

Hate Speech and Violence Against Trans Women

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Content

1. Definitions (Transgender, Transphobia, Hate Crime)
2. Prejudice and Violence Against Trans Women
3. Data
4. Media Exposure (Media monitoring report; from hate speech to rights-based journalism)
5. Hate Crimes and Hate Crime Laws

Definitions

Transgender individuals, Transphobia and Sexism

- **Transgender individuals** can be defined as people who have the feeling that they belong to a gender identity other than their biological sex or who want to express themselves differently from the sex that they were assigned at birth. Within this context, being transgender or cisgender (non-transgender) is a depiction that is not related to sexual orientation (being sexually attracted to a gender), but related to gender identity (individuals' tendency to express themselves within a certain gender group).
- Transgender people in numerous societies have been subjected to hateful treatment such as disproportionate police violence, individual discrimination, physical and sexual violence or being murdered solemnly due to their existence. Such treatments are legally referred to as “**hate crime**” in the USA and Europe, whereas it has no place in the Turkish Judicial System.
- *Hate crime* can be described as offences involving discriminatory violence arousing from an instinct for eradicating group members with a strong bias against them. In this sense, hate crimes should be considered as situations in which unfavourable attitudes and biases toward a group are directed to only one person, rather than individual instincts such as personal hostility and aggression.
- **Transphobia** is defined as adverse feelings against people who deviate from gender standards, also resulting in a fear of intimacy with them.

Prejudice and Violence against Trans Women

The view that trans people are excluded from gender norms feeds prejudices and makes them vulnerable to all sorts of violence.

The researches conducted show that;

- Especially trans women are not perceived as women and there is a perception that they should not make use of the social rights granted to women.
- Trans women are subjected to more prejudice, discrimination and violence than trans men.
- Trans women being more visible than trans men is perceived as a defiance against the norms of gender roles, thus, gender transitioning of trans women is punished more severely and consequently, trans women become open targets of prejudice more easily.
- Transwomen, compared to transmen, are exposed to more violence and bias in Turkey and they are even stopped and questioned by police without a reason on the street on top of the discriminatory attitude of the state (Cingöz-Ulu, Türkoğlu Demirel and Sayılan, 2016).

Data

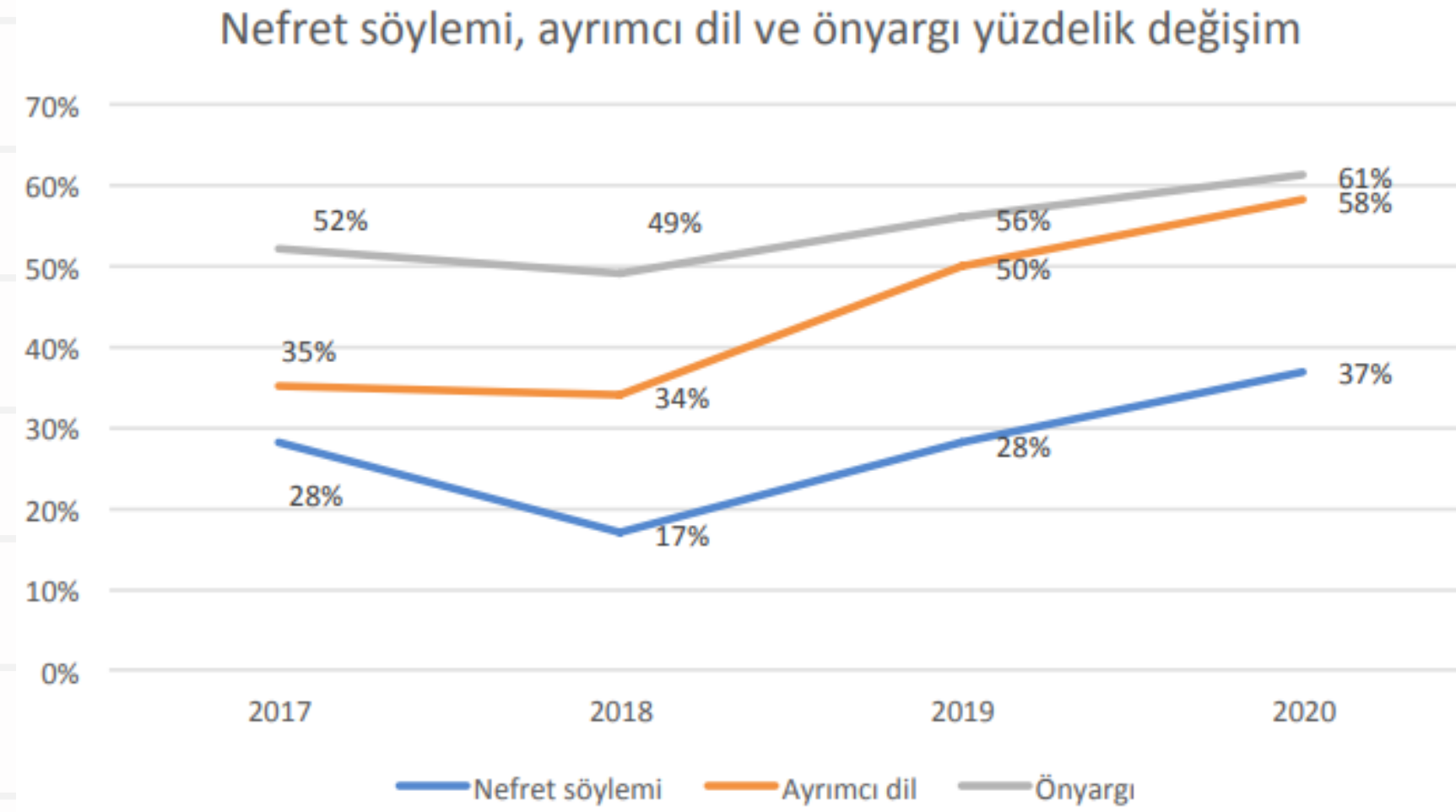
According to the data updated by Trans Murder Monitoring, 3664 transgender people were murdered across the world between the years 2008 and 2020. Turkey is ranked first place among European countries where trans murders were committed with 51 incidents recorded between 2008 and 2020 (TvT Project, 2020). However, acquired data do not show a completely correct parallel between the rate of violence against trans people and trans killings in countries. It is understood that reports, when examined, include limited or no information in certain countries. It should be taken into account that attained information can be deceptive due to the fact that several countries have a trivial attitude toward trans murders and they do not report them systematically.

