned with RQ3 – are reliant on literature, theory and the data itself.

A likely primary motive behind the media’s choice of framing is public engagement. Berry and Sobieraj argue that the increasing prevalence of outrage commentary in the media should be attributed to the “structural changes in the media landscape... that have rendered such content newly profitable” (2014, p.6). In Chapter 3, Figure 4 provides an overview on the sample outlets and their ownership details, which provides two key points of insight. The first is profit models – aside from the BBC, all sample outlets are privately owned and therefore rely in some capacity on readership revenue to sustain themselves. Harrington argues that the “competing (and often conflicting) priority of profit and service” is the tension shaping most media agendas (2008, p.267), which leaves most outlets managing a precarious balance between engaging and informative content. The outcomes of such balances vary by outlet; especially in the case of the tabloids (Daily Mail and The Sun), engagement is considered a higher priority and expectations of content quality for tabloids in public consciousness have been shaped accordingly, allowing journalists to ‘lean in’ to sensationalist practice which appeal to much of the public (Skovsgaard, 2014).

The other insight offered by the ownership details of the outlets (Figure 4) is shareholder interests and subsequent political affiliations. Again, the BBC is publicly owned and claims commitment to impartiality, and the Guardian has a unique single-shareholder ownership

model to “ensure editorial interests remain free of commercial pressures” (The Guardian, 2015), although it’s still considered to have a political leaning (Information Commissioner’s Office, 2022). The right-leaning outlets have multi-shareholder models, receiving funding from a variety of actors who can shape the editorial processes according to their interests. Whilst this could result in conflicting interests and in some instances, an increasing dominance of majority stakeholders could actually further align select narratives in their interests; The Times and The Sun are both owned by NewsCorp, Rupert Murdoch’s notorious international media empire, which has a long history of controversial political interferences, largely accredited to the immense power afforded to Murdoch through dominating ownership of media networks in the West (Lidberg, 2019). Murdoch is an ideal case study of how growing trends of ownership concentration are resulting in a shift towards singular or overlapping stakes and interests, with the power to set media agendas accordingly. Evidently, both The Sun and The Times largely align in their positioning against the SNP and the Hate Crime Act, resulting in a dominating discursive force with immense power in shaping public consciousness.

4.5: ‘TERF’ Agendas: The Case of Joanne Kathleen Rowling

4.5.1: Introduction

Out of the 311 articles collected for the original dataset concerning the Hate Crime Act, over a third of them mention J.K. Rowling. The Scottish author of the *Harry Potter* series has become undeniably influential in the exacerbation of controversy surrounding the Hate Crime Act. To quote the BBC – “There is no doubt that the intervention of one of the most successful living authors on earth transformed the issue into a global news story” (Cook, 2024b). During the coding process, J.K. Rowling was quickly allocated a thematic category of her own; initially, the in vivo process led to the ‘literal’ code category: “J.K. Rowling is (a)...” - with the subsequent organised codes displayed in Figure 10 - which effectively evidences the extent to which her and her views are platformed, situated and debated through the media and in broader gender discourse.

