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Gonzaga University

INSTITUTE FOR HATE STUDIES

ENGAGING WITH COMMUNITIES FOR JUSTICE

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Introductory Notes on Engaging with Communities for Justice

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Since the 2016 U.S. Presidential election, the rise in hate around the country has increased dramatically. According to the Southern Poverty Law Center (SPLC), in the days immediately following the election of President Trump, a wave of hate crimes and lesser hate incidents swept the country-1,094 bias incidents in the first 34 days (Potok, 2017). More than a third of these incidents directly referenced Trump, his “Make America Great Again” slogan, or his infamous misogynistic, racist, xenophobic or other demeaning remarks.

New and energetic hate and white supremacy groups have appeared that are almost entirely focused on Trump and seemingly live off his election and continued defamatory rhetoric. Some of these more recent groups have included: Identity Evropa, (newly re-branded as the American Identity Movement (AIM) whose membership includes Washington’s own James Allsup); The Right Stuff, an alt-right group based in New York; and Vanguard American, a group that has grown out of the previous existence of American Vanguard, following a split between its members (Hatewatch, 2017).

In addition to the rise in hate groups, the use of social media for recruitment and publication of white supremacy dogma has also been utilized. For instance, The Daily Stormer, the website whose chief came up with the term “Our Glorious Leader” for Trump, expanded into real-world activism by starting 31 “clubs” (Potoc, 2017). According to the SPLC in July 2017, The Daily Stormer became the most visited hate site on the Internet, surpassing longtime hate leader Stormfront (Hankes, 2017).

Other forms of social media have also sky-rocketed in use, perhaps directly related to Trump’s habit of exploiting Twitter for his own agenda. Koerner (2019) reaffirms this with her article in response to President Trump’s July 14, 2019 tweet, “Trump’s Racism Hit a New Level as He Told Four Congresswomen to ‘Go Back’ to Their ‘Broken’ Countries.” Even though three of the four congress women were born in the U.S., and all four are American citizens, Trump’s rhetoric continues to create division and hostility around the nation. As an example of the confrontation, Speaker Nancy Pelosi responded, “When @realDonaldTrump tells four

American Congresswomen to go back to their countries, he reaffirms his plan to ‘Make America Great Again’ has always been about making America white again” while a Trump supporter wrote, “I LOVE how Trump can trigger all the liberals with one tweet and send Democrats into a tizzy, while he gets important things done behind their backs. Trump is BRILLIANT” (Koerner, 2019, para. 21-22).

While the numbers of hate groups operating in the country remained at near-historic highs, the election of Donald Trump, and related developments in Europe and elsewhere around the globe, represent the culmination of a series of long-developing trends. As the world has become more interconnected, the increasingly globalized economy, global warming, and resource challenges have fomented massive migrant flows and severe shocks to the industrial sectors of most developed countries. These challenges are becoming more and more complicated as resource scarcity and perception of otherness, and as a result hatred, intensify.

In the past few years, not only has the SPLC been intensively monitoring hate groups across the U.S., but it has also been scrutinizing the Internet and the increasingly important role it plays in recruitment and dissemination of propaganda for hate groups (Potok, 2000). As Potok (2000) reflects, “We have seen how this technology has been adopted wholesale by such groups, and the remarkable and unprecedented access this has afforded these groups to teenagers and other potential recruits, both in the United States and in Europe” (para. 4). Although American extremists previously experimented with crude computer bulletin boards during the late 1980s and early 1990s - mainly as a means of internal communication for various group members, it was not until March 1995 that the first World Wide Web hate site *Stormfront* went up. Unlike more traditional forms of debating ideas such as public forums, classrooms or even over the family dinner table, the talk on the Internet is often limited to those who already agree with one another. There is no real exchange of ideas on *Stormfront*, *white-power.com*. or other alt-right sites. For example, *Telegram*, a messaging app in which channel moderators urge their followers to “destabilize the US,” “kill the cops,” “shoot lawmakers,” and attack synagogues, mosques and other houses of worship, has multiple channels devoted to a so-called “terrorwave” (Hayden, 2019). This alt-right rhetoric refers to internet-based propaganda that glorifies political violence through the use of heavily stylized, cyberpunk aesthetics (Hayden, 2019). One of the more prolific content creators in the alt-right is Joseph Jordan who contributed almost 700 posts to the neo-Nazi website the Daily Stormer between the end of 2015 and the beginning of 2018 (Hayden, 2019). Since 2016, Jordan has appeared on hundreds of hours of alt-right podcasts across dozens of different shows (Hayden, 2019). Few alt-right performers of the Trump era have produced

as much propaganda in terms of raw megabytes as Jordan has under his Striker moniker.

With the rise in hate groups, and their creative use of modern technology to forward their ideology of hate, the need for community engagement, especially around justice and counter movements is profound. One means to counter this increase in hate groups, at the local, national, international and on-line forums is through community engagement. According to Gutierrez and Alvarez (1996), Pilisuk, McAllister, and Rothman (1996) and Staples (2004), grassroots organizing is conceptualized through actions such as community development, social action, and empowerment. As Staples (2004) writes, "Community development involves participants in constructive activities and processes to produce improvements, opportunities, structures, goods, and services that increase the quality of life, build individual and collective capacities, and enhance social solidarity" (p. 7). Furthermore, social action is aimed at organizing people who are oppressed or disadvantaged, or who are encountering groups with ideologies vastly different than the community, and/or encouraging them to take action on their own behalf. Through these actions, individuals and local groups are able to enhance the competencies and enthusiasm, thereby leading to "capacity building" (Pilisuk et al., 1996). Consequently, capacity building is a strong component of organizing in that it empowers people to believe in their abilities to create change. Community may also serve as a crucial context for developing resilience, specifically in countering hate ideologies. Luthar, Cicchetti, and Becker (2000) suggest, community development is "a dynamic process encompassing positive adaptation within the context of significant adversity" (p. 543). Furthermore, Miller's (2012) psychosocial capacity building model identifies social cohesion and collective efficacy as essential components for developing community resilience because "the well-being of the individual is intricately and recursively connected with the well-being of families and communities" (p. 134). As Kawachi and Berkman (2000) observe, social cohesion refers to connectedness and solidarity among groups. Sampson, Raudenbush, and Earls (1997) continue by noting that collective efficacy denotes shared trust and willingness to collaborate for the common good. As Kang (2015) discusses, perceived and experienced discrimination by people of color and other marginalized groups, especially youth, (including xenophobia, sexism, anti-Semitism, gay and transgender phobia etc.) is correlated with numerous negative consequences. Some of these damages include lower levels of psychological functioning, decreased psychological resilience, and increased psychological distress (also see Huynh & Fuligni, 2010; Prelow, Danoff-Burg, Swenson, & Pugiano, 2004). Humans are healthier when they are part of a healthy community and are

exposed to healthy possibilities for living that relate to the realities of their lived experiences (Kang, 2015).

Residents of urban neighborhoods seemingly share a number of similar interests (Rich, 1980). Neighbors experience the same quality of municipal services, use many of the same public facilities and are “intimately affected by each other’s actions in regard to such matters as environmental quality, property values and public safety” (p. 570). Therefore, it would make sense that neighborhoods and local communities would have much to gain by coordinating their efforts to solve social problems and realize potential benefits.

Speer and Hughey (1995) found that personal outcomes of community organizing can include empowerment, which encompasses an individual’s knowledge about power and his or her subsequent participation within an organization. Empowerment relates to other outcomes as well; for example, Mediratta et al. (2008) and Warren (2001) found an increased parental involvement in schools. Mediratta et al. (2008) also mentioned increased motivation for secondary students who participated in education-focused community organizing.

Swarts’ (2008) work discussed broader organizational outcomes that included; (a) building an organization’s strength, (b) involving ordinary Americans in civic engagement, and (c) building organizational coalitions across race and class. Although Speer and Hughey (1995) discuss empowerment as a personal outcome, research has also shown it can also have a communal and organizational aspect. This includes defining topics for public debate, shifting the terms of such debate and shaping community views (Oakes & Rogers, 2006; Speer & Hughey, 1995).

As Rappaport (1994) proposes, society, community, and individual perspectives are embodied in three narrative typologies; dominant cultural narratives, community narratives, and personal stories. Dominant cultural narratives are described as “stories about persons, places, or things that have consistent storylines and thematic content across individuals and settings” (p. 570), and are transmitted through the media and in conversation. Dominant cultural narratives are tend to reflect societal views about particular people, places, or things (Rappaport, 1994). Last, community narratives are “descriptive and historical accounts of life in a particular community,” and are accessible to community members (Rappaport, 1994, p. 570). These narratives are identified through consistent themes present in the personal stories expressed by individual community members. As such, the presence of community narratives tends to be indicative of shared experiences and shared community identity.

In this volume of the *Journal of Hate Studies* we present a collection of 11 articles, organized in three sections, that reflect one or more of the

issues we outlined above. The lead article in the volume provides a critical lens through which the white nationalist, alt right movements can be viewed. The first part of the volume includes four articles that focus on communities that are often construed as “other” and their experiences of hate in public spaces. The topics presented here include the LGBTQ+ community, Muslim community, and examination of the racial bias and impact of “Stand Your Ground” laws on communities of color. As noted earlier, the online environment has been claimed as a special public space by those interested in inciting and promoting hate. To that effect, we selected three articles that provide perspectives on the use of these virtual spaces and communities for either hate propaganda or human rights education. The last section contains three articles that develop the theme of institutions as the holders of public trust – the first one presents a case from the US that focuses on the church as one such institution, and the other two, one from Nigeria and the other from the UK, calling for a more ethical media.

In the beginning of the volume, Joan Braune presents a compelling analysis and critique of the contemporary alt-right and neo-fascist movements in the United States. Her analysis is based on the work of two twentieth-century philosophers of Jewish descent, Erich Fromm and Simone Weil, and specifically their ideas around “the void.” Braune considers both economic and psychological factors that contribute to the rise of fascist movements. In “Void and Idol,” Braune explores what she calls “successful paths through the void,” based on a unique [blending of] Weil and Fromm’s ideas that the way through the void should not only be motivated by love and compassion, but should be done in community, rather than in isolation. Finally, we hope Braune’s work offers some insights and inspiration for both individuals and communities on what would be some foundational elements in sustaining movements that resist hate.

The next section of the current volume begins with a critical look of the hate crime theory and research. Although Pickles focuses on two cases of hate crimes in England and Wales, his analysis and recommendations for a queer agenda in hate research are applicable in other global settings. Pickles first examines how the LGBT identity is framed in criminology and hate research and argues that it is steeped in colonial and heteronormative assumptions. Incorporating a fluid identity politics, or recognizing fluid, non-conforming, and unstable identities, Pickles argues, is therefore what hate research is lacking and what is needed in order to disrupt the current binary and oppressive state of the field of hate research.

Following Pickles’ call for queering hate crime research, is an article by Rorholm and Gambrell who offer a case that illustrates how memorials not only create collective memory, but may serve as “interruptive symbols.” The authors use historical insights, firsthand memorial observation, and

interviews to analyze the Pink Triangle as a tool for inward and outward messaging. Rorholm and Gambrell draw several insights from their case study and conclude that interruptive symbols like the triangle can ultimately give society hope that we will not only remember the atrocities of the past, but more importantly, will want to work toward healing and preventing acts of hate, marginalization, and oppression in the future.

In the next article, Grimes explores the intersection of hate crimes and “Stand Your Ground” laws; the author establishes that there is a clear racial bias in the application of SYG laws, requiring further research. Grimes uses Critical Race Theory to analyze four homicide cases resulting from an interpersonal conflict in a public space. The author focuses on both the social and legal implications of potentially using a “stand your ground” defense to protect offenders from prosecution for bias-motivated violent crimes. Grimes concludes with four recommendations on how these laws could be modified and an appeal to states to collect and disseminate data about the frequency of the use of the SYG defense for hate crimes.

In the next chapter, Elfenbein continues the theme of how fear and hate play out in public spaces. The author details his experience through Mapping Islamophobia to illustrate how anti-Muslim hostility affects the participation of American Muslims in public life. Elfenbein provides the readers with vignettes with incidents dating from 2012 to 2018, that capture a variety of ways anti-Muslim hostility manifests in public life. The expectation of harm that results in cultural trauma, the author argues, leads to a distinct choice in how American Muslim individuals and communities engage in public life – through activities that humanize them for others, or convince them that they are not a threat. In conclusion, Elfenbein offers that the same conditions that contribute to cultural trauma can be seen as opportunity for social change, where people outside the Muslim community and those not directly affected by anti-Muslim hate, can become allies and share the burden of alleviating others’ fears.

The next article presents a sort of shift – instead of looking at social movements or examples of initiatives that combat hate, Dentice provides a scrutiny of Stormfront, an online favorite of the white nationalist movement. Through analysis of seven Stormfront discussion forums, Dentice concludes that the “more mature and seasoned white racialists” act as mentors for younger generation. The author suggests that those “who have the stomach for it” can gain important information about the demographics, as well as monitor attitudes and key developments in the white supremacist movement.

Hawdon, Costello, Barrett-Fox, and Bernatzky also focus on how online hate is perpetuated. Through the lens of four major criminological theories, their analysis identifies several factors associated with joining an

ongoing online attack. Thus, low levels of self-control and online strain were found to positively correlate with joining an online attack, as was close engagement with online friends and groups. Gender was also found to be a factor, with men being more likely than women to engage in hate behavior online; however age was not found to be a significant correlate. The authors assert their findings have implications for addressing online hate and preventing harm from being done both online and in the real world. Hawdon, Costello, Barrett-Fox, and Bernatzky conclude with several strategies that could mitigate and prevent the spread of online hate, including more robust and timely moderation by social networking sites, and increased transparency regarding the sites' user base, and recommendations for future research.

The third article in the series about online spaces considers online gaming. Cunningham and Crandall analyze twenty-one human rights video games and their potential to promote prosocial goals. The authors focus on the educational strategies the games employ in teaching players how to participate in social change processes. Cunningham and Crandall concluded that the games increase cognition through decision-making and problem solving, increase empathy through perspective-taking, impart affective responses to human rights issues. While the authors acknowledge the potential for integrating these and similar games in the classroom, they also recommend future research include audience analysis and interviewing teachers who use the games in their classrooms.

Moving from a focus of on-line articles, Atchison's work presents a study of the role of the church in police/community relations as an authoritative third party that can broker peace in communities affected by violence and poverty. The author uses Greensboro, NC as a case to analyze such partnerships, pointing out that understanding of changing demographics and their impact on the issues of race, ethnicity, poverty and crime, is key in designing and sustaining the partnerships. Atchison describes the many successes of the FaithAction ID initiative, as well as the challenges that recent changes in federal policy with regard to immigration present to the partnerships. However, the author also acknowledges that when it comes to partnering with the African American community, there is a repetition of the dominant narrative, that of tension and distrust, where, in the author's words, "[Greensboro] police and black community leaders generally work along separate tracks." In conclusion Atchison invites the faith community to consider several recommendations in order to heal the distrust and truly become the peace brokers and stewards of sustained relationships within their communities.

In the next chapter Ogwezzy-Ndisika, Faustino, and Amakoh take the reader to a perhaps less familiar context of Nigeria, but to the familiar

issues of Presidential elections, media, and hate speech. The authors review secondary data available through media sources, and explore the use of hate speech in the presidential election campaign of 2015. The reader is introduced to the history of the use of hate speech in electioneering in Nigeria and background on both media involvement and regulatory mechanisms. Ogwezzy-Ndisika, Faustino, and Amakoh advocate for a more ethical journalism and specific strategies like professional checks of campaign materials and refusal by the media to accept material that does not meet an acceptable standard. In conclusion, the authors reiterate the importance of the media in curbing hate, and its potential to also promote peace and unity.

The volume concludes with a perspective on a similar topic from the United Kingdom. McGuire examines the role of media in promoting xenophobia and racism in the years leading to the 2016 European Union membership referendum (Brexit). The author analyzes the reporting of (im)migration issues, which many believe influenced the vote, by the press pointing out the use of inflammatory and alarmist rhetoric. McGuire further discusses the difficulties in determining liability for inciting hate even when comments are made in the public press, and indicates a number of ways the media could address these issues in the future. The article concludes with a call for more ethical journalism, where academics, practitioners, and the public share the responsibility to raise awareness and challenge racism and other forms of hate.

It is through these chapters of community engagement that we hope the narrative of shared experiences of hate move from those of challenge, struggle and division to those of strength, empowerment and unity. Within this volume eleven articles ranging from local to global, symbols to internet are found. All discuss, on some level, the need for deeper reflection and unity of self and other, to diminish the divisiveness of hate and alt-right ideology. For as the Dalai Lama has been quoted as saying” “To remain indifferent to the challenges we face is indefensible. If the goal is noble, whether or not it is realized within our lifetime is largely irrelevant. What we must do therefore is to strive and persevere and never give up” (<https://addicted2success.com/quotes/100-dalai-lama-quotes-that-will-change-your-life/>)

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Void and Idol: A Critical Theory Analysis of the Neo-fascist “Alt-Right”

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“I imagine one of the reasons people cling to their hates so stubbornly is because they sense, once hate is gone, they will be forced to deal with pain.”

—James Baldwin (1984, p. 101)

INTRODUCTION

This article’s critique of the neo-fascist “alt-right” employs philosophical methods located at a point of intersection between humanist Marxist and spiritual existentialist frameworks, by relying on two radical twentieth-century philosophers of Jewish descent: Erich Fromm (1900-1980) and Simone Weil (1909-1943). What could a Marxist Critical Theorist (Fromm) and a Christian mystic (Weil) share in common, that could somehow help explain what is going on with a bunch of rebranded fascists (the “alt-right”) today? This peculiar convergence is born in part of a surprising synchronicity, revolving around a single term: “the void.”

As we shall see, at least two former neo-Nazis who are now helping people leave hate groups, use the term “the void” to describe an experience of meaninglessness, social isolation, and depression that individuals pass through after leaving hate groups and before being fully reintegrated into society. The void is also a central concept in Simone Weil’s philosophy and stands at the intersection of her work in the philosophy of religion and her political and philosophical critique of fascism. Weil’s work helps to explain not only the voids of meaning that former fascists may experience on their journey out of hate, but also the voids of meaning (at both societal and individual levels) that contribute to *building* fascist movements in the first place. Seemingly independently of Weil, Erich Fromm developed a highly similar analysis of fascism and the void. Although the term “the void” does not feature prominently in Fromm’s writing, his theory of the “escape from freedom” turns on the same notion of fascism as an attempt to fill a void of meaning. Moreover, both Fromm and Weil use the terms “idolatry” and “destruction” (or “destructiveness”) to describe the means by which fascism stuffs voids with simplistic ideologies and then defends (or enforces) those ideologies with violence and cruelty. Fascism, including in its latest local iteration as the “alt-right,” is a failed attempt to fill voids in advance of facing their reality, I will argue. The only way out of fascism (for individu-

als leaving hate groups, but perhaps also for societies seeking to overcome fascism's threat) is to face the void one initially sought to flee. This initial "void," I contend, is in some sense rooted in the human condition itself, but it manifests itself in a particular way in modern late capitalism that, converging with certain individual psychological factors, leads certain individuals to evade it by means of fascism specifically.

