

Who gets to speak their mind in the Nordic countries?

Fact sheet about the public sphere



How can the public sphere become a place for everyone?

The public sphere in the Nordic countries is still not for everyone. Sexist advertising, the invisibility of some groups in the media and online hate speech risk silencing many voices. However, examples of progress and solutions do exist.

The public sphere continues to expand from mere physical places such as streets, parks and schools to the digital world. Consequently, obstacles to gender equality in the public discourse are arising in new places. A woman can be exposed to sexist advertising on the street and seconds later come across a sexist comment on social media. A journalist who writes about issues related to immigration or integration risks receiving hateful emails at any time of day or night.

The Nordic countries have worked hard since the 1970s to ensure all people's equal right to the public space, with the underlying rationale being that everybody should have the same opportunities to benefit from and contribute to the development of society. Nevertheless, several studies and reports presented over the years have revealed severe limitations when it comes to women's opportunities and rights in the public space. In fact, new studies indicate that the gender equality may even be headed in the wrong direction. The representation of women in the media has been stagnant at a low level since the 1990s, and in some cases it has even regressed. The explosion of the internet has created new arenas for sexist advertising, which in turn has contributed to an increasing sexualisation of the public space. The digital world is also plagued by the growing problem of online hate speech. As a result of the rapid technological development in combination with the emergence of new arenas in social media, many laws and regulations in the Nordic countries have become unclear or obsolete.

So – how can the legislative weaknesses be remedied, the threats to people's freedom of expression eliminated and the public sphere made available to everyone?

This fact sheet from Nordic Information on Gender (NIKK) brings attention to some of the examples and suggestions presented in the three studies *Sexist Advertising in the Nordic Countries – An Evaluation of Regulations and Implementation*, *Hat och hot på nätet – kartläggning av den rättsliga regleringen i Norden från ett jämställdhetsperspektiv* [online hate speech – review of the legal regulation in the Nordic countries from a gender equality perspective; in Swedish] and *Women*

and *Men in the News – Report on Gender Representation in Nordic News Content and the Nordic Media Industry*.

Swift action against sexist advertising in Iceland

The widespread presence of sexist advertising is a problem in all Nordic countries – except Iceland. According to the report *Sexist Advertising in the Nordic Countries*, the relative success of Iceland can be attributed to the ease of reporting violations and the quick and knowledgeable administration of submitted reports.

In Iceland, people can easily report advertisements that, in the words of the law, 'insult or dishonour one of the sexes or in some other way are incompatible with equality between women and men'. Anybody who wants to submit a report can call, email or complete a form on the website of the Centre for Gender Equality. Staff at the Centre say in the report that they 'receive many calls as soon as a sexist advert has been published'. Reports usually lead to a rapid response: The Centre contacts the company in question and tells them they may have committed a crime. Since 2010, all reported companies have chosen to withdraw their advertisements. Overall, Icelandic businesses are claimed to be well aware of the badwill that sexist advertising and communication of gender stereotypes may lead to.

In addition, the Icelandic legislation applies not only to the company behind a sexist advertisement, but also to those who publish it, which implies that TV stations, newspapers or websites may be forced to pay a fine. This also means that dissemination of advertisements that have been produced by foreign companies and that violate Icelandic law can be prevented.

Poor awareness about the law in Norway

Sexist advertising is illegal and can lead to fines in Norway as well. However, according to *Sexist Advertising in the Nordic Countries*, the regulatory agency in charge of these issues, the Consumer Ombudsman, does not give sufficient priority to the problem, and people's awareness of the law is limited.

On a more positive note, two Norwegian cities have chosen to take the struggle for equality in the public sphere a step further. Since 2016, the city of Trondheim prohibits 'scantily-clad' advertising in public places. The decision came after politicians argued that the