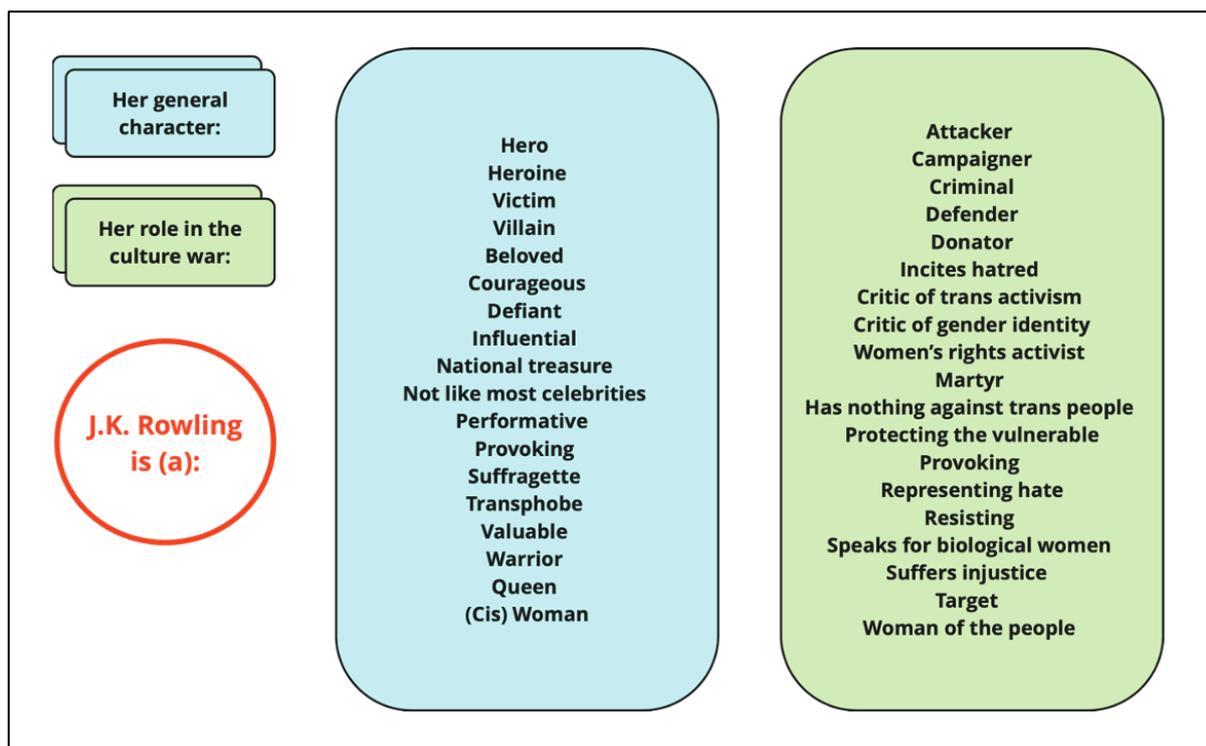


Figure 10 – Diagram displaying the codes and in vivo subcodes for the category “J.K. Rowling is (a):” (author’s creation)

As the dataset was revisited, the codes were reorganised to account for Rowling’s influence in other themes and categories. This ‘case study’ will outline the ways in which she furthers the ‘gender-critical feminist’ agenda through her affiliation with the gender-critical movement and how she is perceived and portrayed by the media, connecting to the argument that she is a major influence on the adoption of anti-gender sentiments in the public consciousness.

Following the previous discussion on motivations of the media in centring culture wars to increase readership engagement (Berry and Sobieraj, 2014), it is important to determine why Rowling has become so integral to these debates. Having long been vocal about trans rights issues on her social media accounts, Rowling’s high-profile status arguably awards her more power in shaping discourse – specifically in the context of anti-trans rhetoric. Hines (2019) links the growing hostility towards trans rights in the UK with high profile ‘feminist’ commentators, which can be further exacerbated by social media influence (p.5). Understanding J.K. Rowling as such a commentator (her specific arguments to evidence this will be outlined below) and tying this to the media’s goals of increasing readership, Rowling

continues to be awarded legitimacy through her own popularity and the media's coverage of her as a high-profile individual. This legitimacy makes her highly influential in shaping discourse, and her position relating to the anti-gender movement will now be evidenced as a key component of its growing popularity.

4.5.2: Rowling as a Mobilising/Polarising Force

Evidenced by her dominating presence in the data, Rowling maintains a pivotal role in the discourse surrounding the Hate Crime Act. It can be argued that the media amplifies her arguments and opinions with specific strategies that position her as both a mobilising and polarising force in the trans rights debates surrounding the Act, rallying support for the gender-critical agenda and constructing opposition to the Hate Crime Act and its efforts to protect trans rights. Rowling's arguments which inform her position in the debate often mirror or exist within the inflammatory discourses relating to the media's construction of the culture war. For example, she frequently works to invoke moral hysteria relating to women's safety (Section 4.3), drawing attention to individual cases of rapists or paedophiles who happen to be trans and using their existence as justification for barring trans women from women's spaces (Cook, 2024b [BBC], Prosser, 2024 [Daily Mail]), recalling her personal experience of domestic abuse and sexual assault as further justification for her position (Bushby and Youngs, 2024 [BBC]). Such arguments are inherently connected to the aforementioned gender-critical agendas (Shaw, 2022, p.769) and exemplify the discursive pattern of presenting trans women as embodying the threat of 'male' sexual predation (Westbrook and Schilt, 2014).

In several instances, the media presents certain discourses as *emerging* from Rowling's circumstances; Hartley-Brewer frames Rowling's speculative criminal investigation as a catalyst for the mobilisation of women against the Act, framing it as evidence of a new "assault on women" (2024 [The Sun]). As additional evidence of her influence in shaping discourse, multiple articles in the dataset are shaped around her quotes and behaviours – see Groves et.al, 2024; Prosser, 2024, and Appendix 1.

The debates in which Rowling situates herself (or is situated within) generally align with previously mentioned emotive discourses and framings relating to the victimisation of women (Section 4.3.2) and infringement on free speech (Section 4.2), playing into “outrage politics” to the arguable financial benefit of the media (Berry and Sobieraj, 2014). Importantly, this association with emotive discourse and polarised debate is arguably exacerbating her status as a controversial public figure; Figure 10 evidences a trend of highly divisive codes (Attacker/Defender, Hero/Villain, Suffragette/Transphobe) which are all used to describe Rowling in the dataset. Out of context, these codes indicate that Rowling is equally celebrated and heavily criticised by the outlets, however in adherence to Fairclough’s model (1989), it is important to acknowledge the textual and discursive contexts of some quotes from which the codes arose from to give a more accurate depiction of the overarching discursive trends. Many of these *in vivo* codes which hold negative connotations towards Rowling are shared as *assumed* criticisms of Rowling from the collective ‘other’ of the trans community; Figure 11 evidences this through the explicit references to trans rights positioning, as well as the more implicit injustice of being ‘branded’ by these terms.

“The big prize, the greatest hate figure in the imaginations of permanently furious trans ideologues, is Harry Potter author and Scottish citizen JK Rowling.”

(Harris, 2024 [Daily Mail])

“She has been cruelly branded a hate figure, a transphobe and a bigot.”