The article has three parts. In the first part, I begin with a retrospective on the Institute for Social Research's empirical studies on the authoritarian personality and U.S. anti-Semitism, before explicating some relevant concepts from Erich Fromm's seminal philosophical and psychoanalytic study of fascism, *Escape from Freedom*. In the second part, I further develop the theoretical framework needed for subsequent critique, relying on both Fromm and Weil, and exploring the concepts of idolatry and destructiveness in relation to the void. Finally, in the final part of the article, I apply Fromm's and Weil's concepts to a critique of the contemporary United States alt-right, looking at both economic and psychological factors.

I take the term "alt-right" to refer to a resurgent racist movement in the United States that should be seen as a rebranding of past neo-Nazi and white nationalist movements rather than a wholly new phenomenon. Throughout this article, I use a variety of terms for roughly the same category of people and movements. The term "alt-right" is used when it is clear that I am referring to certain recent trends and organizations that I will address, most specifically those around the white nationalist group Identity Evropa and Richard Spencer's National Policy Institute. However, to avoid confusion about the alt-right's ideology, I also frequently use terms like "neo-fascist," to clarify that they are not engaged simply in "edgy" rebellion, but belong to a social movement seeking power, whose goal of creating white "homelands" is unachievable without genocide.

There are alternatives—successful paths through the void. Today's resurgent fascism and white supremacy are failures to hold open the void, instead stuffing the void with hateful mythologies, slogans, pseudo-science, and eventually violence. The refusal to "sit with" the void, to be present and wait for reality to present itself, leads to stuffing the void with reified identities that are always at risk of coming apart, leading the ideologists of hate to employ intimidation and cruelty to prevent anyone from pulling away the mask and revealing a self that is still void. Weil and Fromm suggest that the only way out of the void is *through* it. Both Weil and Fromm distinguish idolatry from a true encounter with transcendence, and distinguish mere fanatics from genuine revolutionaries, who are motivated by love and by their ideals and not by a desire to destroy. By communities working together to hold open the void and to not leave individuals alone in their confrontation with the void, we can draw people away from neo-fascist ide-

ologies and help them continue in their commitment to our shared humanity. At the conclusion of the article, I briefly discuss Erich Fromm's proposal for a shared "struggle against idols" that can be the basis for constructing a movement that resists hate. The question of the "void" and Fromm's and Weil's critique of "idolatry" have implications for the left's strategy in the struggle against fascism. While protest is important, it is also necessary for the left to build alternative spaces, narratives, and communities so that the angry and the alienated do not find the far-right to be the only source of meaning offered, and thus the only way to cope with the void. However, this paper remains primarily an analysis and a critique, leaving specific strategic implications as a topic for future research.

The analysis and critique offered here, stand within the tradition of Critical Theory as founded by the Frankfurt School. The Frankfurt School contributed some of the most seminal and important studies on fascism in the twentieth century. Since the election of Donald Trump, a new cottage industry of books in the United States have sought to explain the "alt-right," yet few make use of the Frankfurt School. More work needs to be done to bring the resources of Critical Theory to bear on the current far-right resurgence, nationally and globally. In addition to being a contribution to current Critical Theory's work on the resurgence of fascism and the far-right, this article also straddles the subfield of Critical Theory that has become known as the "Critical Theory of Religion," a broad category that includes not only the application of Critical Theory to religious topics, but also the study of Frankfurt School members' own engagement with religious or theological concepts in relation to social and political theory.

ERICH FROMM, CRITICAL THEORY, AND THE AUTHORITARIAN PERSONALITY

When Erich Fromm was recruited by his friend Leo Lowenthal to join Max Horkheimer's Institute for Social Research, Horkheimer tasked Fromm with contributing to the Frankfurt School a project in which Fromm already engaged: synthesizing Marxism and psychoanalysis. The lengthiest contribution Fromm made to this project during his time working for the Institute was his seminal 1930s study of the "authoritarian character" in Weimar Germany.

Based on a series of lengthy "interpretive questionnaires," Fromm found that roughly 10% of 1930s Germans were "authoritarian," roughly 15% were "democratic"/humanistic, and 75% were between the two extremes on the spectrum (Fromm, 2004b, p. 123).¹ The authoritarians, Fromm predicted, would support the Nazis, while the humanists would stand up and oppose the Nazis. On the face of it, these odds looked good:

The authoritarians were clearly outnumbered, and the people in middle were politically opposed to fascism. However, Fromm found that the humanistic 15% might prove unable to defeat the authoritarian 10%, if the 75% in the middle were psychologically unprepared to resist the authoritarians and decided to submit and thereby cooperate with them. Concluding that the large middle majority did not have the psychological strength to resist the Nazis, Fromm realized that the results of the study boded ill for the Institute (as Jews and Marxist intellectuals) in Germany, and the Institute soon began plans to move to the United States.

Participants in Fromm's study answered numerous open-ended questions in their own words, and Fromm paid close attention to how answers were formulated. He found, for example, when asked about their heroes, some listed Karl Marx and V.I. Lenin among their heroes, unsurprisingly for Germany at that time. However, *how* the participants listed Marx mattered a lot. While one cited as his or her heroes, "Marx, Lenin, Caesar, and Napoleon," another listed, "Marx, Lenin, Einstein, and Beethoven." The first list, focusing on power and military might, Fromm classified as an authoritarian list, while the latter list implied admiration for "benefactors of humanity" (contributors to thought, politics, science, the arts, and so on) (Braune, 2017b, p. 75).

Fromm found that most that scored high on the authoritarianism spectrum were politically on the right, but he also identified left-wing authoritarians (such as the individual who admired both Marx and Napoleon). Fromm understood that authoritarianism could not be measured solely by professed beliefs or political affiliation. Some authoritarians are "rebels" who defy authority but are merely resentful of the powerful because they desire power for themselves. Other authoritarians may be "fanatics," appearing radical due to their passion and single-minded devotion to a cause, but who are cold and mechanical, viewing people as instruments for their aims rather than dignified ends in themselves. Rebels and fanatics can appear anti-authoritarian but each is highly authoritarian (the rebel because the rebel desires power for him or herself, the fanatic because the fanatic is submissive to the authoritarian power of his or her "great cause") (Fromm, 2004b, pp. 125-6). Such rebels and fanatics can appear on the left (and no doubt Fromm sees this as part of the problem with Stalinism); all fascists are authoritarians, but not all authoritarians are fascists.

Fromm's authoritarianism study, later published as *The Working Class in Weimar Germany*, formed a significant basis for the Frankfurt School's 1940s studies of U.S. anti-Semitism, studies leading to Theodor Adorno, et. al.'s (1950) *The Authoritarian Personality* and Leo Lowenthal's (1949) study of the anti-Semitic "agitator," *Prophets of Deceit*. In *The Authoritarian Personality* (1950, p. 608), Adorno concluded that the social "func-

tion” of anti-Semitism was “as a device for effortless ‘orientation’ in a cold, alienated, and largely un-understandable world”—a pathological way of coping with capitalist alienation. Lowenthal (1949) similarly wrote at length about the fascist agitator’s appeal to the audience’s sense of “malaise” and “homelessness.”

Although not cited by Adorno and colleagues (1950) or Lowenthal (1949), Fromm’s best-selling *Escape from Freedom* had earlier addressed the same theme of fascism as an adaptation to feelings of malaise and homelessness or to a world apparently lacking in meaning. Expanding on his study of Weimar Germany, Fromm published *Escape from Freedom* in 1941, arguing that fascism emerges partly from a desire to flee the burdens of freedom. Fromm writes, “The structure of modern society affects man in two ways simultaneously: he becomes more independent, self-reliant, and critical, and he becomes more isolated, alone, and afraid” (Fromm, 1969, p. 124). The experience of freedom created by the modern world is incomplete, leaving the individual with many negative freedoms—e.g., the *freedom from* the state’s encroachment on freedom of speech or religion—but without a sense of “positive freedom,” a sense of what freedom can be *for*. Contemporary humanity, according to Fromm, has gained freedom of religion but “lost to a great extent the inner capacity to have faith in anything which is not provable by the methods of the natural sciences,” and has gained freedom of speech but “has not acquired the ability to think originally,” submitting instead to the “anonymous authorities” of “public opinion and ‘common sense’” (Fromm, 1969, p. 125).

In *Escape from Freedom*, Fromm identified three interrelated “mechanisms of escape” from freedom: sadomasochism, destructiveness, and automaton conformity. These three mechanisms work together, playing off one another, and Fromm would probably hold that an individual with strong tendencies toward a particular mechanism is likely to have characteristics belonging to the other two as well. Of the three, “destructiveness” is closest to the nihilistic violence of the neo-fascists. Neurotic “destructiveness,” according to Fromm, arises from feelings of powerlessness, fear (“feeling . . . threatened by the world outside”), and the stifling of life opportunities or potential (Fromm, 1969, p. 204). Together with sadomasochism, which views humanity as classifiable according to two static categories—the good, strong winners, and the bad, weak losers—destructiveness is often a defining feature of the authoritarian personality and of the fascist, according to Fromm.²

Not all acts of aggression are evidence of a destructive personality, according to Fromm; in his later work *The Anatomy of Human Destructiveness*, Fromm carefully distinguished between “benign aggression” and “malignant aggression” (Braune, 2017b; Fromm, 1974). Thus, according to

Fromm, action in self-defense or fierce competition in a game, for example, are not evidence of a destructive personality (or malignant aggression). By contrast, the destructive personality has a more totalizing destructive aim. The destructive personality takes vengeance on the world for its own “unlived life” (Fromm, 1969, p. 207).

According to Fromm, destructiveness has its roots in a range of social conditions. While destructiveness can arise from repression of sensuous desires, such repression has decreased since the early, puritanical period of the Protestant Reformation. As later capitalism relied on spending rather than saving, an ethic of restraint was replaced by frenzied consumerism, as Max Weber predicted (Weber, 2002). However, as capitalism has transformed from exulting restraint to license, people still have “unlived lives” to avenge due to other factors. Among these factors is economic poverty, but also forms of alienation and loneliness; these latter can impact those who are not suffering from crushing poverty, but can also have economic and political bases (Fromm, 1969, pp. 207-8). Today, the escape mechanisms of neurotic destructiveness and sadism might be found in various forms of group hostility, such as those of white supremacists, as well as those calling enthusiastically for war, for torture of terrorists, for harsher immigration enforcement, or for harsher punishments for crime. In his early writings on criminology, contemporary with his study of the German working class, Fromm made a similar point, seeing war and the state’s punishing apparatus as outlets for vicarious sadistic enjoyment by the public (Anderson & Quinney, 2000). As a humanistic psychoanalyst, profoundly influenced by Freud but critical of Freud’s theory of the death drive, Fromm did not believe that sadism or destructiveness were “natural.” Instead, like many theorists studying hate today, Fromm believed that sadism and destructiveness were responses to social conditions, particularly as shaped by economic conditions.

SIMONE WEIL AND ERICH FROMM ON DESTRUCTIVENESS

Like Fromm, philosopher, spiritual writer, and social activist Simone Weil engaged in a study of the “destructive” character structure of some fascists. Also, like Fromm, Weil came from a left-wing Jewish background. (While Fromm was raised as a religiously practicing Orthodox Jew in Germany, Weil, in France, was raised by secular Jewish anarchists.) Weil’s own social action included some brave experiments in solidarity and suffering (“affliction”), including working as a factory worker and writing about factory conditions, before later joining the resistance to Franco’s fascism in the Spanish civil war. Following an unexpected religious experience in a Portuguese fishing village, Weil’s writing took a Christian turn—she identi-

fied Christianity as “pre-eminently the religion of slaves . . . Slaves cannot help belonging to it, and I among others”—and she sought to synthesize her religious experience with her commitments to worker solidarity and social action (Weil, 1951, p. 67).

Although the void can be seen as an ongoing theme for mystics through the centuries, the question emerged for Weil due to her social, economic, and political context. Simone Weil’s work, as well as Fromm’s, was in many ways a response to a crisis of capitalism and the void of meaning opened by that crisis. Following World War I, Europeans and Americans were recuperating from a situation of acute emotional, physical, and social trauma and loss of life, when they were also hit with an economic crash. Just following the point at which hopes were high for international workers’ revolutions against capitalism, millions of working-class soldiers had died fighting each other in the trenches, energized by nationalism, in a senseless war for capitalist gain. It was a crisis that touched the “whole person” for the left-wing intellectuals who sought to understand it—it was a spiritual crisis as well as a political one. There was a sense in some philosophical, religious, and artistic circles that something may have gone wrong with time itself, that history had somehow stalled, or that reality had somehow “ruptured,” since the Enlightenment ideal of progress that had sustained past hopes seemed to have gone so terribly awry, and since the promise of some Marxist rhetoric that the revolution was nigh had fallen short. The “lost generation” of the 1920s hungered for meaning and for answers, and there was sometimes a sense that something transcendent (whether divine or human) might be lurking beyond the horizon, preparing to enter and save a humanity gone tragically wrong. This sense of expectation for outside help, of course, had devastating consequences, especially where it took the form of fascist dependence on a leader as rescuer. Keenly aware of this flight into submission but touched by her own mystical encounter with the transcendent, Weil sought frantically to turn the tide, hoping to help the workers distinguish authentic belief from the clinging to idols. She was convinced that entering into that encounter with the transcendent required a self-emptying or “de-creation” achieved partly through a spiritual asceticism, but also through a relinquishment of wealth and a commitment of solidarity to suffering with and for the oppressed.

Like Fromm, Weil classified destructiveness as one of various possible “compensations” which is similar to Fromm’s “escapes from freedom”. Through compensations, the individual replaces a frightening encounter with reality by a safer encounter with deadened ideas or “idols.” We might add (and Weil would likely agree) that modernity increases the temptation to rely on compensations, since societies do not come with obvious narratives of meaning attached, and in modern multicultural societies, there are

many more narratives available for selection, to be freely chosen and publicly lived out. Late capitalist modernity creates greater pressure to select and then cling to some sense of identity, as social relationships are fractured by competitiveness and commodification, and work life is characterized by a sense of alienation and powerlessness; in order for it to have staying power, this sense of identity, it seems to me, must be “reified”—must be made to seem natural, despite being artificial. However, the lack of pre-assigned meaning that makes this quest for identity possible is also to some extent endemic to the human condition, as Weil and Fromm understood, even if it is certainly exacerbated by present conditions. There is always a sense in which reality exceeds any explanations offered for it. Idols provide temporary relief from the void of meaning that rests at the heart of reality and at the heart of each human being’s struggle to make sense of the world. This void should not to be bypassed, Weil argues, but is the point at which the divine reveals itself and at which the sacredness of each human being can be known. I will show that both Fromm and Weil see destructiveness as resulting from a type of “idolatry” that serves as a means to flee this “void.”

Weil, like Fromm, saw destructiveness as a response to suffering. Weil wrote that, “whoever suffers tries to communicate his suffering (either by ill-treating someone or calling forth their pity) in order to reduce” his suffering (Weil, 1986c, p. 196). According to Weil, when we try to expel our suffering through inflicting suffering on another, we do so because we know that it unfortunately *works*, at least in the short run; we do feel a sense of relief (Weil, 1986c, p. 196). The continual downward distribution of suffering that results “is a factor making for social stability,” maintaining order and comfort at the upper levels of society, with nearly everyone able to displace suffering onto someone lower down in the social hierarchy (Weil, 1986c, p. 197). When one is unable to command sympathy from others or is unable to sufficiently expel one’s suffering onto victims through small, subtle acts of sadism, Weil suggests, a nihilistic type of violence emerges. Then, according to Weil, “we attack *what the universe itself represents for us*. Then every good or beautiful thing is like an insult” (Weil, 1986c, p. 197).

According to Weil, destructiveness is a way of “compensating” for the void. She identifies other possible compensations, including “mindless pleasure” and a shallow “hope, either for oneself or for one’s children, of occupying a different place in society” (Weil, 1986b, p. 246). (Note that both these compensations become less widely accessible in periods of economic decline.) “Revolution” can also be a compensation, which as a way of filling the void “is ambition transposed to the collective level” (Weil, 1986b, p. 246). Although some might read such a critique of “revolution” as

an indication of conservatism in Weil, one can also read her critique of revolution as “compensation,” as a critique of revolution as *idol*.

Here a parallel between Weil and Fromm becomes clear. The Marxist Fromm (2004b) echoes Weil’s critique of revolution as compensation or idol, in his essay on the “Revolutionary Character,” contrasting the true revolutionary with the fanatic. The fanatic is “exceedingly narcissistic” and “extremely unrelated, as any psychotic person is, to the world outside.”

The fanatic . . . has chosen a cause, whatever it may be—political, religious, or any other—and he has deified this cause. He has made this cause an idol. In this manner, by complete submission to his idol, he receives a passionate sense of life, a meaning of life; for in his submission he identifies himself with the idol, which he has inflated and made into an absolute.

If we want to choose a symbol for the fanatic, it would be *burning ice*. He is a person who is passionate and extremely cold at the same time. He is utterly unrelated to the world, and yet filled with burning passion, the passion of participation and submission to the Absolute. (Fromm, 2004b, p. 126)

The fanatic’s narcissism is idolatry; “idolatry” in Fromm’s sense of the term is not tied to specific religious practices or beliefs, but is a technical term akin to the Marxist term “reification,” referring to human submission to the authority of mere things and concepts, products of humans’ own creative action (Fromm, 2004a, pp. 37-8). Through idolatry, the self is deadened, becoming lifeless like the products of its labor, “worshipping” its own product by submitting to an unjust economic system that is itself merely a creation of human activity (Fromm, 1994, p. 97). Idolatry for Fromm includes nationalism, racism, and “priestly” (blindly bureaucratic, institutional) loyalties (Fromm, 2010).

For our purposes here, we note that idols include objects of devotion created by human beings, including their socially-constructed nation or race. Clearing away idols is not about removing symbols of transcendence, or about preventing the activity of relating to objects or symbols as manifestations of divine or transcendent realities. Rather, the struggle against idolatry in the Frommian and potentially Weilian sense, is a process of *exposing illusions so that the truth can be known*, an impulse that lies at the heart of many types of religious practice and many philosophical and scientific endeavors.

Fromm also links idolatry to ideology. Ideology in the traditional (Marxist) sense of the term implies a false belief system and is not a neutral term applying to any worldview. Ideology depends upon the “idolatry of

words,” having the power to detach words from their affective meaning, leading individuals to repeat doctrinal platitudes that lack bearing on one’s life praxis. For example, in the 1950s, Fromm notes that a majority of Americans, if asked whether “all men are created equal,” would agree (Fromm, 1956). After all, this is a central professed belief for many, found in the Declaration of Independence as well as religious traditions. However, this slogan remained just that—a mere slogan or idol, not a “living idea” that could have bearing, for example, on perhaps the most crucial question of the 1950s context, namely segregation and Jim Crow. Although all might agree that “all men are created equal,” the idea behind the words did not affectively impact all.