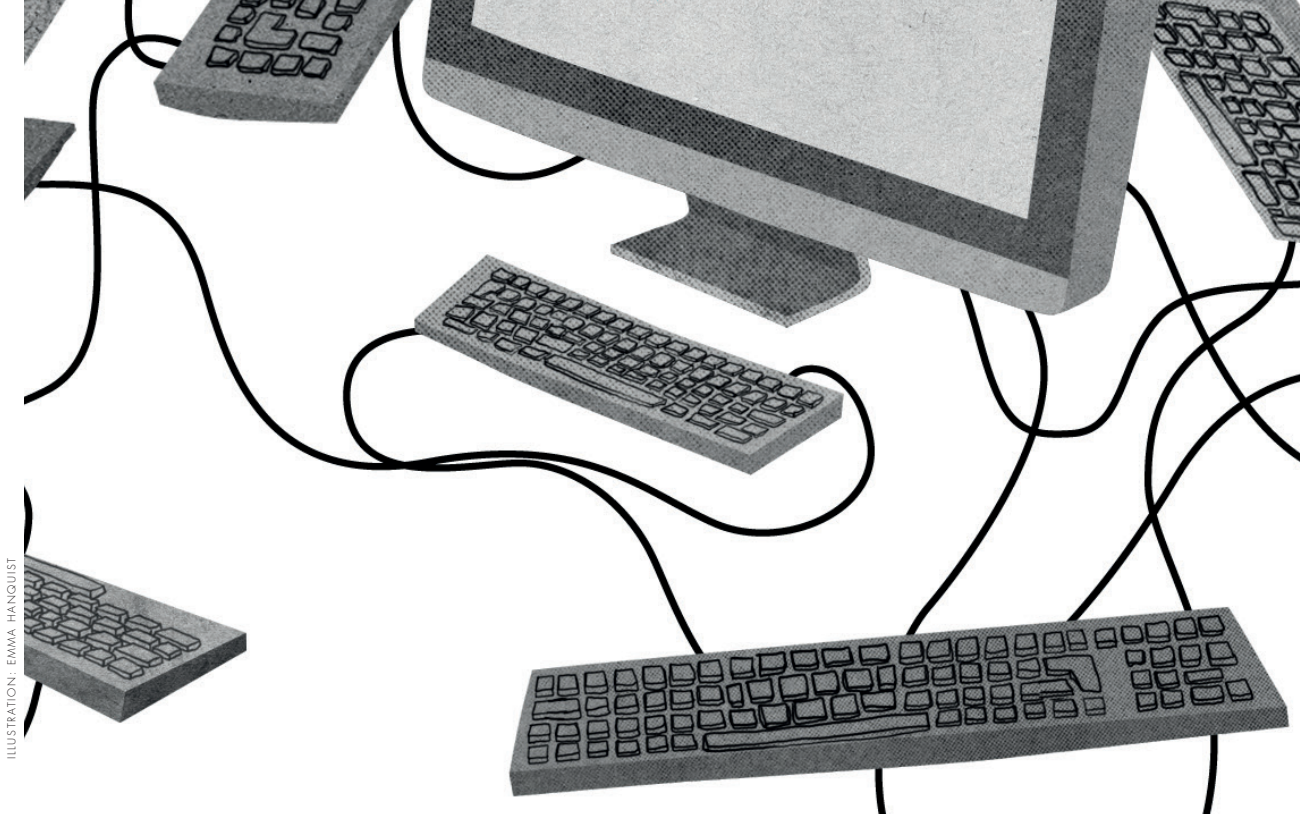


ILLUSTRATION: EMMA HANQUIST

advertising spaces might otherwise contribute to distorted body ideals and mental problems among girls and women. In Bergen – which similar to Trondheim is one of Norway’s largest cities – advertisements may not be displayed in some public places, such as in the historic district and on city squares.

Few convictions in Denmark

In Denmark, sexist advertising can be reported to the Danish Consumer Ombudsman. But the number of reports that have led to a conviction is low. Of the 60 reports of violations that the regulator has received since

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2014, only one has led to a penalty being imposed. In addition, the Ombudsman’s guidelines provide that only advertisements that are unambiguously intended to be offensive can lead to a conviction. This means that it is practically pointless to press charges against perpetrators of sexist advertising in Denmark.

Sweden – the only country without legislation

Sweden is the only country that does not have any legislation in the area. Instead, the actors in the market are self-regulating under the auspices of the Swedish Advertising Ombudsman. The typically cited reasons for this solution – that legal regulation could clash with both freedom of expression and the Swedish Freedom of the Press Act – are frequently called into question as there are already laws in place against tobacco and alcohol

advertising as well as advertising targeting children.

One conclusion made in the report is that Sweden should introduce legislation against sexist advertising, and that Denmark, Norway and Finland should review their monitoring of it. All countries should also become better at informing the public about existing regulations against advertising that interferes with gender equality in the public space.

Silenced voices online – a growing problem

NIKK’s rapport *Hat and hot på nätet*, which reviews the legal regulations in the Nordic countries from a gender equality perspective, describes the digital arena as a place where women and other groups that are vulnerable to attacks due to political affiliation, ethnicity, sexual orientation, religion or other factors are at high risk of having their freedom of expression compromised. Examples of violations include hate speech, dissemination of films with sexual content via social media and organised hate campaigns against public figures.

Online hate speech targets women and men to similar extents. However, female victims cannot count on the same legal support as men, since they more often fall victim to sexist and sexually charged offences that remain largely unregulated by law. Overall in the Nordic countries, there is great uncertainty regarding which violations are illegal, among both authorities and the public.

There is a legal dilemma, however: Protecting the freedom of expression by refraining from limiting it with legal measures in effect restricts many people’s actual freedom of expression.

Thus, a conclusion and request to policy-makers presented in the report is: Review the laws and regulations – restrictions of the freedom of expression can indeed be justified. Consider including people who are attacked due to their gender in the hate crime legislation. Review

the editorial responsibility for online forums and social media.

In order to catch up with the rapid technological development and the new opportunities it presents, the Nordic countries must work diligently together, sharing their knowledge, experiences and ideas with each other to ensure equal access to the public place for all people and groups.