(Hartley-Brewer, 2024 [The Sun])

Figure 11: Quotations from Sample

The arguable result of such narrative techniques is explicit (Figure 10) and implicit (Figure 11) patterns of empathy towards Rowling, endearing her to the public and constructing harsh narratives as supposedly perpetuated by trans activists, framing them as aggressive, overly critical and generally in opposition to rationality. This is a trend primarily perpetuated by the right-leaning outlets, however the BBC and the Guardian arguably also contribute to this overarching trend by framing the criticisms of Rowling as presented by only ‘one side’ of the debate (see N/A [The Guardian] 2024, for example). In the media-driven, polarised contexts of the debate, allocating an opinion to ‘one side’ could alienate the public from those arguments (SOURCE), particularly in instances where they might otherwise disagree

with other points presented from that position (and therefore exacerbated in this context by repeated efforts to alienate the trans activist position, as demonstrated above).

4.6: Conclusions

By examining how the British media frames the Hate Crime Act as a ‘culture war’, it is possible to identify and problematise the inflammatory linguistic and discursive techniques which are utilised to exacerbate increasingly polarising opinions on trans rights. Through purposeful engagement with critical frameworks and a poststructuralist feminism lens for the goal of addressing RQ2 and RQ3 in particular, it was possible to understand how anti-gender sentiments were being conveyed and gaining popularity through the media. The prioritisation of ‘outrage politics’ indicated this case study to represent a convergence of media incentives (sensationalism and agenda-setting capabilities), contextual driving discourses (free speech concerns, (cis) women’s rights and gender-critical feminism) and the innate power frameworks which enforce gender-conformity and pathologize trans identities. The following chapter focuses on a second key media strategy for centring anti-gender sentiments in public consciousness, which conversely operates by ‘neutralising’ discourse surrounding trans rights in order to grant legitimacy to anti-gender sentiments.

Chapter 5 - Granting Legitimacy

This chapter deals with the second key technique which the media uses to circulate and popularise anti-gender sentiments – legitimisation strategies. As will be explored, patterns of ‘rational’ framing and neutral language employed by the media are major contributors to the distribution and normalisation of anti-gender sentiments in public consciousness.

5.1: Problematising the ‘Truth’ of Biological Essentialism

Biological essentialism is generally defined as a belief system wherein biology and genetics determine particular characteristics as fixed and unchanging (Greene, 2020, p.17). Increasingly, it is also being defined in relation to the anti-gender movement as a justificatory ideology for refuting arguments concerning the social construction of gender (Sanders and Jenkins, 2022, p.371), subsequently framing trans identities as deviations from ‘natural’ or ‘scientific’ norms. There is longstanding debate as to what extent biological essentialism can be granted epistemological legitimacy in academic and medical spaces (Greene, 2020). However, keeping to the scope and purposes of the RQs, this discussion focuses instead on the construction of anti-gender discourses around the essentialist argument and how they are framed by the media, suitably informed by the aforementioned critical theoretical models.

The media frequently overlooks the nuanced debate on the contested validities of biological essentialism, simplifying and condensing it to ‘simple truths’ which are more digestible to the average reader. As shown in Figure 12, discourse which draws on biological essentialism frequently frames it as an ‘irrefutable reality’ and subsequently positions trans activism or arguments recognising gender as a social construct in direct opposition to reality and science.

“People like me all across Scotland are thinking twice about saying not only what we think, but what science and biological reality makes obvious”

(Harris, 2024 [Daily Mail])

“For several years now, Scottish women have been pressured by their government and members of the police force to deny the evidence of their eyes and ears, repudiate biological facts and embrace a neo-religious concept of gender that is unprovable and untestable.”

(Grennan et.al, 2024 [Daily Mail])

“Responding to the decision, Rowling said: ‘I hope every woman in Scotland who wishes to speak up for the reality and importance of biological sex will be reassured by this announcement, and I trust that all women – irrespective of profile or financial means – will be treated equally under the law.’”

(Brooks, 2024a [The Guardian])

Figure 12 – Quotations from Sample

Figure 12 well-evidences that this discursive trend both strengthens anti-gender arguments and undermines trans activism. Contrasting the ‘irrefutable’ arguments of biological essentialism with the framing of gender theory as a “neo-religious concept” with no supposed empirical basis, this discourse delegitimises the lived realities of the trans community and frames acceptance of gender theory as a threat to shared public logic. This framing trend is perhaps one of the clearest instances of broader socio-cultural power dynamics shaping the discourse; by likening trans rights opposition to adherence with biology and science, this ‘side’ of the debate is granted a foundation of legitimacy and objectivity which is highly effective in ‘naturalising’ anti-gender discourses which rely on biological essentialist arguments (Sanders and Jenkins, 2022, p.371). This is exacerbated by the increased pervasiveness of this discourse across the media outlet political spectrum – in the sample, there were more recorded instances of references to biology and science (often as quotes) in the *BBC* and *Guardian* articles than there were instances of explicitly inflammatory language. The biological essentialist argument against trans rights is therefore being both naturalised and normalised – frequently repeated and framed not as a divisive opinion, but as a valid knowledge-claim with a right to consideration in endeavours for discursive ‘balance’.