Weil engaged in a similar critique of ideology. In her essay “The Power of Words,” Weil wrote that the worst and bloodiest conflicts center around words whose meanings are elusive or non-existent (Weil, 1986a, p. 222). Nationalism in particular served to fuel conflicts around unclear ends. “It is the very concept of the nation that needs to be suppressed—or rather, the manner in which the word is used,” she wrote. “For the word national and the expressions of which it forms [a] part are empty of all meaning; their only content is millions of corpses, and orphans, and disabled men, and tears and despair” (Weil, 1986a, p. 225).

To return to the compensations for the void, clearing away “idols” such as nationalism and white supremacy is a revelation of reality, a reality initially experienced—as Medieval mystics suggested, and Fromm and Weil apply to their context—as empty, dark, and “void.” On Weil’s account, personal identity cannot be uncovered through the manufacture of lost ethnic identities or veneration of the nation-state, because one’s true identity is uncovered only through self-emptying, or what Weil calls “decreation” (de-creation). Self-emptying (*kenosis*) has a role in Christian theology; in Philippians 2:5-7, Jesus is described as having “emptied himself, taking the form of a slave,” and followers are exhorted to a similar self-emptying. This biblical reference, as well as Friedrich Nietzsche’s rejection of Christianity’s affinity for the masses and the weak, calling it a “religion of slaves,” is likely the root of Weil’s statement that she felt she belonged to Christianity as “the religion of slaves.” Here Weil was making a not-too-subtle critique of Nietzsche, of whom many fascists of the time were fans. Slaves, too, Weil would have known, were the heroes of the Hegelian Marxist master-slave dialectic. Despite the slave’s oppression, the slave has greater insight than the master into human nature and the struggle for freedom; the slave learns that is only by risking everything, even life itself, that freedom can be won.

Weil distinguishes decreation from destruction (Weil, 1977b, p. 350). Decreation is not violence turned inward against the self, but a creative

principle that stands in relationship with non-being. According to Weil's philosophical theology, God himself must be engaged in decreation, since only by withdrawing in part from creation can God (who is Being) create something other, a composite of being and non-being (Weil, 1977b, p. 351). Human beings can participate with God in creating by decreating themselves, withdrawing from their ego and their identification with self-descriptions (Weil, 1977b, p. 351).

What holds us back from decreation is our knowledge that after clearing away idols, reality is initially experienced as empty, dark, and "void," as some mystical traditions teach. We know about the void in advance of fully facing it, these mystics would argue, because we periodically experience the terror of the void when we momentarily release our grip on our idols or glance away from them momentarily before turning back to them in fright. Periodic loss of one idol may lead us to quickly replace it with a new one. For example, consider how quickly recovering addicts tend to convert to religions; no doubt some of these conversions reflect sincere confrontations with the void—some peered into the void without the help of their past crutches, and something appeared there to them—while others may in fact have rushed into the arms of faith in pursuit of a new compensation for the void. The existential freedom of choice combined with apparent meaninglessness that one experiences with the loss of idols can be terrifying, leading one to seek out new authorities (divine, human, or otherwise) to which one can submit.

According to Weil (1977b), we instead need to hold the void open to *let the void speak*. Filling up the void with whatever we can quickly find only succeeds in drowning out the voice of the afflicted (the suffering or oppressed ones) and the voice of God or truth. Filling the silence with the noise of slogans and certainties, we sacrifice our freedom for a tyranny of false ideas.

Although Fromm abandoned theism in his late twenties and moved away from the Orthodox Jewish religious practice of his upbringing, he speaks in a similarly mystical way about what Weil calls the void. A number of influences are at play, including Fromm's continued appreciation for the tradition of Jewish negative theology, especially as found in Moses Maimonides in the Middle Ages and the adoption of Maimonides' work by Jewish neo-Kantian socialist philosopher Hermann Cohen in the early twentieth century, who saw Maimonides' negative theology as a humanism (Cohen, 1995, p. 311; Fromm, 1994, p. 143). In this tradition, the refusal to describe God is a refusal to limit God, and a similar commitment can be applied to human potential and the aims of social struggle. Despite not being a religious believer, Fromm never lost a passion for the power of the mystical negative way. He found elements of the same in Zen Buddhism, as

well as in the philosophies of Marx and Meister Eckhart. Fromm's extensive correspondence with Trappist monk, writer, and Catholic peace activist Thomas Merton may also have influenced Fromm's interest in the *via negativa*, and it may have been Fromm who first introduced the work of Simone Weil to Thomas Merton (Braune, 2014a).

Towards the end of his life, Fromm began work on a book on Karl Marx and Meister Eckhart, arguing that the nineteenth-century radical philosopher and economist Marx and the Medieval Christian theologian and mystic Eckhart shared a common commitment to "being" over "having," to an encounter with a changing reality that cannot be possessed, as opposed to identification with fixed and static objects (whether one's personal ego, God as an object, commodities, or reified ideologies). Fromm wrote (1994), "Both [Marx and Eckhart] were radically anti-authoritarian, spokesmen for the independence of man, for his active use of his essential powers, for life against death, for being against having" (pp. 114-5). Fromm identified an atheistic character in the writings of Christian mystic Eckhart and a religious "messianic"³ quality in the writings of the atheist Marx (Fromm, 1994, p. 115). Fromm's work on Marx and Eckhart forms a humanist counterpart to Simone Weil's view that some of those who profess atheism may simply be devoted to the non-personal attributes of God, such as being, goodness, and beauty. Both Weil and Fromm complicate the usually stark conceptual division between atheism and theism, not because they find the question of God's existence meaningless, nor to trick atheists into theism or vice versa, but because Weil and Fromm are both more concerned with the true faith of the individual, underlying his or her ideological slogans (idols). Thus, from Weil and Fromm's perspective, the white supremacist who claims to be motivated by a love of his own race or "heritage" as opposed to "hate," is operating at the level of ideology, for example; the white supremacist's true faith is in hate, not in a love of heritage. According to Weil, religion as mere compensation for the void is less like real faith than sincerely professed atheism. Weil (1977a) wrote:

Religion in so far as it is a source of consolation is a hindrance to true faith; and in this sense atheism is a purification. I have to be an atheist with that part of myself which is not made for God. Among those in whom the supernatural part of themselves has not been awakened, the atheists are right and the believers wrong. (p. 417)

Similarly, Weil (1977a) writes in the same essay:

The role of the intelligence—that part of us which affirms and denies, formulates opinions—is solely one of submission. All that I conceive of as true is less true than these things of which I cannot conceive the truth,

but which I love. That is why St. John of the Cross calls faith a night. With those who have received a Christian education, the lower parts of the soul become attached to these mysteries when they have no right at all to do so. That is why such people need a purification of which St. John of the Cross describes the stages. Atheism and incredulity constitute an equivalent of such a purification. (p. 418)

In this piece, atheism plays a role in leading the individual into the void through which the divine can be encountered. Atheism as a “purification” is one means of clearing away idols. Of course, Weil also realized that atheism, like religion, can serve as a mere compensation, a stuffing of the void with ideology as opposed to an encounter with the real in all the terror it can invoke.

It is worth briefly noting here that today, seemingly liberal New Atheists such as Sam Harris, Richard Dawkins, and Bill Maher have been influential on some on the far-right, which is an interesting paradox considering the far-right’s tendency to present themselves as defenders of Tradition and the West, which have been so profoundly shaped by religious faith. Some New Atheists share a similar mockery of Islam to that occurring in alt-right and alt-lite circles. It is likely no accident that Milo Yiannopolous and Bill Maher hit it off so well on Maher’s television show in February 2017. The flashy right-wing provocateur and the liberal partisan of “political incorrectness” found a common bond in their scorn for Islam and PC-culture. What do Milo Yiannopolous, who (with some inconsistency no doubt, considering his rejection of social justice principles, for example) often claims that “Catholicism is right about everything,” and Bill Maher, director of the film *Religulous*, have in common? What is the relationship of each to their beliefs? Is it possible that what Yiannopolous finds in Catholicism and what Maher finds in atheism is the same thing, a sense of identity that can be exploited as a bulwark against outsiders who threaten to reveal a fundamental void of meaning? I will leave this as a mere hypothesis here. In the following, third and final part of this paper, I return to the question of identities defined in relation to perceived external threats.

A mysticism that seeks God in sacrifice, self-emptying, poverty, and conceptual silence is nothing new. Weil’s mysticism resembles that of Saint John of the Cross, Saint Theresa of Avila, or Meister Eckhart. Perhaps the twentieth century contributed very little to Christian mysticism of the dark night. However, few recent thinkers have applied such mysticism to a study of social and political problems, and especially to the problem of resurgent nationalism. Weil’s attempt to do so is a major reason why her theoretical and spiritual work is an original contribution. Nor do we think very often of who our natural allies become if we ground our worldviews on a refusal to

fill the void, or on what Fromm called “the common struggle against idolatry.” If Weil and Fromm are correct in their distinction between idolatry and genuine belief, then a Christian like Weil may have more in common with an atheist like Fromm than either of them does with nationalists, whatever the latter’s professed faith. Both the Weilian mystic and the Frommian atheist refuse to fill the void. In the next section, I look at recent research as well as some case studies of current and recent members of fascist movements that suggest that underlying the ideology of the alt-right is an attempt to fill the void, a void conditioned by both economic and individual psychological factors.

THE CONTEMPORARY ALT-RIGHT: ECONOMIC AND PSYCHOLOGICAL FACTORS

Today’s resurgent fascism and white supremacy are failures to hold open the void, instead stuffing the void with hateful mythologies, slogans, pseudo-science, and eventually violence. The refusal to “sit with” the void, to attend and wait for reality to present itself, leads to stuffing the void with phony identities that are always at risk of coming apart. To prevent anyone from pulling away the mask and revealing a self that is still void—rather than “very deep,” as Richard Spencer insists white identity is—the ideologists of hate employ intimidation and cruelty.

These phenomena are clearly multi-sided. On the one hand, generally speaking, individuals who engage in hate and violence can and should be held morally responsible (and legally responsible, when applicable). Economic or psychological influences are not morally exculpatory. The decision to expel one’s suffering onto another to avoid the reality of the void is a decision which one can potentially forgo. On the other hand, the rage, entitlement, or frantic clinging to “identity” found among neo-fascists and white supremacists do have causes, beyond some individual propensity to evil. These causes are both psychological *and* economic. In some sense, it may seem psychologically irrelevant which outlet is chosen for hate and violence. After all, a quest for meaning, community, identity, and an outlet for aggressive rage, might drive one person to join white nationalist group Identity Evropa, another to join the Bloods, and another to join ISIS. (Perhaps similar motives could also lead certain individuals to join certain left-wing groups, although one should be careful in one’s choice of examples.)

Michael Kimmel’s new book *Healing from Hate* focuses on neo-Nazis but includes a chapter arguing that ISIS recruiters and neo-Nazi recruiters use similar tactics, manipulating shame about failure to achieve socially accepted versions of masculinity (Kimmel, 2018). Life After Hate, an organization of former white supremacists that helps others leave such

groups, tends to take a similarly broad view. Seeing white supremacist violence as a manifestation of “violent extremism,” they observe that the same psychological influences draw individuals to a wide range of organizations. They are not incorrect—they speak compellingly from personal experience as well as from studies showing that the same sorts of factors drive individuals to hate and violence—but their analysis needs to be supplemented with a study of what makes neo-fascism unique and the economic conditions that give rise to it as a possibility. I will briefly address these economic conditions, before examining some statements from recent and current members of white supremacist and neo-fascist organizations that reflect the view that joining such organizations results from a tendency to flee the void or to “escape from freedom,” through clinging to a false sense of personal identity. Fromm’s and Weil’s analysis, we shall see, remains urgently relevant.

Economic Conditions

Economists and social theorists have pointed to the growing impoverishment, social atomization, loss of meaning, and rage being produced by neoliberal capitalism. David Harvey’s *A Brief History of Neoliberalism* identified a dialectical creation of the social breakdown of meaning under neoliberalism (Harvey, 2005). Neoliberalism breaks down social institutions such as church and family as well as traditional values, even as neoliberalism also often parrots its support for traditional institutions and harnesses them for its own ends. Although this breakdown of institutions is liberating in some ways, it leaves a dangerous vacuum behind, and when consumerism and the economic rat race inevitably fail to satisfy the individual’s hunger for meaning, resurgent right-wing ideologies can emerge. Interestingly, Fromm (1969) in *Escape from Freedom* reflects on the same fundamental problem, writing over fifty years earlier.

Left-leaning economist Mark Blyth recently helped many to understand why recent populist shifts have sometimes taken a nationalistic form. Blyth referred to a shift away from the political center, with some moving to the left and some to the right, with both trends driven by a phenomenon he called “global Trumpism.” (As the left attempts to rekindle working class solidarity against the capitalist class, the right turns to nationalism against the “globalist” power structures.) Blyth wrote;

The global revolt against elites is not just driven by revulsion and loss and racism. It’s also driven by the global economy itself. This is a global phenomenon that marks one thing above all. The era of neoliberalism is over. The era of neonationalism has just begun. (Blyth, 2016, para 15)

Because political moderates in the capitalist class across Europe and the United States had tried to sell the workers of their countries on the promises of globalization, and those promises plainly fell flat for many people, and as an inescapable burden of debt increased on the working class, workers began to turn against what Blyth (2016) called the “technocracy,” the structures that had arisen to enforce globalization and neoliberalism. The Scottish independence movement, the revolt against the European Union (including the anti-EU Brexit vote), the rise of left-wing parties like Podemos in Spain and Syriza in Greece, and the rise of right-wing figures like Marine Le Pen and Donald Trump, are all related to the same revolt against the technocracy, in Blyth’s view. In a popular YouTube video, Blyth explains:

For the past 25 years, particularly the center-left has told the bottom 60% of the income distribution in their countries the following story: “*Globalization is good for you. It’s awesome. It’s really great. We’re going to sign these trade agreements. Don’t worry; there will be compensation. You’ll all end up as computer programmers. It’ll be fantastic, right?*” . . . And you take the bottom 30% of the income distribution and you say, “*We don’t care what happens to you. You’re now something to be policed. You’re now something to have your behaviors changed*” . . . It’s a very paternal, very patronizing relationship. This is no longer the warm embrace of social democracy, arm in arm in solidarity with the working classes. No, they’re there to be policed and excluded in their housing estates so that you feel safe in your neighborhoods, so you can have your private schools, and they have their public schools, which you don’t really want to have to pay taxes for anymore. So once this is evolved over 20 years, you have this revolt. . . It’s not about the EU. It’s about the elites. It’s about the 1% (Cahill, 2016).

The point to take away from Blyth’s analysis is not that the far-right is a product of a working class revolt; after all, the far-right has powerful and wealthy backers. However, the point to keep in mind is that as what has become known as mainstream politics collapses by demonstrating its lack of commitment to working people and its inability to deal with economic crisis, in the absence of a well-organized left, there are definitely people who will seek solace on the far-right, and there are far-right organizations that know how to appeal to those individuals’ sense of hopelessness and malaise.

Several years earlier, Guy Standing’s (2011) *The Precariat: The Dangerous New Class* also identified the trend that Mark Blyth would classify as global Trumpism. Guy Standing articulated the rise of a new “precariat” class, whose lack of job security and bondage to lifelong debt made them increasingly vulnerable. Although many Marxists and others objected in

response that the proletariat has always had a “precarious” existence and that the precariat is not a “new class,” Standing at least seems correct that the precariat is a “dangerous class” in two senses. Like Blyth, Standing realized that the question is whether the precariat will choose the left, and thus be “dangerous” to neoliberal capitalism, or whether the precariat will choose the right, and be “dangerous” to tolerance and democratic ideals.

Standing (2011) explains that young workers in the first world are being left jobless and economically dependent, even long after college, and they are now without some of the strong social structures of the past that might have been able to provide them with support (p. 112). The growing economic crisis also creates a crisis for masculinity:

What then of young men moving into the precariat? . . . Insecurity is connected to fear of losing what one has. More men are in that position, by comparison with their own past, previous generations of men, and the expectations and aspirations instilled in them by their families and cultures. As the precariat grows and career jobs evaporate, loss of face compounds the loss of income and the status trappings that go with it. With the world generating precarious labour, men attuned to a self-image of stability and career progression are in danger of being traumatized. Moreover, the dismantling of occupational communities and the disruption to old notions of occupational careers produce status frustration effects as men confront the reality that their careers are truncated. (Standing, 2011, pp. 108-9)

As Angela Nagle (2017) points out in her critique and analysis of the right, one can hardly find a better illustration of the rage of the aimless, economically insecure young male than that expressed in Chuck Palahniuk’s popular novel *Fight Club*. *Fight Club*’s nihilistic and mentally ill protagonist forms a secret organization of men who fight one another to recapture their lost masculinity, before progressing to acts of terrorism. The novel has been popular in far-right internet niches (Nagle, 2017, p. 114), and former White House chief strategist Steve Bannon allegedly called his far-right website *Breitbart* “fight club” (Victor & Stack, 2016). *Fight Club* is likely also the source of the right-wing’s condemnation of liberal “snowflakes,” a reference to the novel’s blunt assertion that people are not special, unique snowflakes, despite what their society has taught them to believe. In the novel, the main character speaks about the modern age:

Slaves with white collars. Advertising has us chasing cars and clothes, working jobs we hate so we can buy shit we don’t need. We’re the middle children of history, man. No purpose or place. We have no Great War. No Great Depression. Our Great War’s a spiritual war . . . our Great Depression is our lives. We’ve all been raised on television to believe

that one day we'd all be millionaires, and movie gods, and rock stars. But we won't. And we're slowly learning that fact. And we're very, very pissed off. (Nagle, 2017, pp. 114-5)

Note that it is not desperate poverty, necessarily, that is the driving factor here—it is the growing gap between what the system claims to offer and what it actually delivers. The alt-right is not necessarily “poor.” Alienation impacts individuals under capitalism at all levels of economic power. At the same time, a loss of economic security for some may certainly contribute, as the growing gap between what one has and what one feels one *ought* to have (in order to “be a man,” for example, or to be a successful adult) certainly seems likely to cause shame. This shame in turn generates an increased desire by the individual to flee any void of meaning, by clinging to any sense of personal identity that can restore the individual's sense of self-worth.

Psychological Factors

A significant number of those recruited into fascist movements in the present and recent past seem to have been drawn in less by the particulars of the ideology than by a pursuit of belonging, meaning, and an outlet for repressed rage. This harmonizes with Fromm's and Weil's views on fascism as an escape from freedom, or as an idol used to fill a void of meaning. Individuals' continuing involvement in fascist hate groups after their initial recruitment, as well as the rhetoric of their spokespeople and promotional materials, repeats the same pattern of a search for meaning, belonging, and an outlet for rage. The particular outlet chosen for rage, however, as we have seen, is strongly tied to economic and social conditions. As Fromm and Weil would have agreed, fascism emerges as an option only under particular conditions.