Few women visible in the media

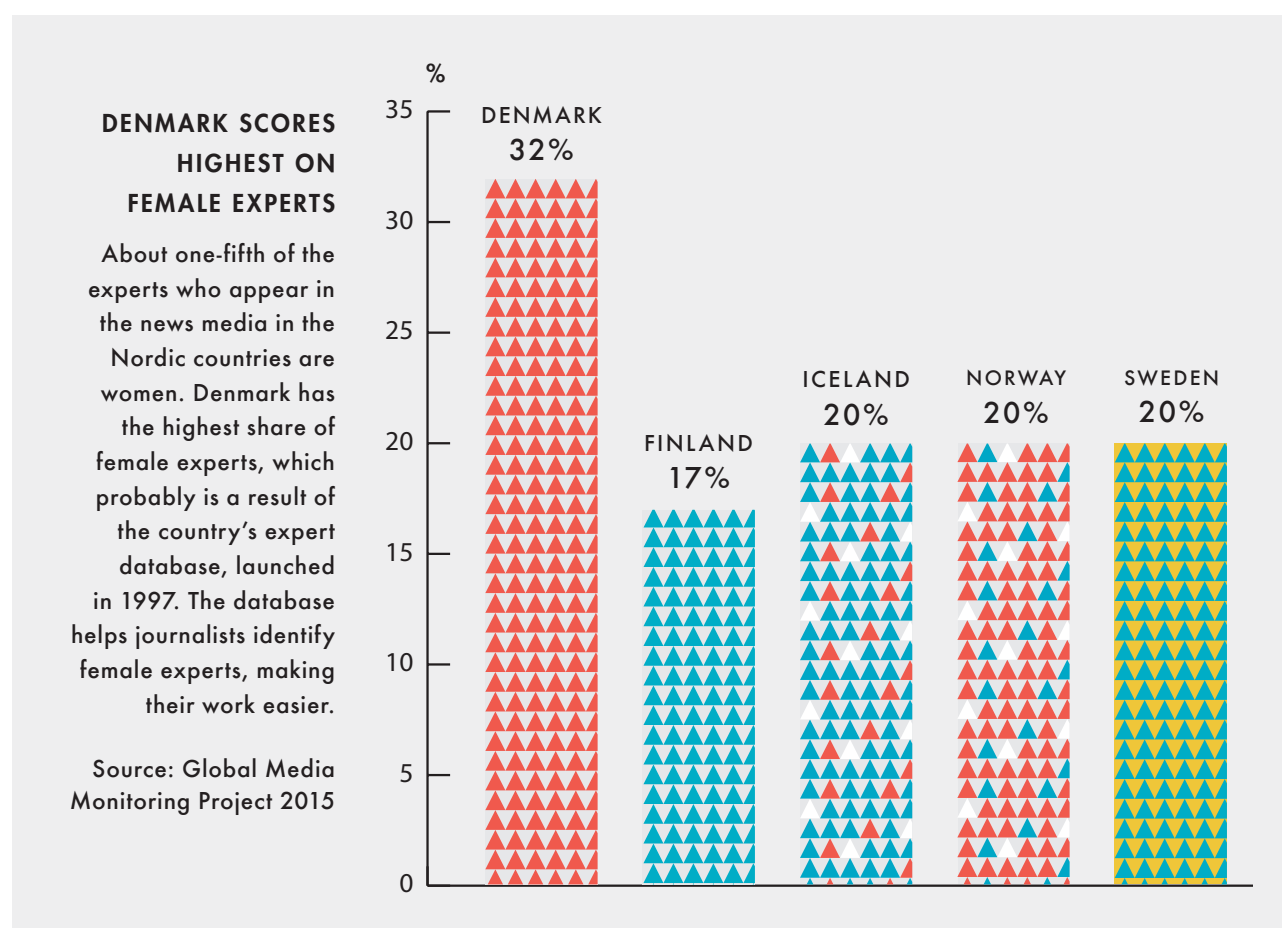
Women's voices and experiences remain vastly underrepresented in the media, while men keep dominating – in the news and as experts, reporters and decision-makers at higher levels. The historical gender imbalance in the old media is recreated in the new. These are some of the

findings in the report *Women and Men in the News*. Here are some examples:

Women are generally underrepresented as news subjects in the media (24%), while men are overrepresented. Sweden has the highest measured share of women in news content; nevertheless, it is only 32%.

Globally, the tendency is that women are more visible in online news than in traditional news. This is also true for Iceland and Norway. In Denmark, Finland and Sweden, however, the share of women seen, heard or read about in the news is lower online than in print, radio and television news.

There seems to be a glass ceiling for women in the media industry in the Nordic countries. The general representation of female decision maker at higher levels remains low.



The factsheet was produced in 2017 by Nordic Information on Gender (NIKK), which is a Nordic cooperative body under the Nordic Council of Ministers.

SOURCES

The factsheet is based in three different reports:

Mannila, Saga (2017) *Women and men in the news. Report on gender representation in Nordic news content and the Nordic media industry*. Denmark: Nordic Council of Ministers.

Bladini, Moa (2017) *Hat och hot på nätet. En kartläggning av den rättsliga regleringen i Norden från ett jämställdhetsperspektiv*. Sweden: Nordic Information on Gender (NIKK).

The Swedish Women's Lobby (2016) *Sexist Advertisement in the Nordic countries – An Evaluation of Regulations and Implementation*.



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