Importantly, further engagement with feminist poststructuralism and accompanying critical theorisations of the sex/gender debate reveal other power dynamics at play. Adhering to Fairclough's analytical framework and the importance of considering the cultural and historical contexts of discourse, the work of feminist poststructuralists and intersectional, decolonial feminists can reveal that this scientific authority is deep-rooted and well-connected to other power frameworks, determining biological essentialism as a heteronormative, colonial endeavour. As mentioned, poststructural feminism is well suited to countering biological essentialism because it problematises the discourse content whilst also exposing the power dynamics which shape them. Expanding on their theory of gender performativity, Butler argues that the social categories of gender are entrenched in regulatory power structures which ensure their maintenance (2011, p.1), citing Foucault to categorise sex as a "regulatory ideal" wherein the category "not only functions as a norm, but is part of a regulatory practice that produces the bodies it governs" (p.1), and subsequently framing the performance of gender as a "hegemonic" set of norms which are inherently connected to socio-historical power structures (pp.125-126). Endeavouring to better-identify these power structures, decolonial scholars such as Lugonés (2007) understand gender as a colonial construct (p.198), and the enforcement of gender roles as an inherently violent colonial endeavour (p.201). Subsequently, scholars such as Ezie are re-contextualising these arguments in contemporary contexts and evidencing the ways in which these power structures prevail in institutions who regulate bodies by disciplining those who don't adhere to these naturalised gender categories (2011, p.155), parallels of which are seen here in the British media's coverage of the Hate Crime Act and the fixation on exacerbating controversy surrounding the protections of the trans community.

Ultimately, engaging with critical theories here helps outline the power structures interwoven with biological essentialist discourse, allowing for the problematisation of arguments of 'objective truth' to destabilise their legitimacy when drawn upon to challenge trans rights. However, as has been evidenced thusfar, the media uses a combination of linguistic and discursive techniques to invoke anti-gender positioning, more of which will be explored below. It will be argued that this biological essentialist framing underpins many of the further strategies in legitimising anti-gender discourse, but the unique national context of the UK and prevalence of gender-critical feminism introduces other power dynamics which further normalise transphobia.

5.2: “I’m not transphobic but...” – Locating the ‘Rational Middle Ground’

5.2.1: Rationality Framing

The discourses surrounding the Hate Crime Act have been evidenced as rife with polarisation tactics, with the media utilising divisive linguistic techniques and frames to exacerbate the controversies surrounding the legislation in the public consciousness. However, whilst these techniques were utilised primarily by tabloids and right leaning outlets, the trend of ‘neutralised’ discourse as a legitimisation technique for distributing anti-gender sentiments arguably has a more far-reaching influence. This is because – as will be evidenced – even ‘impartial’ outlets such as the BBC can inadvertently circulate anti-gender discourse through ‘neutral’ frames and language, arguably reaching a larger audience than just the target demographic of inflammatory, sensationalist techniques from tabloids.

Drawing on biological essentialism, ‘legitimate’ criticisms of the Hate Crime Act, populist sentiments, and power dynamics which underpin the ‘traditional values’ of the anti-gender movement, it will be argued that the media has established a ‘rational middle ground’ framing which establishes a ‘palatable’ position for much of the collective public in the context of the polarising Hate Crime Act debates.

However, this position will be evidenced as firmly embedded in anti-gender power structures, which exacerbates the marginalisation of trans communities, and will be problematised accordingly.

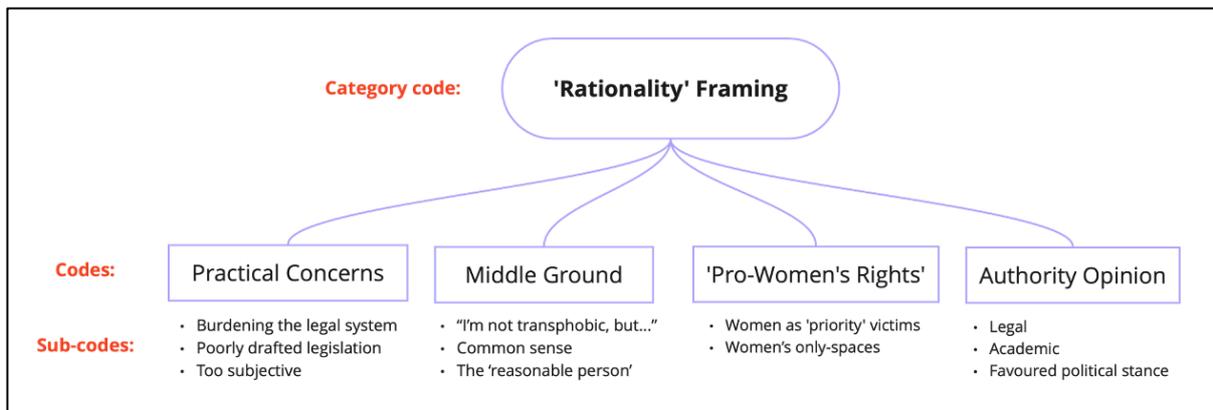


Figure 13 – Diagram displaying the codes for ‘rationality’ framing (author’s creation)

When referencing ‘rationality’, it is being understood and communicated here through the feminist poststructuralist lens, which sees the concept as explicitly inclusive of the power dynamics which shape its standard definitions (Davies, 1991; Mumby and Putnam, 1992). In this case, the ‘rational’ position in this debate is that which is explicitly manufactured as such by the media through linguistic and discursive techniques; Figure 13 displays the codes relating to the trend of ‘rationality’ framing. These codes emerged as what the media *constructed* the ‘rational’ position to account for, both in terms of how specific narratives would be situated between ‘opposing’ camps, and with explicit repeated references to terms such as “common sense” (Figure 14, for example), allusions to decisions and opinions being clear cut, straightforward or based on ‘facts’ (Harris, 2024 [Daily Mail]) and alignment with biological essentialist debates (Figure 14).