Asked by One People's Project's Daryle Lamont Jenkins what he was getting out of this, a member of white nationalist group Identity Evropa answered without hesitating: “Purpose, identity, community—what everybody wants” (OnePeoplesProjecttv, 2016). In fact, Identity Evropa and Richard Spencer's similar National Policy Institute, both express this theme in their online promotional videos and literature. For example, National Policy Institute video “Who are We?” begins with Richard Spencer asking, “Who are you? I'm not talking about your name or your occupation. I'm talking about something bigger, something deeper. . . Today, we seem to have no idea who we are. We are rootless” (NPI / Radix, 2015). In a summer 2017 speech at a “Free Speech Rally,” Nathan Damigo, founder of Identity Evropa, polemicized, “Fuck your freedom! Give me responsibil-

ity!” to cheers from the small crowd (Free Speech Rally – Nathan Damigo). Although he clarified concerning his support for freedom of speech, a talking point of the alt-right rally, Damigo stressed a fidelity to past and future white generations as a substitute for freedom. Although “responsibility” might on the surface sound like what the person escaping from freedom seeks to avoid, when counter-posed with freedom in this way, responsibility implies submission. Submission to a cause, group, or leader can be the sort of “responsibility” that stands opposed to freedom; like Erich Fromm’s “fanatic,” Damigo is an authoritarian, escaping from freedom by submitting to the power of his “great cause.” “We aren’t fighting for freedom . . . we aren’t fighting for the Constitution,” Spencer offers in another speech. “We are fighting for meaning in our lives” (Free Speech Rally – Richard Spencer). Despite the frequent defense of “facts” in the rhetoric of today’s fascists, who fetishize debunked scientific studies like Charles Murray’s *Bell Curve*, fascists are in fact driven not by a socially unconcerned use of scientific reason so much as by a coldly passionate (“fanatical”) defense of their idols. They must constantly be assuring themselves that “white identity is very deep” and complex (Richard Spencer), and shoring up feelings of devotion to their ideological idols. Otherwise, their frame of orientation, which has become their new sense of personal identity, is at constant risk of dissolution. The fragility of this new identity is brought home by remarks by Patrick Casey of Identity Evropa, who uses the term “void” in a May 2018 podcast shared on Twitter: Casey’s interlocutor asks about the problem of “suicide by alt-right, where people obliterate themselves by adopting the most ‘edgelord’ tactics and language. . .to make sure they can never have any social standing.” Casey responds, “When you’re on the dissident right . . . it’s almost as if there’s this void in the middle, or a black hole, and you’re dancing around it, and that’s just the chaos of the times that we live in.”

Listening to Richard Spencer’s speeches, one gets the impression that Spencer’s two favorite words are “deep” and “interesting,” as though constantly trying to convince his listeners that his ideology is not shallow and banal. The white race and white self are “deep,” according to Spencer, which one gets the impression he hopes will be believed on faith. The alt-right articulates the supposed depth or meaning-giving ability of whiteness mainly in relationship to its perceived enemies; that is, the condition of being “white” is to be loved and protected because of the ways in which it is perceived as endangered. However, for Spencer’s Nietzschean fascism, what makes whiteness worth defending is also something predating Judaism and Christianity, grounded in “another morality. . .immune to guilt in general.” Spencer characterizes white people as “decadent” and “sick with guilt”; although their sense of conscience has made them “deep” and “inter-

esting,” according to Spencer, whites have forgotten their identity. He argues for a return to a Nietzschean “master morality,” based on the understanding that, “We are strong. We rule. We are good. They, the others, are weak. They are bad” (American Renaissance, 2015). Notice this is almost a word-for-word repetition of Fromm’s description of the sadomasochistic authoritarian, who Fromm says believes in two kinds of people: strong, good winners and weak, bad losers.

It is also worth looking back at the statements of founders of Life After Hate who entered the racist skinhead and neo-Nazi groups of the 1980s and 1990s as youth, and who have left these ideologies behind, expressing remorse for their past involvement. The rebranded “alt-right” is too new to have mature, self-reflective defectors, and those currently involved in the alt-right are less likely to be sufficiently thoughtful or honest about the darker sides of their motivations for joining the movement. Although the contemporary “alt-right” is in some ways a new neo-fascist political formation, it is in some ways connected to the 1980s and 1990s racist skinhead and neo-Nazi movements. At that time, racist skinheads were already rebranding, shifting away from the image of the young street gang, and encouraging young recruits to wear suits and ties, to go to college, to “mainstream” the ideology (Upworthy, 2016).

Christian Picciolini was a depressed latch-key kid smoking a joint behind his home in Chicago when he first met a neo-Nazi recruiter. Picciolini commented:

When I joined America’s first neo-Nazi skinhead group, suddenly I felt like I could conquer the world. I had been kicked out of four high schools, one of them twice, and I met some individuals, and they promised me Paradise. They promised me that the bullies would go away, that my life would get better, that I’d have a family, and that I would have a sense of purpose. Being a skinhead . . . gave me the sense of power that I was lacking when I felt the most powerless. (Upworthy, 2016).

In his memoir, Picciolini speaks of needing to confront and pass through a “void” on his journey out of hate, comparing facing the void to driving off a cliff:

The French have a saying, *l’appel du vide*, “the call of the void.” It describes that tiny voice in your head that even the most rational people might hear, that taunts you to jerk the steering wheel into oncoming traffic, or the feeling when you look over the edge of a steep precipice and become gripped with the fear of falling, but the terrifying impulse to throw yourself off the edge still beckons. In the five years since I had left the [neo-Nazi] movement, I had heard that nagging little voice constantly, always whispering in my ear to find a way to try to kill what I’d

helped create, but I was frightened of the consequences. . . It was time to face the truth. I stepped hard on the gas and drove off that metaphorical cliff. I floored it, content that the demons inside of me were falling to their death. And only then, when I'd allowed that painful, symbolic death to occur—the twisted hunk of my former self burning on the sharp rocks below—only when could I rise from the rubble and begin anew. (Picciolini, 2017, pp. 251-2)

Arno Michaelis says of his involvement, “I knew what I was doing was wrong, but I didn’t have the courage to acknowledge that” (The View, 2017). Michaelis was recruited into the racist movement as an alienated teenager and high school bully who lacked a sense of identity. He reflected:

I heard this white power skinhead band that told me all this violence that I was already familiar with, all this hate that I felt, was because I am a warrior fighting for my people. And there’s this majestic cause [fanatical authoritarianism, in Fromm’s terms], and if I fail, the white race will be wiped out, off the face of the earth. And it was all very melodramatic and very seductive, and as an angry teenage kid, who felt disconnected from my family, from my society, from the rest of the world, this was the connection that I was looking for. (The View, 2017)

Michaelis had found a way to temporarily fill the void and to expel his rage with his new identity (“a warrior fighting for my people”).

Linking involvement in hate groups to “toxic shame,” feeling unlovable and powerless, Tony McAleer felt “less than,” he says, and “the ideology told me I was ‘better than’” (Matter of Fact, 2017). “I was an emotionally sensitive kid growing up in a household where it wasn’t safe to be sensitive” (Matter of Fact, 2017). Like Michaelis, he was drawn into the skinhead movement more by its angry music than by its ideology.

When I got involved with the skinheads, my bullying survival strategy was, ‘Befriend the bully, become the bully.’ . . . For someone for whom violence was new, I’m going to be honest, I liked it. And every step I went deeper, I got a greater sense of power, and thrill, and intoxication. (Matter of Fact, 2017)

Just as Simone Weil asserted that we seek to expel our suffering through causing another to suffer, McAleer sees the violence of organized hate as a transfer of pain, although this may not fully account for the sense of satisfaction one may receive in inflicting suffering on others: “We take our own negative experiences and feel that we need to project them [enact them] onto other people” (Matter of Fact, 2017). McAleer also discusses the

necessary experience of loneliness and loss that occurs between leaving hate groups behind and reconnecting to humanity (Matter of Fact, 2017).

McAleer also uses the term “void” to refer to the period between engagement in violent extremism and reintegration into society. McAleer was asked whether he got the term from Simone Weil or any other literature that he could recall, and he said he did not; it is his own term for this experience. (Perhaps Picciolini picked it up from McAleer.)

Remarks from these and other ex-hate group members online, as well as Michael Kimmel’s (2018) research, seem to reveal that the reasons people leave such groups are not many in number, including:

- Incarceration, or the sense that one’s life is headed for prison or death;
- Death or incarceration (or threat of death or incarceration) of fellow group members;
- The unexpected feeling of love and protectiveness towards one’s newborn child or a desire to raise one’s child in a more positive environment;
- Exhaustion from a lifestyle of constant fear, hatred, and violence;
- Impatience with the hypocrisy of group leaders;
- In the case of women, misogyny and violence against women within the movement;
- Surprising compassionate outreach from, and relationships built, with members of groups they claimed to hate

Of course, exiting hate groups meant leaving behind one’s sense of personal identity before having a substitute, and since members of such groups had generally cut themselves off from previous family and friend connections, it meant leaving behind one’s whole social circle, and stepping alone into a world perceived as both meaningless and hostile. Unsurprisingly, depression at this stage is common, and the temptation to return to the racist movement can be very strong. Leaving hate behind requires passing through a void that one may have initially fled.

As the alt-right and related fascist and proto-fascist movements become increasingly normalized in U.S. politics, and as their tactics often strive to remain within the law or to receive sanction from authorities—a 2017 report indicated that the alt-right believed Trump and Steve Bannon were keeping FBI attention away from them, allowing them free reign (Sheffield, 2017)—the danger of death or imprisonment decreases, and the social costs of involvement are less great. This means that human connection, mercy, and compassion from others may play an even more important role in helping people to leave these groups behind.

The need for human connection, mercy and compassion, does not mean that is safe for activists and members of scapegoated groups to inter-

act with members of hate groups, seeking to change them. Therapist and long-time activist against white nationalism Cristien Storm (2018) argues that individuals' lack of appropriate boundaries is leading to risky behavior, giving white nationalists spaces and platforms when these should be denied. Building on Storm's work, I would suggest that any message of "compassion" towards fascists and the violent far-right needs to be presented with care, particularly in order to avoid victim-blaming—the reason that people are fascists is not that members of marginalized groups are not being nice enough to them. Further, telling individuals whose work already revolves around responding to trauma that they need to show more compassion, and that their lack of compassion may be the source of oppression around them, could create damaging psychological impacts. It is not the moral duty of activists or members of targeted groups to actively offer compassion to fascists.

Nor does the need for human connection, mercy and compassion mean that absolute pacifism or forgiveness in the face of far-right violence should be the only socially acceptable response to increased aggression by the far-right. Leftist resistance, including the Antifa movement, is much misunderstood by some well-meaning moderates and often misrepresented in the media, and organized left resistance should not be dismissed as equal to or worse than the actions of fascists whom they are protesting. Protest and organizing against the threat that fascists pose to vulnerable communities is incredibly needed. Members of fascist hate groups are not only individuals in search of meaning, belonging, etc.; they are also participants in a growing social movement that seeks political power to further its genocidal aims, and which has support and backing in high places.

Nevertheless, the search for meaning and identity that draws people into hate groups, and the fact that compassion and mercy are one of the chief factors in their leaving, *does* mean that fostering a climate of compassion in society and keeping attention focused on love and joy as the aim of social transformation, is important. Increased rage and militancy are not necessarily more "revolutionary" when it comes to dealing with hate and can in fact be signs of mere fanatics or rebels on the left, rather than the genuine revolutionary, who Fromm says is motivated by a love for life. Overcoming fascism requires more than direct confrontation; just as essential is the cultivation of culture, spaces, and dual-power alternatives so that the angry and alienated do not find the far-right to be the only source of meaning or belonging on offer.

Matters of left strategy lie mostly beyond the scope of this paper, which has an objective of critique and analysis, laying bare the causes and mechanisms of neo-fascist idolatry and its resultant destructiveness as a means of fleeing the void. It bears remembering, however, that the void is

not the ultimate aim, and that individuals need not struggle wholly alone in their confrontation with it.

THROUGH THE VOID

Although according to Simone Weil the void is felt as a separation from others and from God, this separation reveals a “something more,” a yearning of the human heart that makes what lies beyond perceptible through its absence. In her essay “Metaxu,” she famously writes, “Two prisoners whose cells adjoin communicate. . .by knocking on the wall. The wall is the thing which separates them but it is also their means of communication. It is the same with us and God. Every separation is a link” (Weil, 1977c, p. 363). The loss of idols is not a loss of truth and meaning but reveals the fundamental need for human meaning and the ways in which that meaning cannot be filled with superficial ideologies. It is the absence of past idols that reveals reality, that allows it to breathe and speak.

Weil’s philosophy intentionally offers a psychological and spiritual antidote to fascism, but it is Fromm who offers perhaps the clearer articulation of a broader social movement that can confront the void and ultimately liberate us from it. Refusal to fill the void can be the basis of what Fromm calls “the common struggle against idolatry:” the formation of new communities, identities, and social movements around the shared project of embracing “living ideas” and unfolding traditions, not dead concepts and idols. This common struggle unites humanists of all stripes in defense of reason and compassion. “Those who participate [in the common struggle against idolatry] must be able to talk from their heart and to the heart. They must not fear to displease anybody, and must consider that reducing hate and arrogance within themselves must be one of their daily efforts,” Fromm writes (Fromm, 1994, p. 99). These two radical thinkers, Weil and Fromm, were students of the many social conditions that give rise to hate. However, they also showed us the nature of the ethical or spiritual journey through which we may transcend those conditions both individually and socially.

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NOTES

1. A recent study in the U.S. relying on the simpler “Feldman test” concluded that 19% of white U.S. Americans are likely authoritarian. Although the different methods make comparison difficult, this statistic is concerning. (Taub, 2016).

2. Sadosomochism for Fromm is not so much about sexual desire as about the desire to exert and submit to power.

3. Fromm’s defense of “prophetic messianism”—Fromm saw Karl Marx and Rosa Luxemburg, among others, as “prophetic-messianic”—is not obscurantist but a highly practical defense of the role of hope in radical politics (J. Braune, 2014b).

LGBT Hate Crime: Promoting a Queer Agenda for Hate Crime Scholarship

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INTRODUCTION

Hate crime laws in England and Wales have emerged as a response from many decades of the criminal justice system overlooking the structural and institutional oppression faced by minorities. The murder of Stephen Lawrence highlighted the historic neglect and myopia of racist hate crime by criminal justice agencies. It also exposed the institutionalised racism within the police in addition to the historic neglect of minority groups (Macpherson, 1999). The publication of the inquiry into the death of Stephen Lawrence prompted a move to protect minority populations, which included the lesbian, gay, bisexual, and transgender (LGBT) community. Currently, Section 28 of the Crime and Disorder Act (1998) and Section 146 of the Criminal Justice Act (2003) provide courts the means to increase the sentences of perpetrators who have committed a crime aggravated by hostility towards race, religion, sexuality, disability, and transgender identity. Hate crime is therefore not a new type of crime but a recognition of identity-aggravated crime and an enhancement of existing sentences.

Hate crime in the area of LGBT is usually defined as homophobic or transphobic hate crime (Chakraborti & Garland, 2015), which provides a comfortable framework for gay men, lesbians, and trans men/women to inhabit. However, little space is provided to conceptualise the hate experiences of individuals who do not fit neatly into these concepts, such as bisexuals, pansexuals, asexuals, and non-binary people *inter alia*. I outline in this article how 'LGBT' is discussed in Criminology and explore the acronymic difficulties underpinning LGBT categories. I argue that violence directed towards non-binary identities remains unacknowledged, excluding members of the LGBT community from the gaze of hate research. Further, scholarly definitions of hate crime remain contested; the phrase 'hate crime' infers extreme acts of violence, ignoring everyday patterns of hate violence (Chakraborti & Garland, 2015; Hall, 2005). This presents unique epistemological and ontological challenges to hate crime research. I argue for a new era of hate crime theory, one that incorporates a fluid identity politics. I advocate that identity based violence such as hate crime recognise fluid, non-conforming, and unstable identities. To demonstrate this, I outline two cases of non-binary identities to expose the colonial and heteronormative

assumptions hate crime research has adopted. I then provide my recommendations for a queer agenda in hate research.

I use queer in a variety of ways. Firstly, I use it as a noun, as an interchangeable term, to describe those within the LGBT community and those who fall outside of the existing (LGBT) acronym who are not straight i.e. a queer person, the queer community, or queers. I advocate that queer also be a verb: a way of doing, in this case to *queer* research. Queer in this article is an analytical tool, which is “about disrupting, challenging, and asking uncomfortable questions that produce new ways of thinking in relation to the lives of LGBTIQ people and criminal justice processes” (Dwyer, Ball & Crofts, 2016, p. 3). More specifically, I look at the ways hate crime scholarship has assumed various ontological positions based on western gender and sexuality logics. I argue that these assumptions have created a chasm in our conceptual understanding of targeted hate towards certain genders and sexualities, as current frameworks do not acknowledge non-western or fluid genders and sexualities. This article advocates that hate researchers adopt a more fluid, less rigid hate crime framework and incorporate fluid, non-binary, and unstable identities. Firstly, I explore how current framings of LGBT identity exclude fluid and non-binary identities.

HOW CRIMINOLOGY FRAMES LGBT

Traditionally, research and scholarship involving LGBT people were commonly associated with gay and lesbian studies, which examined the sociality of lesbians and gay men in their shared experiences of transgressive sexuality. The gay and lesbian movements particularly emphasised a rearticulation of homosexuality from its medicalised roots towards a more socio-sexual and political dimension (Irvine, 1994). Gay and lesbian studies have been criticised, however, for making taken-for-granted assumptions about the identity categories we establish and dichotomise (Piontek, 2006) such as binary gender identities (male/female). Piontek (2006) attempts to queer these assumptions by challenging “the way we make meaning in the world, including the ways in which we think about gender, sexual practice, and identity” (p. 2). This includes contesting the beliefs and assumptions that research previously considered stable and sacrosanct within gay and lesbian studies. Thus, for scholars and policy makers it is no longer appropriate to conceptualise the existence of a “gay community”. Identity based acronyms like LGBT have since been utilised due to increased acknowledgement of bisexuality and transgender identity.

Hate crime is a criminal act committed towards a person, aggravated by their perceived characteristics, relating to five protected strands. The five strands are the “colloquial name for the five categories of hate crime –

ethnicity, faith, disability, sexual orientation and gender identity – monitored by criminal justice agencies and partner organisations in England and Wales” (Chakraborti & Garland, 2015, p. 163). Originally, these protections did not cover gender identity, neglecting transgender individuals. However, increased acknowledgement of bisexuality and transgender identity has been particularly useful for hate crime scholarship for several reasons. Firstly, it has allowed acknowledgement of hate towards less recognised sexual orientations, which are protected under Section 146 of the Criminal Justice Act (2003), and transgender identity (Crown Prosecution Service, 2012), providing a more inclusive hate crime framework. Secondly, categorising LGBT hate crime into particular strands has put into action mechanisms that can record and monitor (see Corcoran, Laden & Smith, 2015; Creese & Lader, 2014; Home Office, 2012). Little discussion however has taken place over how hate crime scholarship sociologically frames LGBT identities as an acronym and a community.