- The field study conducted by Transgender Europe (TGEU), with the collaboration of Red Umbrella Sexual Health and Human Rights Association between 2014–2015, draws attention to the degree of discrimination targeting transgender people. According to this study, out of 109 respondents to the survey,
 - 66% stated that they continuously encounter discrimination in society,
 - 98% said that they have experienced discrimination at least once during the recruitment process,
 - 68% expressed that they encounter discrimination during the process of access to health care (Ördek and LaGata, 2015: 28).

Media Exposure

In Turkish media, LGBTIQ+ individuals have been portrayed negatively and stereotypically and especially trans murders have been presented as third-page news without including any information on the culprits.

- 2017 - Total of 2388 news, Rights-based journalism: 1097, Hate Speech or discrimination: 1291
- 2018 - Total of 2278 news, Rights-based journalism: 1148, Hate Speech or discrimination: 1130
- 2019 - Total of 2643 news, Rights-based journalism: 1150, Hate Speech or discrimination: 1493
- 2020 - Total of 3459 news, Rights-based journalism: 1366, Hate Speech or discrimination: 2093



(Kaos GL Association, 2021: 54)

Hate Crimes

- Transwomen murders are labelled as hate crimes.
- Defined by their gender identities and their line of work, transwomen murders being a part of the patriarchal and discriminatory media is a crucial subject that needs to be studied and requires preventative mechanisms.
- Therefore, a journalistic approach that prioritizes gender equality and includes non-heteronormative judgement will create liberal living spaces for trans people as well as be helpful in changing people's negative views (Güneş and Yıldırım, 2019).

Hate Crime Laws

Even though crimes committed with a racial bias against black people began to be investigated in a different category in the United States in the 1920s, the term “hate crime” emerged in the 1980s. The first hate crime act was adopted in California in 1978 and subsequently began to spread rapidly in the United States and Europe in the 1990s.

Circumstances in Turkey

No hate crime law exists under Turkish legislation against lesbian, gay, bisexual, trans and intersex individuals. In 2014, the definition of hate crime was added to the related law, however; it does not include expressions of sexual orientation and gender identity.

Why Do We Need Hate Crime Laws?

Hate crimes target not only victims but also the identity to which they belong. What distinguishes this crime is the damaging effect it demonstrates both on victims and other individuals who have the targeted identity. This aspect of the case shows that hate crimes are not crimes committed for personal reasons but also target other group members with the same identity. Thus, this is an example of how more people are affected when compared to other crimes. When a transgender individual is killed, other transgender people can feel terrified and a threat aimed at themselves and so they live with the difficulty and anxiety of providing safety within their own means. Hate crimes have social implications in terms of their aims and consequences:

- At this point, hate crimes give certain messages to target groups that they are not safe and welcomed in society and other members of the group are also in potential danger. It disrupts social peace and causes this target group to feel insecure and vulnerable.
- The fact that these crimes are considered the same as other common crimes and that an effective solution is not developed by giving the necessary importance leads to the notion that people in society are given public consent to commit such hate crimes.

For all of these reasons, hate crimes should be enacted as independent crimes involving all social groups (Pink Life LGBTI+ Solidarity Association and Kaos GL Association, 2016).

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