“But there is a bigger problem. I would very much like to stir up opposition to the notion that a chap dressed as a lady actually is a lady and that “women” effectively do not exist. I think that is a flawed, silly and dangerous notion, counter to science and common sense.”

(Liddle, 2021 [The Times])

“The prime minister, Rishi Sunak, asked about Rowling’s comment on Tuesday morning, said that while he would not comment on a police matter, ‘nobody should be criminalised for saying commonsense things about biological sex’”

(Brooks, 2024a [The Guardian])

Figure 14 – Quotations from Sample

Through these linguistic techniques and its agenda-setting capabilities, the media is determining what qualifies as a rational positioning in this context. Returning to the codes of Figure 13, it is possible to identify the specific discourses through which this manifests; focusing primarily on the ‘Middle Ground’, the content of its sub-codes and the discourses it shapes as a concept, this next section will outline the foundational ideas which ‘locate’ the middle ground, and then how the media (re)constructs these discourses to appear neutral. The codes of ‘practical concerns’ and ‘authority opinion’ will be tied to this discussion, and

well-contextualise the specific arguments within the broader discourse of the Hate Crime Act in ways which give them legitimacy, but ultimately can be evidenced to delegitimise trans rights debates in turn.

5.2.2: Middle Ground

In this research, the term ‘middle ground’ emerged both as a code for positioning arguments in debate, and also as a strategic discursive technique. The code represented instances where the author would try to account for ‘both sides’ of the debate, or walk a line of ‘rationality’ in the middle (e.g. Smith, 2020 [BBC]). However, engagement with feminist poststructuralist analysis will prove useful in effectively identifying and unpacking the hidden power dynamics shaping this discursive position, and problematising the foundational assumptions which result in this linguistic approach still ultimately further contributing to the dissemination of anti-gender sentiments.

The first of several hidden fundamental assumptions which are shaping the middle ground as a site of anti-gender sentiment is the aforementioned biological essentialism as a starting point for ‘reasonably’ rejecting trans rights protections. Returning to Butler (2011), Lugonés (2007) and Ezie (2011), the use of biological essentialism to determine central arguments for the middle ground evidences the pervasiveness of anti-gender ideology in the construction of discourse surrounding the Act. This manifests in the text and media practice primarily through the continued fixation on gender and trans identity debates as discursive themes (see Section 4.3.1) which contributes to the enforcement of gender categories (Butler, 1999) and continued alienation of trans identities from the traditional norms. This also emerges in specific linguistic techniques connected to the above rationality framing approaches – once again looking at Figure 14 for examples, both left and right leaning outlets are connecting terms such as ‘common sense’ to biology and science, reinforcing that aforementioned scientific legitimacy which inherently positions trans identities as illegitimate and contradictory to scientific discourse.

Building on this, the sub-code of “I’m not transphobic, but...” (Figure 13) is highly relevant for locating this essentialist discourse as the ‘middle ground’ rather than a polarised

dichotomy, where biological essentialism might otherwise be framed as an explicitly oppositional stance. Evidenced through this code, there are multiple instances where the authors express sympathy towards the trans community. Whether this manifests as an admittance of compassion or passive acknowledgement of societal prejudices - "nobody engaged in this process wishes, I believe, to make trans lives more difficult than they may sometimes be at present" (Massie, 2020 [The Times]) - or more explicitly declaring "I'm not a transphobe, but I call a spade a spade" (N/A [Daily Mail], 2024), these allusions to an opinion on the trans community which isn't explicitly villainising, but also not quite accepting, are still innately transphobic (Nadal et.al., 2012). However, they present an arguably more palatable stance in the context of the Hate Crime Act itself and the moral hysteria surrounding the lack of clarity over 'hate speech', which might deter people from aligning with more explicit transphobic stances.

The final underlying assumption shaping this middle ground is arguably a key determinant in the increasing popularity of anti-gender sentiments; embedded in multiple strands of discourse is the implicit framing that people are going to have to concede *something* to accommodate for trans rights. Mentioned briefly above in relation to women's rights as a technique for invoking outrage (Section 4.3), this narrative of including trans people to the detriment of others is not uncommon in discourse surrounding the inclusion of trans women in women's sports (Greedy and Lenskyj, 2022), but here it can also be tied to a culmination of concerns about the loss of free speech and is often framed to invoke a nationalist, populist narrative – that this is to the detriment of the Scottish collective (Oliver, 2020 [The Times]). It could be argued that this 'middle ground' therefore considers a suitable concession to be limiting the rights afforded to the trans community on the basis of protecting women's rights and free speech and neutralises this idea by framing it as a 'compromise' for the public to accept.