Chakraborti and Garland (2015) define LGBT as “the abbreviation commonly used to collectively represent lesbian, gay, bisexual or transgendered people (sometimes expressed as LGB and T, LGBTQ (where ‘Q’ is ‘queer’ or ‘questioning’), or LGBTQI (where ‘I’ is ‘intersex’))” (p. 164). Consequently, there are many complexities in using such an inconsistent and ever expanding acronym. Despite its problems, inclusive steps such as stars (LGBT*) or plusses (LGBT+) have been made to acknowledge those outside of LGBT recognition (Cronin & King, 2010). However, if the aim is inclusivity and recognition, starring (*) or plussing (+) identities which fall both outside of heteronormative gender and sexuality logics problematically invisibilizes unrecognized identities further.

The expansion of the acronym moves away from the historical pathologization of homosexuality (assumed male) to a more inclusive typology, which acknowledges other sexual and gender diverse demographics (Herek, 2010). However, the LGBT acronym still excludes many sexual, romantic, and gender diverse groups (Parent, DeBlaere & Moradi, 2013). As seen above, attempts have been made to include queer, questioning, and intersex people. However, the following identities, to my knowledge, have little recognition within current acronyms; asexual (without sexual feelings), polysexual (sexual attraction to multiple genders), pansexual (sexual attraction not limited by gender identity i.e. an attraction to all genders), non-binary (gender identity outside of male and female binaries), agender (without gender), genderqueer (not prescribed to traditional gender distinctions but identities with both, neither, or a combination of genders), panromantic (romantic attraction not limited by gender identity), bigender (identify with two genders), third gender (neither man nor woman but a separate third gender), and two-spirit (mixed gender identities of Indigenous North

America) people. This is by no means an exhaustive list; yet, it demonstrates the diversity of gender and sexuality labels. The LGBT acronym limits the identities that researchers recognise as experiencing oppression, marginalisation, and hate crime. Hate towards non-binary people is overlooked if current identity logics within hate research remain stable and binary. One only has to recall leading news anchor Piers Morgan's attempts to deny, publicly, the existence of non-binary people (see Percival, 2017) in order to recognise the targeted hostility towards unstable, non-fluid, and non-binary identities. These experiences however go unacknowledged without a fluid identity politics within hate frameworks.

Browne, Bakshi and Lim (2011) note the slippery nature of the LGBT acronym and are "conscious not to connote homogeneity, or aspatial or ahistorical coherency among its component terms" (p. 754). I urge hate crime scholars to recognise similarly, the socio-cultural framings of sexuality, in particular non-heterosexuality. Conversely, categories have to exist so that a sense of value is made, such as the value of safety for queer people from violent heteronormative, power structures (e.g., see Yep, 2002; 2003). However, when the socio-political landscape is shaped by visibility and invisibility (who is seen and who is unseen) the recognition of identity categories for hate crime research is currently only occupied by those who are "seen". Thus, hidden identities (Clair, Beatty & Maclean, 2005) outside of the visible LGBT strand are subject to unseen violence and an invisibilization of their experiences (Kidd & Witten, 2007). This has ramifications on the knowledge systems constructed by research, if these experiences go unrecognised (Mason, 2002; Moran, Skeggs, Tyrer & Corteen, 2004).

Hate crime research has long been critiqued for its silo approach. Using discrete and rigid categories of identity – race, religion, disability, sexuality, transgender identity – limits scholarship too narrowly and prompts us to think too simplistically about victim groups (Chakraborti & Garland, 2015). The recognised strands are too limiting if they are not examined intersectionally (Crenshaw, 1991; Garland, 2012; Meyer, 2010, 2014; Perry, 2009; Walters & Hoyle, 2011). Intersectional frameworks look at the interrelationship between these identities, as a nexus for where hate crime is experienced (Chakraborti & Garland, 2015). In spite of this, these categories are unfit for purpose for those who are meant to inhabit them, such as LGBT for non-heterosexuals (pansexuals, asexuals, demisexuals etc.). Those who fall outside of this category are rendered stateless from their community and go unrecognised within hate scholarship. Attempts have been made to reframe hate crime through the lens of vulnerability and difference (Chakraborti & Garland, 2012) in order to include previously excluded victims, such as homeless populations, sex workers, and members of subcultures. However, this is a general critique of hate crime frameworks

and does not account for the recognition of identity; a quintessential component of hate based violence. I argue for the specific queering of LGBT hate crime approaches in order to incorporate fluid, non-binary, and unstable identities.

Within hate crime scholarship, sexuality and gender are arguably constructed through a binary lens: male/female, gay/straight. This renders the LGBT(+) community as a naturalised and essentialised collective (Leachman, 2016; Meyer, 2012), with little discussion of the complexities and nuances in between and outside of the binarist acronym. Progress on making the case for a more inclusive hate crime framework (Garland, 2010) has already been made in the short time research has focused on this area. Arguably, the framing of gender and sexuality into binarisms - as male/female, hetero/homo is too limiting if the true complexities of victimisation, within the parameters of hate crime, are to be understood. This binary is the dominant ideological construct or assumption that criminological scholarships habitually assume.

Goffman (1959), West and Zimmerman (1987), and later Butler (1988, 1990) have all demonstrated that gender and sexuality are every day, patterned processes of 'doing'. Gender and sexuality are social products and constructs; contesting 'naturalised' binarisms. Goffman (1977) sustains that the gender binary is produced, reproduced, and maintained by continually "doing" the gender binary. For example, every time a person walks into a single-sex toilet, they are reinforcing the binary between male and female. Similarly, every time hate research assumes binarist gender and sexuality logics it reproduces those binaries. Much of this can be attributed to Western cultural preferences.

Western culture is littered with the idea of two single genders and sexes. As a by-product of this construct, a homo/hetero(sexual) divide has been established, with bisexuality placed as attraction to either gender. This in turn has shaped the way sexuality and gender has been researched within hate crime scholarship. Indeed, "because it is a fundamental ideological construct, the gender binary can also coerce analysts into seeing through binary lens things that might better be seen differently" (Eckert, 2014, p. 530). In consequence, one is male/female, straight/gay or bi, masculine/feminine. The construction of LGBT labels sit within a nexus of binary identities, disallowing a full consideration of the inequalities constructed by the categories themselves (Valocchi, 2005). Amalgamating these identities together homogenises non-heterosexuals whilst overlooking the minority groups within this minority group (Cashore & Tuason, 2009).

Dichotomous ways of thinking discursively limit what is allowed to exist (Manning, 2009) so that those existing outside of polarised gender and sexual identities (man/woman – hetero/homo) become disembodied and go

unrecognized. This process affects all those who experience hate crimes motivated by hostilities towards gender or sexuality. In effect this stabilises the heterosexual/homosexual categorisation in a hierarchical position (Green, 2007) whilst rendering intersex, pansexual, non-binary, and unacknowledged queers invisible (Manning, 2009). For example, the Women and Equalities Committee (2016) report on Transgender Equality found that the Equality Act (2010) “is couched in terms that are seen as outdated and confusing, with its references to ‘gender reassignment’ and ‘transsexual’ persons” (p. 23). Consequently, there is widespread misapprehension that protections only cover trans people seeking medical diagnoses and who go through surgical treatment. Further, those who fall outside of the binaries of male/female but “falling within such a broader definition of trans identity could have ‘no certainty’ of being protected from discrimination” (Women and Equalities Committee, 2016. p. 23). My recommendation - in line with the wide body of activism promoting queerness (e.g. see Valocchi & Corber, 2003) - is for hate research conducted in this area to incorporate those falling outside of the male/female binaries, in order to recognise these experiences of victimisation.

Indeed, gender and sexuality ideologies (norms, values, and logics) are ways of structuring society and governing everyday social interactions and actions. These ideologies and logics are contextually, historically, culturally, and socio-politically framed; not products of our natural environment. As Lugones (2007) outlines “gender itself is a colonial concept and mode of organization of relations of production, property relations, of cosmologies and ways of knowing” (p. 186). How we organise sexuality into straight or LGB, and gender into man/women is rooted in a historical baggage of colonial systems. Hate scholarship has maintained its critiques of heterosexism, heteronormativity, racism, homophobia, and transphobia. However, it has remained silent on the mechanisms which underpin all of these issues and which base our individual positionalities as gendered or sexual beings within the world. Thus, the LGBT acronym is based on a heterosexist, colonial system that routinely frames sexuality and gender as binary. The binaries of man/woman, gay/straight are often the only choices available to people (Cashore & Tuason, 2009). Hate crime approaches to gender and sexuality would benefit by acknowledging identity beyond this binary. It is for this reason that I now turn to examine the Western assumptions of gender and sexuality.

WESTERN UNDERPINNINGS OF LGBT

As is the case with many of the social disciplines, Criminology has centrally focused on the West and has concentrated on phenomena, such as

gender, sexuality, ethnicity, using Western models of thinking (Cuneen & Stubbs, 2004). Lesbian, gay, bisexual, and transgender are Western labels applied to certain sexual and gendered behaviour (Cashore & Tuason, 2009) which arguably have been promoted into identities. One is no longer a person who engages in (deviant) same-sex behaviour but is now lesbian, gay, or bisexual (Froide, 2001; McKeon, 1995; Trumbach, 2003). Culturally, western perceptions of whiteness, nationhood, and gender sustain these identities.

Rahman (2010) exemplifies this when discussing the ‘clash’ of Muslim identity with “Americanness”. His argument can be adapted to include the link between “Britishness” equalling whiteness. Both in America and Britain debates of race and religious identity have become situated and interwoven with symbols of otherness and outsiders who challenge, “a national sense of belonging rooted in whiteness and Christianity” (Phillips, 2006, p. 27). Rahman (2010) argues that Western cultures deem Islam, and bodies perceived as Muslim, to be inherently patriarchal; the supposed antithesis to democratic Western values and a rejection of liberal ways of thinking. The identities of “gay” and “Muslim” are therefore polarised and constructed as mutually exclusive entities, unable to intersect. Gay is constructed as Western; Muslim is constructed as non-Western, restricting identities within specific cultural logics. Gay Muslim identities therefore challenge the ways in which we construct particular identities in certain cultural contexts (Rahman, 2010) and understand how those identities exist and intersect with each other.

Plummer (2015) maintains that the homogenising, white, Western-centric view of sexuality universalises a diverse range of experiences by co-opting and dominating the other. Thus, Muslim and African queers are often seen as victims of their brutal religion or as homophobes who fail to understand what it is to be LGBT/Queer. The Western liberal citizenship that takes precedent within scholarship disavows non-Western cultures and non-Western sexuality and gender logics (i.e. most of the world) (Plummer, 2015). Experiences of hate crime where these identities intersect are culturally disembodied. How Criminology constructs gender, sexuality, ethnicity, age, and LGBTQ phenomena within its discourse is culturally bound and socially organised. By situating violence and hate crime against LGBT identities within binary colonial logics, scholars risk reproducing colonial, patriarchal, and heteronormative power dynamics and hierarchies (Manning, 2009). Remaining aware and reflective of this process is the first step in reducing this risk. In order to demonstrate other non-Western ways of “doing” gender and sexuality I will present two cases using anthropological evidence: *Fa’afafine* the third gender of Samoa, and *Two-Spirits* of Native American and Canadian First Nation cultures.

Fa'afafine

In Samoa, there exists a third gender alongside the traditional binary genders, known as Fa'afafine; what Western thinkers may prescribe as being transgender (Vasey & Bartlett, 2007). Fa'afafine, pronounced Fa-a-fa-fee-nay, is translated literally as "in the manner of a woman" (Bartlett & Vasey, 2006, p. 660). These are penis-bodied individuals who are androphilic - attracted to men and masculinity - and who self-identify as Fa'afafine, not as men. Fa'afafine engage in sex with other penis-bodied people who self-identify as "straight" men.¹ Straight men are identified by the gender presentation they perform rather than the sexual practices they engage in. Whilst most are gynophilic - attracted to women and femininity - some of these men engage in sexual practices with Fa'afafine and other straight men. In fact, participants in Vasey and VanderLaan's (2010) study found that most straight men engaged sexually with Fa'afafine at some point in their lives. Sexual identities such as gay or homosexual do not exist in Samoa in the way they exist in the West (Bartlett & Vasey, 2006; Vasey & Bartlett, 2007). These labels are not used to construct specific sexual identities. Accordingly, transgressing the gender binary is therefore not constructed as being transgender. Fa'afafine is a third gender in its own right where sexual attraction exists on a very fluid basis. Therefore, western gender and sexuality logics are not easily translatable, if at all, into the Samoan context.

Importantly, Fa'afafine are a heterogeneous group of people and as such are as diverse as non-Fa'afafine's. According to Bartlett and Vasey (2006), this third gender still exists on a spectrum. Some adopt gender presentations that are culturally viewed as feminine; they wear makeup, feminine clothes, jewellery, feminine hairstyles, speak with a feminine voice etc. whilst some do not attempt to appear feminine as adults. Inclusion as a Fa'afafine is based on gender presentation rather than sexuality. Being androphilic is seen as an optional consequence of this gender rather than a defining component (Bartlett & Vasey, 2006). Western people and Western research inquiries understand the relationship between gender-atypical behaviours and sexuality, such as "camp" gay men, very differently. Our knowledge of how hate crime intersects with identity is currently culturally restrictive. Overcoming this allows us to incorporate non-binary, fluid, and unstable identities within hate approaches. Western notions of transgender carry medicalised connotations, where one who does not agree with the gender they have been assigned at birth is diagnosed with gender dysphoria. There is little evidence to suggest that Fa'afafine are gender dysphoric, hate their bodies, or wish to surgically change them (Farran, 2010). Vasey and Bartlett (2007) posit that it is reasonable to assume west-

ern clinicians would conclude that Fa'afafine have gender identity disorder, even though in the Samoan context third gender identities are not conceptualised in such a medicalised way. The framing of non-binary, genderfluid, genderqueer, and trans people as disordered is again a colonial, culturally specific, construction.

Indeed, Farran (2010) argues that whilst labels can be utilised to protect, they can also create straightjackets when applied within different social and cultural settings. Further, Western colonial and neo-colonial constructions of binary genders influence cultural expectations over marriage rites, family organisation, division of labour, norms surrounding sexuality, and sway our everyday patterns of life. Violence motivated by hate - the aetiology of which stems from these normative power structures and patterns of organisation - is therefore founded upon Western values. Learning from societies and cultures where gender non-conforming practices are non-medicalised normative practices enables hate scholars to identify the specific cultural power structures that create hate-based violence whilst identifying the gendered assumptions and logics reinforced within hate research.

In terms of hate crime, there is virtually no available data (Vasey & VanderLaan, 2010) that targeted violence is directed towards Fa'afafine in Samoa. Saying that absolutely no discrimination is directed at Fa'afafine would be an overstatement and erroneous. However, research indicates that family member's remark on how fortunate they are to have a Fa'afafine in the family, enabling them to enjoy high levels of acceptance within Samoan society (Vasey & VanderLaan, 2010). It is not this paper's aim to replicate hate crime research within the Samoan context. Rather, it is to expose researchers to other non-Western ways of being and doing gender whilst contributing to existing cross-cultural research. Therefore, I argue that one cannot understand violence directed towards LGBT people without acknowledging its colonial history or reflecting on its Western cultural circumscription.

Cultural criminologists such as Ferrell propose that "cultural dynamics carry within them the meaning of crime" (as cited in Newburn, 2017, p. 220). Therefore, hate crime is cultural, contextual, and socially specific. Indeed Ferrell, Hayward and Young (2012, 2015) maintain that culture is the symbolic environment where individuals make sense of their social and material world. Crime exists within those symbolic environments, which take shape in the context of social dynamics and the meanings created. It is clear that cultural framings of gender and sexuality in the West impose heteronormative structures, creating the impetus for anti-LGBT violence. Naegler and Salmon (2016) comment on the androcentricism of cultural criminology by maintaining that "the binary of masculinity and femininity is one - if not the primary - cultural distinction foisted onto human beings

from birth” (p. 356). Thus, crime as a cultural product, particularly crime motivated by hostility towards LGBT people, cannot be divorced from Western cultural preferences and structures of gender and sexuality.

I do not aim to align Western constructs of gender and sexuality to Fa’afafine, such as framing them as transgender women or as gay men. To do so hijacks this embodiment of gender and sexuality out of its socio-cultural context and sustain third and diverse genders in colonial positions that are inappropriate to the ways in which Samoans see themselves (Schmidt, 2001). To my knowledge, no research on hate crime has currently taken place in Samoa. However, with the growing body of research towards intersex (Ben-Asher, 2006; Reis, 2007), non-binary (Corwin, 2009; Rankin & Beemyn, 2012), and gender fluid (Johnson, Singh & Gonzalez, 2014) recognition, it is becoming ever more important to remain reflexive of the Western, colonial, and binary foundations we use to produce, limit, and construct sexuality and gender in relation to crime. Reflexivity in this sense is imperative to hate scholarship as Manning (2009) outlines that existences and identities are only able to be if we are aware and conscious of them. In turn, hatred and marginalisation towards those identities are only able to be if we recognise them. I am not advocating here for Western scholars to carry out research in Samoa. The Samoan context here is justified to expose scholars of other gendered and sexual ways of existing in the world. Genders outside the traditional binary constructs are becoming more and more prominent in the West, as I have highlighted above. However, we do not yet have current hate crime frameworks to understand fully hate crimes towards non-binary or intersex people *inter alia*. Consequently, it is essential for Criminologists to be aware of other genders outside of the traditional man/woman.

Two-Spirit

Third genders in Indigenous North American cultures, what scholars now term “Two-Spirit”, are - what Western logics would describe - androgynous people who are distinguished from “men” and “women” by their work, religious practices, and their authority within tribes (Wiesner-Hanks, 2011). “The term *Two-Spirit* was chosen as an intertribal term to be used in English as a way to communicate numerous tribal traditions and social categories of gender outside dominant European binaries” (Driskill, 2010, p. 72). The term Two-Spirit is preferred to the previous *berdache*, a term borrowed from Arabic, which anthropologists previously used to describe effeminate penis bodied individuals or those who did not fit neatly into binary gender categories. However, the term *berdache* has been heavily

criticised as incongruously articulating European assumptions of gender and sexuality (Wilson, 1996).

Two-Spirit is a broad term used,

to reconnect with tribal traditions related to sexuality and gender identity; to transcend the Eurocentric binary categorizations of homosexual vs. heterosexual or male vs. female; to signal the fluidity and non-linearity of identity processes; and, to counteract heterosexism in Native communities and racism in LGBT communities. (Walters, Evans-Campbell, Simoni, Ronquillo & Bhuyan, 2006, p. 127)

Prior to European settlement and colonisation, Native cultures held greater acknowledgement of gender diversity, variation, and expression outside the binary male/female, man/woman. Two-Spirit people were believed to house both masculine and feminine, male and female spirits, within one body, as if their body contained two spirits (Sheppard & Mayo Jr, 2013; Wiesner-Hanks, 2011). Two-Spirits were originally revered and regarded as highly gifted and spiritual people; often performing spiritual, ceremonial, medical, and economic roles. They acted as shamans or healers, often advising in conflict resolution (Sheppard & Mayo Jr, 2013). Existing outside of male and female binaries, sexual relationships between Two-Spirits and men were not understood as same-sex relationships. Using Western and binarist ideas of sexuality and gender, European colonisers labelled them as homosexual sodomites, prescribing identities which were and are culturally inappropriate and erroneous (Wiesner-Hanks, 2011). Settlers prescribed the sodomite status of Two-Spirits by misgendering them as men who had same-sex relations. Retrospectively, it is important to acknowledge that this was not the case as they do not have the same gender as men or women and therefore cannot engage in same-sex behaviour with men or women. The colonisation and Christianisation of Indigenous cultures undermined and attacked Indigenous conceptions of gender expression and sexuality. As a result, much tribal acceptance and reverence for Two-Spirit and non-binary genders was replaced with disgust, deviancy, shame, and stigma (Walters et al., 2006).