5.3: Summary

The British media's construction of a 'rational middle-ground' is arguably an effective technique for legitimising anti-gender discourses by enforcing several key assumptions. It positions biological essentialism as 'truth', pathologizing trans identities and strengthening

transphobic rhetoric, and it also indicates many instances of integrating transphobia into the neutralising framework of the 'rational middle-ground' both by platforming 'rational' narratives which align with these essentialist views but express compassion for the trans rights struggles, and by framing trans rights as compromising to others, and therefore limiting of trans rights as a 'reasonable compromise'. By embedding anti-gender sentiments in public discourse under the guise of impartiality, the British media perpetuates power structures that sustain social inequalities and further embed transphobic prejudice into public consciousness.

Chapter 6 - Conclusion

The central aim of this research was to investigate how the British media was framing and disseminating anti-gender discourse in the context of the Hate Crime and Public Order (Scotland) Act, which functioned as a case study through which to scrutinise the media's strategies in centralising anti-gender sentiments in public discourse. The analytical process revealed two primary strategies of note: utilising inflammatory linguistic and discursive techniques to amplify conflict and exacerbate cultural divides, and 'legitimising' anti-gender discourse through framings of rationality and common sense.

Further engagement with Fairclough's model, framing analysis and a poststructuralist feminism lens subsequently revealed that these strategies rely on several key discursive mechanisms. Firstly, the 'culture war' frame was evidenced to be utilised for shaping trans rights into an inherently divisive topic, leaning heavily on inflammatory linguistic techniques and saturating the discursive landscape with moral hysteria in order to shift the attention away from the initial goals of the Act and prioritise 'outrage politics' for readership engagement. Here, the media also was shown to heavily platform J.K. Rowling and shape discourse around her, reaffirming her identity as a 'polarising' figure and her position in opposition to trans rights in order to garner solidarity for the gender-critical feminist agenda, which has been evidenced as a key gateway movement for anti-gender discourse to gain salience in the public consciousness.

The second technique is the media's reliance on biological essentialism to justify and neutralise transphobic and anti-gender rhetoric, covertly enforcing exclusionary power dynamics which delegitimise and 'other' trans identities. Building off this legitimising approach, the media was also evidenced to be constructing a 'rational middle ground', relying heavily on framing techniques and 'authority' opinions in order to either intentionally or inadvertently present transphobic rhetoric as legitimate concerns, ultimately further marginalising trans communities through this discourse.

The combination of these techniques has demonstrated that the media has a highly comprehensive set of strategies which are effective in shaping discourse surrounding the Hate

Crime Act to accommodate for anti-gender sentiments and allowing the movement to gain footholds in the UK. The media can be perceived as an amplifier for existing anti-gender discourse in relation to its platforming of key figures and debates which hold discourse-shaping power in their own right, such as J.K. Rowling's divisive commentary and the legitimate concerns relating to the subjectivity of the Hate Crime Act implementation strategies. However, upon better understanding the contextual motivations and factors which influence media incentives, it can be argued that the media also play a key role in actively shaping discourse to convey anti-gender sentiments further, exacerbating controversy and polarising debates as a sensationalist tactic.

In October, the Guardian reported that reported hate crimes in Scotland had risen by 63% since the Hate Crime Act was introduced in April – police officials have said that “this increase reflects greater public confidence that offences will be investigated” (Brooks, 2024d) and that “concerns about the impact on freedom of speech have not been borne out” (2024d). When considered in relation to its stated goals of better protecting vulnerable groups from hate crimes, the Hate Crime Act should be considered a step in the right direction. As evidenced from the growing tensions relating to trans rights debates and the increase in LGBTQ+ hate crimes in Scotland more generally (see Section 1.1), it is evident that marginalised groups need legislation which safely and effectively protects their rights without exacerbating the challenges they face. The concerns and challenges relating to the Act outlined in Chapter 2 presented very real issues towards implementing the legislation safely and effectively; working to implement free-speech protections from the start as well as redrafting certain clauses for increased clarity might've resulted in more effectively protecting individual rights and negating controversy. However, to quote the BBC – “that's not necessarily to say the Scottish government should have done any of those things” (Cook, 2024b) – indeed, the controversy surrounding the Act as displayed through the media was arguably exacerbated beyond reason, driven by a want for sensationalism, and further evidencing the power and influence the media maintains in shaping public consciousness.

As anti-gender discourse likely continues to make its way into British mainstream public debates, the media has evidenced itself to be a significantly influential force in directing and shaping anti-gender sentiments, and therefore should continue to be subjected to scrutiny over its potential to create and exacerbate social marginalisation for the trans and LGBTQ+ communities. Future research could examine the interplay of these narratives and their

influence on shaping future legislation, and better examine trans-national comparative campaigns to better understand the global trends of anti-gender mobilisation. Ultimately, understanding the media's complicity in creating and legitimising exclusionary discourse is vital for navigating and encouraging more inclusionary counter-projects in public debates, and better understanding the power structures which shape marginalised communities.