More recently, modern Indigenous peoples are reclaiming the term Two-Spirit to refer to sexuality and gender diversity among people of Indigenous North American descent (Taylor & Ristock, 2011). It is a term used to pay homage to gender and sexuality diversity and non-conformity, which existed in traditional Indigenous societies prior to European colonisation. It is a term used,

to reconnect with traditions in some First Nations related to sexual and gender identity; to move beyond Eurocentric binary categories of sex and

gender; to signal the fluid, non-linear nature of identity processes; and to contradict heterosexism in Aboriginal communities and racism in LGBTQ communities. (Taylor and Ristock, 2011, p. 303).

According to Walters, et al. (2006) study, the reclamation of Two-Spirit identity by Native peoples emphasised the importance of Indigenous worldviews and experiences. Specifically, how they have been shaped and neglected by White hegemony i.e. the construction of whiteness as the default race, where people who are perceived as white can move around raceless (see Dyer, 1997; Hughey, 2010; Stratton, 2009), within the mainstream LGBT movement. The assimilationist stance (emphasising sameness) of gay and lesbian politics (Gamson, 1995; Nardi, 2002; Seidman, 2006; Varela, Dhawan & Engel, 2011) led to an erasure of the specific and intersectional oppressions that shape non-white lives (Crenshaw, 1991). Historically this has led to the erasure of Indigenous constructions of gender and sexuality in favour of a white, colonial, and Christianised worldview.

These epistemological assumptions privilege a two-gender system within hate crime scholarship and negate more fluid, less-stable, gendered and sexual bodies existing outside of the binary. This binarism further reproduces colonial and racial hierarchies by disallowing the recognition of prior-colonised gender expressions such as Two-Spirits. Although hate scholarships have advocated for the normalisation and protection of LGBT people (Birkett, Espelage & Koenig, 2009; Browne, et al., 2011; Chakraborti and Garland, 2015; Hall, 2005; Herek, 2004; Iganski, 2003) they have not critically unpacked the oppressive power structures which underpin gender and sexuality categorisation. Reincorporating non-Western and gender fluid logics includes queer people who fall outside of the LGBT boundary. In line with feminist, post-structuralist and queer traditions, I advocate that hate scholarships move beyond advocating for legislative protections of LGBT people. A starting point is to attempt to dismantle dual gender systems that exclude those outside of the LGBT acronym, such as Two-Spirit, and restrict those within it. Dismantling dual gender systems, structurally, promote a greater freedom for all (Bilodeau & Renn, 2005) whilst concurrently dismantling colonial and racist hierarchies. Indigenous Two-Spirits are using their sexuality and gender reclamations to critique colonialism, queerphobia, racism, and misogyny both within wider society and LGBTQ movements. These critiques highlight past colonial struggles of Indigenous groups, in particular, how their experience of heteropatriarchy under gender-polarised (binary) colonial regimes have shaped and controlled their gender and sexual identities (Driskill, 2010).

In 2001, Fred Martinez Jr., an openly Two-Spirit young person, was killed in a racially motivated attack. Navajo locals understood this to be a

targeted murder, perpetrated by local white young people who sporadically attacked Navajo people as a “rite of passage”. Gay and queer activists at the time argued that this was also motivated by transphobic and homophobic hostility (Balsam, Huang, Fieland, & Walters, 2004) towards Fred’s Two-Spirit identity. Two-Spirit people face high levels of trauma and violence that is consistent with many Native and Indigenous people’s experiences. Balsam et al. (2004) report that most Two-Spirit people face homophobic and transphobic oppression both within their communities and in mainstream society. Such violence is a cultural product of European colonisation and Western preferences for binary gendered structures. Driskill (2010) therefore advocates that knowledges surrounding such oppression - for instance hate crime - be queered. He asserts that understandings of gender and sexuality cannot take place without “an understanding of the ways colonial projects continually police sexual and gender lines” (Driskill, 2010, p. 73). The queering of research is therefore fundamental to exposing the cultural framings and trappings of gender and sexuality, which in turn are required to understand how and why violence against LGBT people manifests.

Epple (1998) explicitly outlines the importance of critical classification by scholars and the impact terminology has for research. She reasons that scholars and researchers have tended to construct “The Perpetual Homosexual”, overlooking the cultural boundedness of sexuality and subsuming Two-Spirit, Lakota, Nadleehi, and other Native identities under current Western classifications of sexuality (Epple, 1998, p. 270). Hostility and hate towards non-binary and sexually fluid identities is therefore a culture product. Naegler and Salman (2016) argue that gendered, cultural biases influence criminological research, with criminologists historically treating “masculinized” activities of crime as the main event. Further, gendered analyses - theories of masculinity, patriarchy, heteronormativity, heterosexuality - are infrequently considered as explanations of crime. I argue that one cannot understand hate towards gender and sexuality without understanding the structural and cultural - binary and colonial - contexts from which they emerge. Without this understanding, the typologies and language constructs applied to people with genders outside of the binary may be misused.

Two-Spirit and LGBT are not interchangeable terms as the former note the ritual, ceremonial, and spiritual backdrop to these identities. By subsuming identities into one LGBT conglomerate there is a failure to capture the meanings that form these identities and overlook how violence and victimisation intersect with them (Padgug, 1979). This has negative implications for non-binary people experiencing victimisation akin to hate crime, if the correct epistemological tools do not articulate their identities fully.

Arguably, understanding the hate crime of Fred Martinez Jr. as homophobic and transphobic is inappropriate due to these labels misaligning or awkwardly juxtaposing against Two-Spirit identity. Acknowledging other genders and sexualities outside of Western binary constructs, allows them to become legitimate in criminological research. Currently there is a risk of perceiving these identities as deviations or derivatives of what gender and sexuality should be (Epple, 1998; Manning, 2009). It is through these critiques that hate research can link the ongoing decolonial struggles, the intersectionality of race, gender, sexuality, colonisation, and queer victimisation, together (Ball, 2016; Driskill, 2010).

Balsam et al. (2004) find that Two-Spirits in North America actively establish themselves as living in harmony with their Indigenous roots and Native values by rejecting modern constructs of Native masculinity, femininity, and gender diversity. However, the enculturation of Christianity and Western values have made non-Two-Spirit Indigenous people internalise binary perceptions of gender and sexuality. Thus, Two-Spirits often face discrimination and prejudice within their Indigenous communities, forcing them to choose between honouring their ethnic identity or their sexual identity (Balsam, et al., 2004). This is important for hate crime scholars as we do not have the language to currently conceptualise people who adopt a different model of gender and sexuality outside of the one assumed by the West. Homophobia and transphobia are concepts that do not fit congruously with Two-Spirit people or Fa'afafine who are culturally not gay or transgender. Such language arguably reinforces the ongoing colonisation process of non-Western beliefs and worldviews whilst simultaneously overlooking non-binary, genderqueer, and gender fluid people who are at risk of discrimination, victimisation, and marginalisation stress (Richards et al., 2015).

The lasting legacy of colonisation projects for Aboriginal, Indigenous, and Native people has been poverty, state violence, exposure to trauma, and disempowerment. Indeed, the negative effects of colonisation span beyond the homophobic and racist discourses that structure Aboriginal queer relationships, communities, families, and service providers (Taylor & Ristock, 2011; Walker, 2004; Weaver, 2009; Willmon-Haque & BigFoot, 2008). Further, the hegemonic prioritisation of Western epistemologies and constructs, a major component to colonisation processes, has always silenced and invisibilised Native people's worldviews (Walker, 2004). Incorporating a fluid gender and sexuality framework allows for an inclusion of the identities I have highlighted throughout and provides space for Western non-binary individuals to articulate their hate experiences. I move to my overall justifications and recommendations for queering hate research.

QUEERING LGBT HATE CRIME

There are two interlinked justifications for queering LGBT categories within hate crime approaches. First, it enables researchers to think critically about their own social position within the world. Fundamentally, this is reflexivity with the purpose of understanding how the researchers' social position constrains the ideological biases and knowledge underpinning hate crime research. Spalek (2008) maintains the importance of reflexivity "whereby dominant knowledge constructions and research approaches are being challenged through an inclusion of, and focus upon, social difference, with a concomitant acknowledgement of the fluidity and fragility of any knowledge claims" (p. 199). Criminology has a long tradition of questioning established assumptions, leading to the development of a variety of alternative epistemological and ontological positions. Utilising intersectionality as an intellectual framework Paik (2017) identifies that whilst Criminology incorporates race, class, and gender, very few theorise about the intersections of these stratifications and identities. Although Meyer (2010, 2012, 2014) provides Criminology an intersectional lens with which to research hate crime "the application of an intersectional lens has remained marginal within British criminology" (Parma, 2017, p. 37).

To advocate for intersectional criminological scholarship (see Parma, 2017; Sanchez, 2017) is to advocate beyond race, class, gender, and sexuality as discrete categories. I advocate in this article for discrete and rigid gender and sexuality "strands" of hate crime to be more inclusive and to incorporate fluid and non-binary identities so that identity-based violence towards queer people is fully acknowledged and embodied. Therefore, I recommend that hate researchers remain reflexive of their own ontological and epistemological positions that they assume when researching gender and sexuality.

Calls for the queering of research methodologies have been made outside of criminological inquiry. Warner (2004) argues that methodological assumptions constrain sexuality and gender in ways that construct a restricted version of what it is to be a sexual and gendered being. The wide body of activism promoting queer research aims to mock such barriers and question naturalised approaches and assumptions. Warner (2004) cautions that the nature of queer research, as questioning established ways of doing and being, means that there cannot be one queer methodology. Many queer methodologies are required as there is no single ontological truth - or epistemological standpointism - for gender identity and sexuality (Hammers & Brown III, 2004). Thus, there is no precise method for gaining answers in relation to queer people. However, a beginning point is to recognise the role of researchers in knowledge production, including generating an awareness

of the Western, colonial, and binary preferences of gender and sexuality that they carry.

Secondly, queering LGBT hate crime scrutinises the linguistic capital and power that frames existing research. The lived realities, identities, and narratives that have been “storied” so far have been restrictive. As Thomas and Stornaiuolo (2016) state:

When people only have access to a single story – one that simplifies and flattens the complexity of human experience and excludes many perspectives from being represented – they can become constrained in what they imagine to be possible. (p. 313)

I have highlighted throughout the definitional obstacles and complexities in defining ‘hate crime’, as ‘hate’ conjures images of the extreme or severe (Chakraborti, 2012; Chakraborti & Garland, 2012) whilst on the surface ignoring the structural violence and oppression facing minority groups. Further, there are definitional issues over LGBT acronyms as they exclude non-heterosexual identities that are not LGBT. Hate crime frameworks allow only certain victimised experiences to be embodied and told. Re-examining hate crime through a queer lens forces researchers to review, reflexively, the linguistic power at their disposal to construct epistemological restrictions on whose identities are legitimised. In addition, a queer lens enables researcher to think critically about the language they use to impose hate crime frameworks on research participants. Bourdieu (1991) for instance proposes that language is situated firmly within power relationships, dynamics, and interactions. Specifically, the linguistic capital available to individuals, groups, and nations influence the process of naming and categorisation; a social tool used to construct vulnerability and victimisation. Arguably, language upholds dominant power structures such as heteronormativity and patriarchy. These power structures socially and culturally reify identity-based violence, such as hate victimisation, as the way things are (Perry, 2001). I recommend that scholars incorporate the language of non-binary, fluid, and queer identities so that hate research embodies these experiences. Indeed, Hammers and Brown III (2004) insist that without queering social research, aspects of gender and sexuality become distorted or ignored, when in fact they need to be deconstructed (Seidman, 2001).

As highlighted by Plummer (2015), the emerging recognition and presence of our globalised and cosmopolitan sexualities force us to embody and research identities, which were not recognised ten, even five years ago. Hate studies can attempt to queer these narratives by restorying them through an intersectional queer framework, which can be used to represent the full diversity of gendered and sexual experiences. A non-binary per-

son's experience of hate crime may be different from a trans woman's experience of hate crime, which in turn may be different from a lesbian Muslim woman's experience of hate crime. All of these narratives are lost if hate research goes unqueered as the systems that produce crime and victimisations towards these identities may go unchallenged. Prioritising the agenda to queer our understanding of hate crime against sexual and gender minority groups helps to embody their experiences and narratives. I have outlined throughout that LGBT hate crime does not exist in a vacuum. It arises from systems of heteronormative, heterosexist, cisnormative, and patriarchal power structures. Incorporating non-binary identities into hate research empowers researchers to connect hate crime to much wider structural systems of marginalisation that oppress those outside of the gender binary.

CONCLUDING THOUGHTS

Criminologists concerned with hate crime in the past have adopted a silo approach, using one or several discrete identities to examine hate crime. I have noted that hate crime phraseology is ambiguous and contested among scholars. Deliberately I have avoided rehashing this debate, as it is well documented in the literature. Instead, I have centred this article specifically on LGBT hate crime by suggesting that epistemological approaches within hate studies suit queer people more appropriately. In relation to sexuality and gender, silo 'category' approaches insufficiently capture the diversity of hate experiences towards queer identity. The unstable and fluctuating nature of sexuality and gender requires scholars to re-evaluate, consistently, their own assumptions and framings of gender and sexuality. Many of the constructs we interact with and interpret are based on Western and colonial logics. However, younger generations are embodying identities such as Two-Spirit, non-binary, agender etc., which force research inquiries to think more critically about identity-based crimes.

A wider understanding of queer identity helps contribute towards a more inclusive hate crime framework. Reflexively, this recognises and legitimises identities outside of the established LGBT acronym. Further, it sheds light on and scrutinises the western and colonial foundations upon which these identities exist. Heteronormative, cisnormative, and patriarchal structural systems of oppression are the aetiology of hate crime. Ignoring these sustain queer identity as ontologically "other" within criminological scholarship. Examining this relationship between structure and hate crime encourages criminology as a whole to challenge the foundation where hate occurs. Identity is not *per se* the root of hate crime experience; rather it is the structural, "othered", position of that identity within society, and its dis-

cursive (dis)acknowledgement and (dis)embodiment within criminological scholarship.

NOTES

1. This is western nomenclature. Terms such as homosexual and gay do not apply to the cultural context of Samoa. Gynophilic and Androphilia are therefore used.

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The Pink Triangle as an Interruptive Symbol

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ABSTRACT

The Pink Triangle is a symbol of collective memory and meaning for two very different, but similarly marginalized groups: gay male prisoners held in concentration camps in Nazi Germany, and the modern LGBTQAI+ (lesbian, gay, bisexual, transgender, queer/questioning, asexual/allied and intersexed) community. Since the liberation of the Nazi concentration camps in the mid 1940's, many memorials to the Holocaust, as well as several for the Pink Triangle victims have sprung up around the world. While there are a number of reasons for these memorials, one premise is that these monuments serve as a way to create a collective memory, with the intent that these atrocities will never be repeated. Using qualitative methodology, the purpose of this project was to explore how the LGBTQAI+ community has been "memorialized" from the incidents of Nazi Germany, and how these memorials may serve as "interruptive symbols" to help circumvent hate and oppression of this historically marginalized group. Findings from interviews, observations and photographs revealed three themes as well as information for community consideration. These themes are "Serves as a Reminder", "Made Me Think" and "Taints It". The results of this study, through historical insights combined with first-hand memorial observation and interviews, can heighten understanding to highlight resilience and promote hope and healing through government/citizen reconciliation.

Keywords: Pink Triangle, Holocaust, Homosexuality, Memorial, Collective Memory, Interruptive symbols

THE PINK TRIANGLE AS AN INTERRUPTIVE SYMBOL

The history of the Pink Triangle begins with the rise of Nazi Germany and Kaiser Wilhelm's installation of the Prussian Penal Code, Paragraph 175 (Giles, 2005; Ziv, 2015). This code made all homosexual acts between men punishable by law and prescribed a mandatory jail sentence for any male found participating in activities deemed sexually inappropriate or asocial. Prisoners in the death camps were labeled according to their "crimes"

and the mandated colored triangle cloth patches worn on their clothing represented various offenses. While there are a number of different colors, in general, the “regular” criminals were assigned a green triangle, political prisoners a red one, Jews wore two overlapping yellow triangles (symbolizing the Star of David), homosexual men were assigned the pink triangle, and the “lowest form” of prisoner, the gay Jew, wore overlapping yellow and pink triangles (Edelheit & Edelheit, 1994). These gay prisoners endured the most punishment by SS soldiers and were most likely to face torture and death at the hands of the Nazis (Weingart, 2011). As a result of Paragraph 175, there were an estimated 50,000 to 63,000 men persecuted, many of whom were executed in the concentration camps (Plant, 1988).

To date, there are twenty-eight memorials around the world dedicated to the Pink Triangle Holocaust victims (Koymaksy, 2016). The theory behind creating these monuments is that individual memory can be preserved only insofar as it becomes embedded in the social framework. Thus, the transformative power of this symbol, the Pink Triangle, may serve as an interruption to the spread of hatred that fuels crimes against humanity, and in this case, creates communities of collective memory (Weingart, 2011).

Today, the pink triangle is a symbol of the LGBTQAI+ (lesbian, gay, bisexual, transgender, queer/questioning, asexual/allied and intersexed) community that has “mobilized vigilance against contemporary oppression, from queer bashings to antigay initiatives” (Jensen, 2002, p. 320). The pink triangle, which “originated as a symbol of persecution and torture, has been transformed—by the very group it targeted—into a symbol of solidarity and hope” (Weingart, 2011, pp. 8-9). This “interruptive symbol” is attributed in some degree to LGBTQAI+ political consciousness and to a particular collective memory, although, somewhat from “particular social and national contexts and quite often independently of historical research on the subject” (Jensen, 2002, p. 320). Thus, the Pink Triangle has both historical and modern understanding and symbolism.

There is a fair amount of research that has been done on the Holocaust (i.e. Krieg, 2015; Loiederman, 2017; Starratt, Fredotovic, Goodletty, & Starratt, 2017), Pink Triangle prisoners (i.e. Haeberle, 1981; Jensen, 2002), and modern LGBTQAI+ matters (i.e. Berstein, 2015; Fassinger, Shullman & Stevenson, 2010). To date, however, exploring the nature of interruptive symbols like the Pink Triangle Memorials, the implications as historical and collective memory, as well as modern political consciousness have not been investigated. Thus, the purpose of this study is to explore visitors’ perceptions of the Pink Triangle Memorial in the Castro Neighborhood of San Francisco, California, and the impression the symbols and monument have on them. We chose the San Francisco memorial because it is a fairly prominent memorial (an actual park, not just a statue or monument) and sits in a

well visited area of the United States. The Castro District, commonly referred to as “The Castro,” is a neighborhood in Eureka Valley in San Francisco, and was one of the first gay neighborhoods in the United States. Having transformed from a working-class neighborhood through the 1960s and 1970s, The Castro remains one of the most prominent symbols of lesbian, gay, bisexual, transgender and queer (LGBTQAI+) activism and events in the world (Timberlake, 2005). With this research, we hoped to use the San Francisco Memorial a means of investigating the effects of such memorials generally, as well as further exploring interruptive symbols as a concept.

Additionally, an investigation into how the LGBTQAI+ community has been memorialized from the incidents of WWII, and how these memorials serve as “interruptive symbols” to help circumvent hate and oppression of this historically marginalized group was considered. Furthermore, how these memorials support inward and outward messaging to both Holocaust survivors and the LGBTQAI+ community as a reminder of past victimhood and continued vigilance to prevent atrocities was also examined.

BACKGROUND

While there are twenty-eight memorials around the world dedicated to the Pink Triangle Holocaust victims (Koymaksy, 2016), in the entire modern-day camp Memorial at Dachau, Germany, there is only a *single* Pink Triangle. This symbol representing thousands of persecuted men is buried deep within the Visitor’s Center museum that now fills the Nazi’s original administrative building. At Dachau, there are thirteen permanent exhibits in this building, and it appears by the organization that the intent is to tour the displays in chronological order. A pink granite triangle is tucked away in the last exhibit, but given the horror and torment of the tour, it would seem that many visitors never make it that far, preferring to depart the building for the main barracks area and the rest of the camp.

Dachau was one of the main Nazi concentration camps in operation from 1933 to 1945. Over the 12 years of use, the Dachau administration recorded the intake of 206, 206 political prisoners and the deaths of 31,951 (<http://www.kz-gedenkstaette-dachau.de/>). While the number of gay men in German concentration camps is hard to estimate, Plant (1988) gives a rough estimate of the number of men convicted for homosexuality in Nazi Germany “between 1933 to 1944 at between 50,000 and 63,000” (p. 149).

Harold Marcuse offers a potential explanation to the seeming disregard of Pink Triangle prisoners at Dachau. Marcuse (2014) discusses that when the camp was being converted into a Memorial by the Comité International de Dachau in the 1960s, at that time, many people still saw homosexuality

as a crime. “Thus, the pink triangle and its related history was proscribed by the survivors who commissioned the memorial. When gay activists wanted to put up a pink granite triangle memorial in that space in the 1970s, they were refused” (Marcuse, 2014). Thus, initially the Pink Triangle memorial was placed in the Protestant memorial church at the far end of the former camp (Marcuse, 2014). At some point, the granite panel was quietly moved to the obscure memorial room in the museum, where it still sits today.

It was not until the 1980s that the local Munich LGBTQAI+ community took the initiative to have memorials to the Pink Triangle victims erected worldwide. From that initiative, the Pink Triangle is the basis of the design of the Homomonument in Amsterdam, the Gay and Lesbian Holocaust Memorial in Sydney, and several others, including the Pink Triangle Park in the Castro neighborhood of San Francisco. Thus, in the United States, on the far side of the world from Dachau, lies this more recent Pink Triangle Memorial, one that is completely different than Dachau’s display in appearance.

The Pink Triangle

Today, the Pink Triangle has become one of the most widespread symbols of the gay movement. There is seemingly a parallelism between the contemporary conceptions of homosexual identity and sympathizing with the Pink Triangle Holocaust prisoners. Certainly, the generation gap between the holocaust victims and today’s campaign creates a long-term cultural difference. The urgency to add a physical reminder, like memorials to honor the victims, is not there simply for grandchildren of those who suffered. Seifert (2003) explains that the very act of testifying to historical events, the memory of which has been actively repressed by survivors themselves and the surrounding societies that have maintained negative attitudes towards homosexuality, is not only a way of drawing public attention to the injustices done to homosexuals. It also becomes a means of “rescuing” a historical experience from oblivion. This process of remembrance is an act of constituting a “collective memory”, which is never entirely private, but is bound to specific social groups and delineated in public time and space, such as a memorial (Halbwachs, 1980).

Collective and Dangerous Memories

French philosopher and sociologist, Maurice Halbwachs, designated the central function of a “collective memory” as a record of resemblances, whereas what have changed are the group’s relations or contacts with other

groups. If the group always remains the same, any changes must be imaginary, and the changes that occur in the group are transformed into similarities. The function of collective memory is to develop the several aspects of one single content—that is, the various fundamental characteristics of the group itself (Halbwachs, 1980). The theory is that individual memory (in this case, the unspoken experience associated with shame), is only preserved insofar as it becomes a part of the social framework. Thus, the symbol of the Pink Triangle and the subsequent memorials are most likely intended to make tolerance and acceptance part of social framework. The “authors” of the collective memory are then compelled to find ways of bridging gaps that lie between present and historical events. In her thesis, Kelly Weingart (2011) referenced two important constructs, dangerous memories and interruptive symbols. Interruptive symbols (such as the Pink Triangles) evoke dangerous memories (such as Nazi persecution), which, she argues, stop us cold in our tracks and make us aware of a reality that we often choose to ignore. Usually, this means an astonishing realization will take place that creates the opportunity for improvement (Weingart, 2011). German Political Theologian Johann Baptist Metz (2007) describes dangerous memories as those that challenge us to examine human history, to re-evaluate our present circumstances, and that call into question our future. He describes them as:

These are dangerous memories in which earlier experiences flare up and unleash new dangerous insights for the present. For brief moments they illuminate, harshly and piercingly, the problematic character of things we made our peace with a long time ago

. . . Memories of this sort are dangerous and incalculable visitations from the past. They are memories that one has to take into account, memories that have a future content, so to speak (Metz, 2007, p. 31).

This commitment to history and the memory of suffering dares us to wrestle with the redemption of history and dangerous memories of a nation, which many consider conceived in violence (Copeland, 2004, p. 75). Copeland’s (2004) premise is that attempts to evade dangerous memory are passive and block the resolute work of authentic peace. For the modern LGBTQAI+ community, the dangerous memory of the holocaust and the Pink Triangle prisoners is the catalyst for transformation and liberation. This past calls into question the present, and may create the possibility for collective change for tolerance in the future.

Interruptive Symbols

Before we can experience dangerous memories, we must experience (with our senses) the interruptive symbol of those like the Pink Triangle. This symbol acts as an interruption to our present circumstances, and preserves or invokes dangerous memories that have the potential to be radically transformative. The Pink Triangle is a liberating and transforming symbol that possesses a dangerous, albeit practical, memory (Jensen, 2002). It preserves the integrity of the people it represents (*all* the people – LGBTQAI+ and Holocaust survivor alike), to unify them for mobilizing political action against oppressive and even cruel social structures. Symbols have the potential to nurture solidarity and action against suffering in the present. These symbols also give hope to anyone working to achieve true social justice whereby all humans are given the opportunity to flourish. In addition, these symbols can “serve as the ground for criticism of the status quo and [are] the impetus to transformation” (Metz, 2007, p. 35). In order to conquer suffering, dangerous memories must be accurately preserved and acted upon collectively and mobilized in a practical and political way. Standing in solidarity with the voiceless and the marginalized is the Pink Triangle symbol’s call to action (Weingart, 2011). Thus, interruptive symbols such as the Pink Triangle must be strategically placed in order to reach the people who *need* to experience dangerous memories. Hermeneutics alone does not create the necessary changes that allow for social justice. Rather, proximity to the symbols is a necessary element. These may be expressed as making a memory public in a society that acts in compassionate solidarity with the deceased as well as past victims of injustice in history. Interruptive symbols should evoke a conversion of the heart as well as a concrete, practical conversion with the living, calling for the disruption of every attempt to disregard the history of human suffering, or to deface the [current] suffering of human subjects (Copeland, 2004, p. 75).

Copeland (2004) discusses methods of interruption in a three-fold manner. She was speaking to symbolism of political ideology, but the concepts generally apply to the Pink Triangle memorials as well. Symbols may disrupt by: 1) interrupting subjugation and commodification of human “others”; 2) interrupting expressive and symbolic culture like identity politics and differences; and 3) interrupting the murky, disturbing connection between terrorism and violence (Copeland, 2004, p. 73). Here, violence is defined as the coercive attempt to limit or thwart the exercise and realization of the essential and effective freedom of a human person or social group (Copeland, 2004, p. 78). The premise being that deep seated ambivalence, such as forgetting about the Pink Triangle prisoners, may contribute to attitudes toward violence and social oppression for modern LGBTQAI+.

Copeland suggests three “duties”, which can be adopted by memorial visitors to begin the interruption through a monument visit: 1) witness, 2) memory and 3) lament (Copeland, 2004, p. 80). As witnesses, we must experience the symbol at a technical level through the senses, to gain familiarity with historical moral, ethical and ontological data in order to interrupt the violence that tears at the fabric of our society. Thus, this research intended to determine if we could find occurrences of Copeland’s methods of interruption.

Memorials

The protection and recovery of memory presents us with a second method for interruption, as we resist the loss to history of stories of the despised and excluded. All stories of all cultural and social groups, Holocaust survivors and modern LGBTQ alike, are hopefully brought to the table at a memorial to be told, held, shared, examined and understood. We allow them to interrupt as we resonate with stories from another generation. These stories challenge us to overcome the temptation of selective memory (Copeland, 2004, p. 80), but also encourage collective memory (Weingart, 2011). Rather than erase memories, we confront brokenness and hurt. Memorials help us to battle cultural, historical and generational amnesia, or even the all too swift revision of events, in order to expose memories that we have been too ashamed to admit and confront. Inclusion of historical data at a memorial is important, because it allows us to be able to expose the negativity and suffering of history with interruptive truth-telling. Finally, lament makes spaces of recognition and catharsis that prepares individuals for justice. (Copeland, 2004, p. 81). Well-designed memorials are such spaces. They interrupt the cycle of cultural and social decline, creating a genuine healing of culture and spirit, provide adequate transformative social solutions, and make possible forgiveness and reconciliation.

The Pink Triangle as a symbol is not meant for homosexuals alone. Inward and outward messaging is another dimension of the memorials (Jensen, 2002). The Pink Triangle has come to represent the collective suffering of homosexuals from hate crimes, everyday discrimination and in the struggle for civil rights. These symbols speak not only inwardly to the communities directly affected by the narratives they represent, but they also reach outward into the global community at large, mobilizing collective memory and advocating for positive cultural and social change (Weingart, 2011). Copeland writes, “All peoples need to stand up for the humanness of all human persons, especially the despised and excluded, as they endure marginalization and containment, economic exploitation and powerlessness,

cultural degradation and physical assault, systematic and random violence” (Copeland, 2004, p. 75).

The Pink Triangle memorials also raise the political consciousness of gays and lesbians, who argue that broader awareness of past transgressions lead to greater social tolerance. As such, Jensen comments,

Activists in the United States, more so than in West Germany, tended to direct the memory of Nazi persecution outward, in order to secure the support of broader society. Whereas a certain segment of West German gays enjoys relative tolerance of post-liberalization, and may need the reminder of past victimhood. American gays in general, have never doubted the omnipresent hostility of the society in which they live. (Jensen, 2002, p. 329)

Americans tend to wear Pink Triangles, and erect more visible monuments as a means of galvanizing support inside the community and outside of it. However, as the new global situation of modern LGBTQ in society begs for interruption, frequent exposure to logos or symbols such as the Pink Triangle may increase empathy with regard to civic and citizen responsibility, and can support creating and healing in society by exposing the inability to be empathetic. Authentic achievement of humanity may lie in visiting and remembering, thereby interrupting individualistic destructive behaviors.

Sense-making

How we learn is critical to making meaning of these monuments and symbols, no matter on which continent they are located. Sense-making is coupled together with the concept of transformation. Transformation occurs when one is able to step back and reflect on something and make decisions about it (Berger, 2006). How people construct understanding about their experiences, even decades later, can be viewed through Karl Weick’s (2001) lens on sense-making, including the study of symbols such as the Pink Triangle. The Pink Triangle has become a tool to help people remember both the specific event in history and the collective memory of suffering. Sense-making is a retrospective process: Remembering and looking back are primary sources of meaning (Weick, 2001). Meaning is constructed when targets link received cues (observing a Pink Triangle monument) with cognitive structures such as WWII, the gay pride movement, or a vast spectrum in between or outside those concepts. According to Weick (2001), definitions of meaning should vary from one group to another, and that different groups can define the same situation in different ways. Thus, things such as interruptive symbols do not have the same

meaning for different people in different periods of time and in different parts of the world. The symbolic environment from which definitions arise is a shared environment, and the outlook can be a shared outlook of collective memory.

METHODS

To explore the perceptions of the visitors of the Pink Triangle Memorial and the nature of the interruptive symbols and inward/outward messaging, the researchers used a phenomenological approach that included on site observations, six participant interviews and visual artifacts (photographs). All participant interviews were done face-to-face, and included individuals who live in the area, are active in re-establishing the memorial, to those visiting the city from other countries. Ultimately, four men and two women contributed their perceptions and insights to the study and all but one self-identified as being gay or lesbian (which was unsolicited). From all of the data collected, several themes emerged. These themes include “Serves as a Reminder”, “Made Me Think” and “Taints It”.

In measuring the “effectiveness” of the memorial, the sample of respondents for the interview was chosen from the visitors to the monument who stopped to consider the memorial, not just pedestrians passing through on their way from here to there. Observations were conducted in the park on three different days, and the “lingerers,” were invited to answer the interview questions. For the study, we defined memorial effectiveness as the ability of the memorial to stop the observer and urge further consideration and study of the surroundings, but further insight to this was gained from the interviews.

For the purpose of this study, the central question asked was, “What does this memorial mean to you?”, but this was further explored with the following interview questions:

- What brought you to the park today?
- Do you know the history of the Pink Triangle?
- Why do you think this memorial exists?
- Who do you think this memorial is intended to reach?
- How has this memorial changed your perceptions of the Holocaust?
- How has this memorial changed your perceptions of LGBTQAI+ matters?
- How does this memorial impact you emotionally?
- What has this experience inspired you to do with this information?

The intent of these inquiries was to try and gauge the extent of collective memory if any, whether sense-making was occurring, if the

messaging was going inward or outward, how effective this interruptive symbol was, and was it evoking dangerous memories. To try to answer these guiding research questions, the interviews were transcribed and analyzed coded per qualitative methods. From the field observations, artifact collection and participant interviews three themes emerged as well as some general findings.

Observations of The Castro

The Pink Triangle Memorial Park is on the edge of the Castro Neighborhood, at the intersections of 17th, Castro and Market streets in San Francisco, California. Market, Castro and 17th are all very busy multiple-lane arterials, and carry a high volume of traffic. There are stoplights and crosswalks in all directions, and pedestrians can easily get to the park and back. There is also a pedestrian walkway, which passes right through the middle of the 15 triangle pylons at the monument. The only information posted is a two foot by three foot metal plaque on one end of the park which includes one sentence on the history of the historical events being commemorated by the monument. The sign is deteriorating, but is still fairly readable. It says, "PINK TRIANGLE PARK AND MEMORIAL: In remembrance of the Lesbian, Gay, Bisexual and Transgender victims of the Nazi regime (last word unreadable)." It goes on to list the artists, non-profits, politicians, funders, government and community groups who were responsible for the erection of the park, dedicated on Human Rights Day, December 10, 2001. The plaque includes a photo of Pink Triangle prisoners wearing the symbol on their concentration camp uniforms.

There is no parking area near the monument, nor is there street parking on the busy streets adjacent to it. A covered bus stop shelter at the park has been moved recently due to constant vandalism, including repetitive breaking of glass to get to the power source that lit the shelter. Signs posted around the monument now redirect bus passengers to new stop locations. There is a Muni (train) stop across the street from the memorial in the Harvey Milk Plaza, an entrance adjacent to the park that leads pedestrians underneath Market Street to the train platform.

The City of San Francisco had a large role in getting the memorial built and participating in the 2001 dedication ceremony, but since then has largely forgotten about it. This is evident in the obvious neglect of the park, including dilapidated pillars, and shabby maintenance. While there is no seating in the park, there is a two-foot wall along one edge of the park, which had graffiti on it, including a swastika in permanent marker, but mostly Pride-supportive messages. An electrical box had been painted pink to match the theme of the park, and it had several small stones placed on

top, making it look like an altar of a sort. Much of the ground cover of the park is simple sand, gravel or bark, where there may have been plants or vines as groundcover at one time. Several garbage and recycling cans have their permanent storage areas adjacent to the park. While rainbow flags are highly prevalent throughout the neighborhood, Pink Triangles are less so, except at the monument.

While San Francisco and Mayor of the City, Willie Brown Jr., were active members responsible for the erection of the park at the time of inception, there is obviously little continued investment in the memorial. The park is not actually a part of the City of San Francisco's parks system, but rather under the purveyance of the Eureka Valley Neighborhood Association (EVNA).

Initial Observations

During three days of observations, 144 people passed through the Pink Triangle Park. Of these individuals, only six noticeably stopped to consider the monument as they had made an intentional effort to seek out the park. These six individuals were ultimately interviewed as a part of the study. The perceived gender breakdown of these 144 individuals passing through included 85 males, 50 females, and nine "other" (either indeterminable or children) that were observed passing straight through the main sidewalk of the park and directly walking on a pink triangle made of rose quartz, and through (between) fifteen triangular granite pylons which symbolize the 15,000 gay men imprisoned during the Holocaust.

Themes

From the six participant interviews, as well as field observations and artifacts, three themes emerged from the data. These themes include, "Serves as a reminder," "Made Me Think," and "Taints It." In addition, other insights were gained which included the impact of memorial sustainability and group/community messaging, the need for foresight in memorial planning, and re-traumatization of marginalized groups.

Serves as a Reminder

The theme, "Serves as a Reminder" was discussed by all of the participants. The contributors discussed that the Pink Triangle Park was not just a physical reminder of the bigotry and hate that the Nazi's had for gay men, but also "to memorialize our connection to that point in history, in the hopes that it will never happen again." One participant commented, "That's

one of the points of public monuments. That they offer themselves promiscuously to all passers-by, and state to them, as a city, this is a historical moment that we want you to know about, remember and understand.” Another premise of this theme included the desire that the park reinforce the message to society that we should be diligent in our attention. Thus, this is not only a reminder of historical atrocities, but that the park and its message speaks to the future so that these same barbarisms, bigotry and hate, are not repeated.

A second aspect of this theme includes a social justice component. For example, several of the participants voiced an understanding that the Pink Triangle Park is directly connected to the Castro district of San Francisco (a long established and predominantly LGBTQAI+ area), and in addition, that this neighborhood is home to Harvey Milk. Milk, an LGBTQAI+ activist and elected official, was at one time known as “The Mayor of Castro Street” even before he was elected to the San Francisco Board of Supervisors (Shilts, 2008). As such, this particular area is embedded in a historical preponderance towards activism and human rights. However, as one participant commented also about the monument,

It has changed my perception because now I’m seeing that some members of the LGBT community feel safer by being quiet, being wallflowers, not addressing their anger and frustration with society, and they’re content in the marginalization, So, I become angry at community members because of that.