Appendices

Appendix 1: List of Articles Compiled for the Finalised Sample

BBC	25-Jul-20	Free speech row over new hate crime bill in Scotland	Sarah Smith	https://www.bbc.com/news/uk-scotland-scotland-politics-53526843
BBC	1-Apr-24	Scotland's new hate crime law comes into force	James Cook	https://www.bbc.com/news/uk-scotland-68703684
BBC	2-Apr-24	JK Rowling in 'arrest me' challenge over Scottish hate crime law	James Cook and Paul Hastie	https://www.bbc.com/news/articles/c51j64lk2l8o
BBC	2-Apr-24	Prime minister backs JK Rowling in row over new hate crime laws	Megan Bonar	https://www.bbc.com/news/articles/cmmqq4qv81qo
BBC	6-Apr-24	How is Scotland's new hate crime law going?	James Cook	https://www.bbc.com/news/uk-scotland-68746512
Daily Mail Online	24-Jul-20	New 'vague' Scots hate crime law 'could stifle free speech' Daily Mail Online	Rachel Watson and David Wilcock	https://www.dailymail.co.uk/news/article-8556175/New-vague-Scots-hate-crime-law-stifle-free-speech.html
Daily Mail Online	1-Apr-24	Arrest me!': JK Rowling challenges Scotland's new hate crime laws sarcastically urging followers to respect 'lovely Scottish lass' convicted double rapist Isla Bryson's pronouns and 'Fragile flower' sex attacker Katie Dolatowski in	Eirian Jane Prosser	https://www.dailymail.co.uk/news/article-13259173/jk-rowling-scotland-hate-crime-law-isla-bryson-pronouns-katie-dolatowski-sex-attacker.html

		excoriating blast Daily Mail Online		
Daily Mail Online	1-Apr-24	Protest against hate crime legislation takes place outside Scottish Parliament Daily Mail Online	N/A	https://www.dailymail.co.uk/wires/pa/article-13260233/Protest-against-hate-crime-legislation-takes-place-outside-Scottish-Parliament.html
Daily Mail Online	1-Apr-24	Furious protesters stage rally outside Scottish Parliament in anger at SNP's new hate crime laws - as JK Rowling dares police to arrest her for calling trans women 'men' Daily Mail Online	Dan Grennan	https://www.dailymail.co.uk/news/article-13259981/Furious-protesters-stage-rally-outside-Scottish-Parliament-anger-SNPs-new-hate-crime-laws-JK-Rowling-dares-police-arrest-calling-trans-women-men.html
Daily Mail Online	1-Apr-24	Rishi Sunak backs JK Rowling's right to free speech as Scotland's hate crime laws come into force: PM says 'people should not be criminalised for stating simple facts on biology' after author dared police to arrest her for 'misgendering' Daily Mail Online	Dan Grennan, Emily Jane Davies, Dan Barker and David Churchill	https://www.dailymail.co.uk/news/article-13260875/Rishi-Sunak-backs-JK-Rowlings-free-speech-Scotlands-hate-crime-laws-biology-dared-police-arrest-misgendering.html
Daily Mail Online	2-Apr-24	Fury of women's rights campaigners' as Scotland's new law 'gives more protection to men dressing up in stockings for a laugh than to women' - as author warns: 'If you come for JK Rowling you can come	Eirian Jane Prosser	https://www.dailymail.co.uk/news/article-13263073/gender-rights-campaigners-scotland-new-hate-crime-laws-flawed.html

		for all of us' Daily Mail Online		
Daily Mail Online	2-Apr-24	JK Rowling's defiant trans tweets are NOT criminal: Police refuse to arrest author amid furious backlash at new SNP 'hate crime' laws - as she says she 'hopes every woman who wants to speak up for importance of biological sex will be reassured' Daily Mail Online	Stewart Carr, Dan Grennan, Emily Jane Davies and Jon Brady	https://www.dailymail.co.uk/news/article-13264185/Police-Scotland-confirm-received-complaints-JK-Rowlings.html
Daily Mail Online	2-Apr-24	JK Rowling vows to defend 'lower-profile women' if they're pursued by police for 'simply calling a man a man' - after cops refused to arrest author for her trans tweets amid backlash at Scotland's new hate crime laws Daily Mail Online	Jason Groves, Stewart Carr, Dan Grennan, Emily Jane Davies and Jon Brady	https://www.dailymail.co.uk/news/article-13265331/jk-rowling-vows-defend-women-cops-trans-tweets.html
Daily Mail Online	2-Apr-24	TOM HARRIS: Rotten law has made Scotland an international laughing stock Daily Mail Online	Tom Harris	https://www.dailymail.co.uk/news/article-13264933/TOM-HARRIS-Rotten-law-Scotland-international-laughing-stock.html
Daily Mail Online	4-Apr-24	Former US Olympic cyclist says she would 'happily go to jail' to fight for women's rights in wake of Scotland's new hate crime laws Daily Mail Online	Alex Ward	https://www.dailymail.co.uk/news/article-13272435/Former-Olympic-cyclist-says-happily-jail-fight-womens-rights-wake-Scotlands-new-hate-crime-laws.html

Daily Mail Online	12-Apr-24	ROBERT HARDMAN: Two weeks in and Scotland's already riven by mutiny and chaos over the most absurd law since Henry VIII's beard tax Daily Mail Online	Robert Hardman	https://www.dailymail.co.uk/debate/article-13303157/scotland-hate-speech-law-robert-hardman.html
The Guardian	11-Mar-21	Scotland hate crime bill set to pass despite row over exclusion of women Scotland The Guardian	Libby Brooks	https://www.theguardian.com/uk-news/2021/mar/11/scotland-hate-bill-set-to-pass-despite-row-over-exclusion-of-women
The Guardian	2-Apr-24	JK Rowling will not be arrested under new Scottish hate law, say police Scottish politics The Guardian	Libby Brooks	https://www.theguardian.com/politics/2024/apr/02/jk-rowling-will-not-be-arrested-under-new-scottish-hate-law-say-police
The Guardian	6-Apr-24	Gender-critical activists and pro-transgender groups clash in Edinburgh Transgender The Guardian	N/A	https://www.theguardian.com/society/2024/apr/06/gender-critical-activists-and-pro-transgender-groups-clash-in-edinburgh
The Guardian	8-Apr-24	'The purpose is getting lost': debate obscuring point of Scottish hate law, say campaigners Hate crime The Guardian	Libby Brooks	https://www.theguardian.com/society/2024/apr/08/anger-debate-scottish-hate-crime-law-campaigners-stirring-up
The Sun	2-Apr-24	PM backs JK Rowling in war with trans activists and says 'we should not criminalise people saying common sense things' The Sun	Noa Hoffman	https://www.thesun.co.uk/news/27064745/rishi-sunak-backs-jk-rowling/

The Sun	2-Apr-24	If foolish cops arrest JK Rowling they will face an army of like-minded women happy to fill up every prison cell The Sun	Julia Hartley-Brewer	https://www.thesun.co.uk/news/27082552/jk-rowling-police-hate-crime-trans/
The Sun	3-Apr-24	Scots still have some freedom of speech & it's down to JK Rowling having guts to stand up to shrieking of trans movement The Sun	Rod Liddle	https://www.thesun.co.uk/news/27105794/jk-rowling-scotland-rod-liddle/
The Times	1-Jul-20	Bill will criminalise those who challenge the Church of Woke	Lois McLatchie	https://www.thetimes.com/article/3381be18-bb18-11ea-82eb-1588bf47a52f
The Times	16-Aug-20	Hate speech in Scotland: cry freedom to jest, or laugh no more	Neil Oliver	https://www.thetimes.com/article/91232988-de3d-11ea-a18f-15f41f6d2fa7
The Times	27-Sep-20	Alex Massie: SNP must recognise gender reform pitfalls	Alex Massie	https://www.thetimes.com/article/6ac0bda6-001f-11eb-b722-e6d55bc5f059
The Times	2-Nov-20	Hate crime law is an attack on our liberties	Clare Foges	https://www.thetimes.com/article/b83fc6e6-1c88-11eb-8696-f5d5fcef88fd
The Times	24-Nov-20	Hate crime bill: Saying trans women aren't women could break the law	Mark McLaughlin	https://www.thetimes.com/article/c623f5a4-2e6f-11eb-8bd6-64d3c9126a9b
The Times	31-Jan-21	Alex Massie: Sturgeon's trans action puts her credit at risk	Alex Massie	https://www.thetimes.com/article/17027a3c-633a-11eb-a89fac2e7b8b7ac3

The Times	14-Mar-21	Expressing opinions is banned, so I'm just going to think this: the SNP must go	Rod Liddle	https://www.thetimes.com/comment/columnists/article/expressing-opinions-is-banned-so-im-just-going-to-think-this-the-snp-must-go-rq5zzxkjl
The Times	14-Mar-21	Alex Massie: A bad week to pass law that ignores women	Alex Massie	https://www.thetimes.com/article/f5165eb2-842b-11eb-87b3-57c13ebd5dfe
The Times	16-Mar-24	SNP's farcical hate crime bill is an insult to nation's intelligence	Alex Massie	https://www.thetimes.com/uk/politics/article/snps-farcical-hate-crime-bill-is-an-insult-to-nations-intelligence-svnbzrcnw
The Times	23-Mar-24	Joe Rogan, Elon Musk and JK Rowling: How Scotland's culture war infected the West	Mike Wade	https://www.thetimes.com/uk/politics/article/joe-rogan-elon-musk-and-jk-rowling-how-scotlands-culture-war-infected-the-west-0sv8gvg52
The Times	24-Mar-24	Scotland's progressive authoritarians have debased public life	Iain Macwhirter	https://www.thetimes.com/uk/politics/article/hate-crime-laws-chilling-effect-is-already-being-felt-j00dzq33n
The Times	2-Apr-24	JK Rowling will not face prosecution under Scotland hate crime law	John Boothman	https://www.thetimes.com/uk/law/article/jk-rowling-prosecuted-trans-twitter-scotland-hate-crime-law-jqjv3jqkj
The Times	6-Apr-24	How Scotland made a mess of its hate crime law — in a week of chaos	Alex Massie and Sian Bradley	https://www.thetimes.com/article/scotland-hate-crime-law-act-bill-0w60xqvkb
The Times	7-Apr-24	Hate Crime Act has united Scots against the SNP	Iain Macwhirter	https://www.thetimes.com/uk/law/article/hate-crime-act-

				has-united-scots-against-the-snp-vmxrm90hk
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