This participant went on to say, “I just see the division and the hate speech, the troll-like behavior is becoming normal. And I’m refusing it, but at the same time, I’m seeing it happen more openly.” Thus, in this participant and others’ minds, there is a need to remember and regenerate this activism.

A further aspect of the theme Serves as a Reminder included the desire by several of the participants to make the park more dynamic and effective. For example, several had lofty goals for the park, and these not only included a garden space for weddings, reflection and other public events, but also that the message and intent of the park reach as many people in the community as possible. This outreach of inclusion included a gamut of individuals, both from the local LGBTQAI+ community, but also the sentiment that:

I think it’s a park for everyone. A people’s park type situation because during the Nazi regime, there were so many different victims . . . women, people with disabilities, immigrants, church leaders. I mean it’s just extensive . . . But this park is putting a spotlight on one particular group

of people, but ah, we can all be marginalized and victimized through laws created by the government.

Thus, the intent for those close to the Pink Triangle Park was that, not only did the memorial serve as a symbol of the past; but that it helped people remember the challenges faced by LGBTQAI+ people today. The hope voiced by many of the participants in the study is that this space could become a place of gathering, community, activism, and life and culture for both the neighborhood, and those that traveled to San Francisco.

Made Me Think

The second theme encompasses the range of emotions that the participants felt when they engaged with the history of oppression that the LGBTQ+ community has faced, and how symbols such as the Pink Triangle remind them of the on-going need to stay vigilant. While this discernment was triggered by the symbol of the Pink Triangle, for a couple of the participants, this perspicacity also came with other interruptive symbols such as the gay pride flag.

The assortment of feelings and emotions that the participants discussed came from a merging of both the past actions of governments such as Nazi Germany, but also from the current political climate. Discussion included statements reflecting on the bygone era, such as:

we are committed to commemorating one of the darkest moments in the history of the queer community, and making sure that the victims are not forgotten, and that the means of persecution are remembered, and that we remain alert, attentive and prepared to fight back now, if we see similar things starting to happen.

Another participant discussed this by saying, "I think, because LGBT also want to remember their ancestors or be the pioneers of their own history. And try to make their [LGBTQ+] separate history inside the main history." There was also an understanding that today there are people from around the world from "wildly different cultures. . .cultures where it's still illegal for LGBTQ people to live their lives in some kind of comfortable way where they still face persecution, or the death penalty, or a variety of horrible experiences." To the awareness that in the US there are still a number of challenges that the LGBTQ+ community contends with, and that diligence and atonement to these issues is still needed. In addition, that there are "cultures that are more open and more welcoming than ours" is a part of the needed attentiveness, because many of the rights that LGBTQ+ individuals have are still new and fragile. Furthermore, several of the participants

have lived in the Castro district for years, and vividly remember the AIDS epidemic, as well as the park's conception. For these individuals, the Pink Triangle serves as a graphic memory of both the atrocities of Nazi Germany, as well as the marginalization and neglect that local and national government has done to the LGBTQAI+ community. For example, as one participant reiterated, LGBTQAI+ people were "called 'asocial'. And so the genesis of it was, if you weren't going to contribute to procreating and the human race and the master race, then you're, you know, seen as criminals." As another participant commented "the Nazis categorized their enemies of the state, degenerates, or whoever they thought was not Aryan enough, or didn't meet their moral and social profile by a series of symbols, and for homosexual men, it was a Pink triangle."

For another participant, the memory of the AIDS crisis rose to the top in this theme:

So we, in the 1980s, it's interesting that it also is happening in the darkest years of the AIDS crisis, when in the United States, and here in San Francisco, a city that was very, very deeply hit by that crisis, that we saw a horrible public health disaster and watched the majority of the power structure here in our country turn its back and say nothing other than, "At least it's killing the right people."

A number of the participants talked about this kind of government marginalization, and why Pink Triangle memorials and imagery are important to combat this ostracism. As an example, one individual stated:

There as a great resonance at that moment to say, and indeed there were people who referred to what was happening as 'a Holocaust', and said that it was the result of deliberate decisions to ignore this health crisis, and that people were being "persecuted" because of who they were. So I think there's a great resonance at that period of time to say we need to remember this earlier moment, and we need to draw strength from that to fight this current moment of crisis that our community is facing.

There was a deep sensitivity by the participants that "remaining alert" and "staying connected to our culture" is essential to not repeating the atrocities of the distant and recent past. For the participants, this theme of reflection, discernment, and remaining attentive and alert empowers them into action. As one commented, "It's really become more important to me, in the past year specifically, because I have been having a lot of anxiety about the political climate." This participant went on to say, "In order for me, rather than to be a victim of the political situation, I have become empowered by, taking action, working locally, and strengthening community building and finding sanctuary in my community."

Taints It

The third and last theme that emerged from the participant interviews and observations was “Taints It.” This theme discusses the memorial itself, and how the neglect and decline of the Pink Triangle Park impacts the message of the monument. The proposition is that this degeneration re-marginalizes the Pink Triangle Prisoners as well as the present LGBTQAI+ community. As one participant claimed, the “folks running it early on didn’t actually know the real history. So to the extent that they were sending a pedagogical message, it was folkloric rather than historical, and it confused people about the actual history that took place.” In addition, there was the observation by most of the participants that “there is really no signage, if you don’t come already knowing something about the pink triangle, you won’t know what it means.” Additionally, this “scruffy, triangle-shaped lot right adjacent to the Castro was kind of allowed to go into decline.” As the participant reflected, “it has not been an effective monument because it has not been made effective. . . .” Another participant commented, “In a more complicated way in that I never felt the design was very strong. Uh, that the location is right next to the Castro, but if somebody doesn’t tell you it’s there, you won’t notice it. It’s not on a main pedestrian thoroughfare.”

Currently there is a movement to revitalize the park, “but it went through a long period of time where it had fallen into disrepair and neglect, and was really quite embarrassing . . . and terrible.” Several of the participants discussed that they were ashamed and embarrassed by the state of the Pink Triangle memorial, so much so that as one stated “I didn’t want to tell people about it because, or to come see our memorial to the victims of Nazi persecution and homosexuals where we can’t even be bothered to pull up the weeds or mow the lawn.” Another commented “that it was basically abandoned by the Eureka Valley Neighborhood Association that had launched it, and they just handed it off to the City” without any plan of maintenance or care.

Due to this neglect and abandonment, one of the participants commented that they felt, “because it’s a little decrepit, it sadly makes me feel. . . it taints it somehow. Yeah, there’s like, ‘Oh, it’s not important anymore?’ or ‘Oh, is it being phased out?’ So it actually takes me to a more negative, sentimental place.” These sentiments were woven through a number of the comments the participants made, and were a vivid reminder of the precarious balance between memorializing a people or time, and working to not re-victimize them in the efforts. As one individual stated,

The Pink Triangle Park in San Francisco means that here in the City that for the second half of the twentieth century and into the twenty-first cen-

ture, around the world in people's imagination, this is one of the capitals of LGBTQ life and culture. One of the places where we've created space for ourselves, and created power for ourselves, created a welcome to visitors from around the world.

However, the current state of the park affects this message, in that there is a need to regenerate the messaging, such that the memorial and surrounding neighborhood can use the pink triangle symbol to help themselves and others remember the persecution that LGBTQAI+ people have faced. As one participant commented, "I think there's a great resonance at that period of time to say we need to remember this earlier moment, and we need to draw strength from that to fight this current crisis that our community is facing."

DISCUSSION

The observations and the participants' insights brought several things to light regarding the Pink Triangle as an interruptive symbol and as a tool for inward and outward messaging. First, it became apparent that for the participants, the need for both the memorial, as well as the Pink Triangle symbol itself was foundational to create and perpetuate their collective memory (Weingart, 2011). Participants related to the historical implications of the pink triangle, for political prisoners, but even more so they understood the modern significance of the symbol and the need to stay diligent in their activism and community engagement. This initial observation parallels Copeland's (2004) idea of witnessing.

However, in design, the park is strongly oriented toward the modern definition of a pink triangle as a symbol of LGBTQAI+ rights. The only physical element at the park relating to Copeland's (2004) concept of memory (or Holocaust memory, in this case), is the small historical marker referring to the initiation of the pink triangle as a Holocaust symbol in concentration camps. If interruption occurs by confronting brokenness and hurt, rather than erasing or revising the memories, perhaps the representation of both generations' testimonies to homophobic persecution needs to be *equally* represented at the monument. This would allow for greater shared examination and collective memory, and would discourage selective memory or revision of events. One interviewee suggested a QR code at the monument, which when scanned with a cellular device or tablet, would take the visitor/observer to a web page perhaps, which could illustrate the history of LGBTQAI+ struggles from the Holocaust through the present.

Another insight came in the form of the Pink Triangle Park itself. While the intent of the park was, in the words of one of the participants,

initially was “a rescue operation, because it was a neglected piece of land that was becoming a place of crime, and so the residents came forward and reclaimed the space,” the space became a memorial out of convenience rather than a deliberate and intentional act. Perhaps if this were the case, park planning would have been organized such that future maintenance, funding and preservation would have been made. Currently there is a movement underway by several of the neighborhood activists to revitalize the park. Several of the participants were very passionate about the possibility of a resurrection for the monument. At one point, one of the individuals had even begun to fundraise by making their own pink triangle buttons, which had softer curved edges and a rose in the middle, for a “new generation.” This community member sold these at the monument, but did not make enough to make a significant contribution to help the decaying park. Another of the participants called this effort his passion and coined the term “Pink Triangle 2.0,” which is the name of the restoration project.

Thus, future endeavors, perhaps the “Pink Triangle 2.0” should have a clear objective and consider the intention and ultimate goal of the memorial/park. For instance, having more information in a visible and interruptive manner may help. Use of modern technology for a more effective monument, providing both historical as well as current information can serve to better inform the park’s visitors. Moreover, the park has suffered from vandalism, homeless people taking up residence, and other neighborhood challenges. Thus, clear buy-in from the city and neighborhood to protect and maintain the park is needed for a deeper impact. Furthermore, addressing these neighborhood challenges directly may be necessary as apparently the area has had them since the original inception of the park.

The last insight has to do with the unintended consequence of the Pink Triangle Park. By creating a memorial for a persecuted group, re-marginalizing their successors by failing to maintain the park, neglecting care of the people in the neighborhood, or by failing to recognize the systemic oppression and persecution of these people is careless in one regard, and deeply reckless and unethical in another. Future efforts to revitalize the memorial, or create new ones in the future can take a lesson from the Pink Triangle Park in this regard. Deep care and attention should be paid to those working with, or for marginalized groups. This supports Copelands (2004) concept of lamenting.

CONCLUSION

While this research looked at interruptive symbols, authentic symbols can also challenge perceptions and the messaging of memorials like the Pink Triangle. As Polzer (2014) states, an “‘authentic symbol’ designates a

reified symbol, exemplified here by Holocaust sites and other relics. Documentation universally, yet unreflectively, insists that Holocaust relics must be 'authentic' to be considered functional sacred symbols that evoke and internalize appropriate ideological collective response" (p. 699). As human beings, we need to be constantly and consistently reminded of the atrocities that we inflict on others. One way to do this is through interruptive symbols and inward and outward messaging. In these tools, we create meaning and a collective history that can help us avoid mistakes of the past. As Greenleaf (1977) stated, "Meaning is a stern taskmaster: one must aspire, one must persevere, one must accept the discipline of dealing thoughtfully with symbols" (p. 338). Through the use of memorials and their related symbols, we can learn.

The power of a symbol is measured by its capacity to sustain a flow of significant new meaning. The substance of the symbol may be a painting, poem or story, allegory, myth, scripture, a piece of music, a person, a crack in the sidewalk or a blade of grass. Whatever or whoever, it produces a confrontation in which that much of what makes the symbol meaningful comes from the beholder. (Greenleaf, 1977, p. 329)

The experience of this particular monument seemed to miss the mark in terms of creating a collective memory, which was a direct purpose of the condition, location and design of the Park. The research results revealed that to be a true interruptive symbol, to best reach all parties to create and share a collective memory, and for the viewers to best make sense of the symbol, the memorial/monument *must* reach the viewer in location and design (be accessible to the senses). In addition, it must also include both the dimensions of historical and modern contexts (WWII History and Pride in this case). Both are a necessity in the memorial/monument for disruption and sense-making to occur.

The basic symbolic interactionist effect of a logo (or symbol) upon sense-making, meaning-making, and collective memory is a study of the human emergent reaction to the world around him/her. A larger, more altruistic question lies in this study of interruptive symbology. How can we as leaders, using interruptive symbols to persuade observers to action, up to and including greater social justice? Continued research of the epiphanic disruption of symbols which provoke or urge collective memories, can potentially lead to the betterment of humanity.

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Hate, Conflict, and Public Space: Stand Your Ground Laws and Potential Immunity for Hate Crimes

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ABSTRACT

Statistics reveal that hate crimes in the United States have increased for the past two years in a row. From 2014 to 2016, the number of reported hate crimes has increased from 5,479 in 2014, to 5,850 in 2015, to 6,121 in 2016. These numbers do not include crimes that were not shared with the FBI by local law enforcement, or crimes that were not reported to the police at all. Early indicators reveal that the number of hate crimes in 2017 is expected to further continue this upward trend. The current social and political climate has raised much concern regarding the reported increase in hate crimes, and the safety of persons who may be the targets of bias-motivated crime. One concern that has not received much attention in the scholarly literature or otherwise is the intersection of hate crimes and Stand Your Ground laws. Stand Your Ground laws remove the “duty to retreat” requirement in claims of self-defense, and permit a person to use any force necessary to protect oneself when in a public place that the person has a right to occupy. Empirical research on Stand Your Ground laws indicates that these laws contributed to an increase in homicide rates in states that offer Stand Your Ground as a legal defense, and that these laws have an implicit racial bias that affects the outcome of Stand Your Ground criminal cases. As written, these laws offer much subjectivity to the person employing the Stand Your Ground defense. This study examines the use of Stand Your Ground laws as a legal defense and suggests that, given the current social and political climate, these laws need to be modified to ensure that violence against others because of bias or prejudice cannot be translated into fear for one’s safety, and therefore, a justifiable defense for hate crimes.

Keywords: hate crime, Stand Your Ground, Castle Doctrine, public space

INTRODUCTION

On August 11th and 12th of 2017, members of various white nationalist groups came together in Charlottesville, Virginia for what leaders called

the “Unite the Right” rally. The groups had assembled to protest the removal of the statue of Confederate general Robert E. Lee from a public park. Counter protesters arrived on the 11th, hours before the rally was supposed to start, and clashes between the white nationalists and counter protesters ensued. Law enforcement in Charlotte found themselves inadequately prepared to control the hate-fueled conflicts that were erupting. Police were forced to begin dispersing crowds, and by the next morning, Virginia Governor Terry McAuliffe declared a state of emergency as conflicts between the two groups escalated. About two hours later, one of the white nationalists drove his car into a group of counter protesters, killing thirty-two-year-old Heather Heyer and injuring nineteen others. The twenty-year-old driver was affiliated with a Neo-Nazi group and had a history of expressing extremist views. While the Department of Justice and the Federal Bureau of Investigation launched a civil rights investigation into the events surrounding the crash, the organizer of the rally, Jason Kessler, blamed the violence on law enforcement and local officials, citing their failure to protect the First Amendment rights and safety of the rally participants (Yan, Sayers, & Almas, 2017). The absence of an apology or condemnation of the attack by Kessler increased concerns over the outcome of future public clashes in a country engulfed in social and political conflict.

Additional conflicts in public spaces between opposing groups or individuals are inevitable, therefore, the laws that determine the legality of the reactions to bias-motivated or emotionally charged conflicts warrants closer examination. When laws intersect, overlap, and/or appear to be in conflict with one another, resulting legal decisions can render confusion and animosity about real or perceived injustices. The murder of Heather Heyer left little doubt as to the bias-motivation of the driver of the car that killed her, but in most interpersonal conflicts in public spaces, the issue is not so clearly defined. The ambiguity regarding the nature of the conflict can delay arrests or, in some cases, result in no arrest at all. This latter outcome has been enabled by the introduction of laws commonly referred to in the media as “Stand Your Ground” laws. Stand Your Ground (SYG) laws remove the “duty to retreat” requirement in claims of self-defense and replace it with a “shoot first” ideology, permitting a person to use any force necessary to protect him/herself or others while in a public place that the person invoking the SYG defense has a right to occupy. This defense is based primarily upon the subjective interpretation of the situation from the person who used deadly force.

One concern that has not received much attention in the scholarly literature or otherwise is the intersection of hate crimes and SYG laws. Drawing from the Critical Race Theory (CRT) perspective, this paper examines the growing increase in hate crimes and the social and legal implications of

legal doctrines that protect “shoot first” policies in public spaces. SYG laws deserve a critical evaluation of their application when potentially bias-motivated offenders use SYG as a legal defense or justification for deadly force. CRT, which developed from Critical Legal Studies, provides a theoretical framework to examine the legal outcomes and implications when allegations of racial injustice are dismissed based upon existing law. More specifically, CRT examines the relationship between racial power and law, drawing from a body of legal and social science research that challenges notions of color-blindness in American legal doctrine (Crenshaw, Gotanda, Peller, Thomas, & Kendall, 1995). As explained by Russell (1999, p. 187), “Critical race theory operates as a check on mainstream legal analyses. It provides more than an alternative viewpoint on legal doctrine; it seeks to raise questions about the law’s operation and what this reflects.”

According to the Southern Poverty Law Center’s report, “2017: A Year in Hate and Extremism,” the number of hate groups in the United States has increased along with the number of hate crimes (Southern Poverty Law Center, 2018). The number of hate groups rose from 917 to 954, with white supremacist groups experiencing the most growth: rising from 99 to 121. Although some of these increases are due to members of existing hate groups fracturing and forming their own groups, these numbers reflect a growing commitment to promoting hate and hateful ideology. While no claims of SYG evolved from the “Unite the Right” rally, at a time when hate crimes are increasing, membership in hate and extremist groups is on the rise, and public protests and counter protests between hate and extremist groups and social activists remain prevalent, the “Unite the Right” rally served as a reminder of what can happen when conflicts in public spaces escalate. As such, it is important to explore the implications of laws that offer immunity from prosecution for the use of violence—including lethal violence—based solely on an individual’s subjective judgment or claim regarding a perceived threat. The purpose of this study is to examine the potential misuse of SYG laws as a defense for committing hate crimes, and to offer recommendations to ensure that such laws do not protect individuals who attempt to escape prosecution for hate crimes behind the SYG immunity.

HATE CRIME STATISTICS

Statistics reveal that hate crimes in the United States have increased for the three most recent years for which data is available. From 2014 to 2016, the number of reported hate crimes published in the Federal Bureau of Investigation’s (FBI) Hate Crime Statistics section of the annual Uniform Crime Report (UCR) increased from 5,479 in 2014, to 5,850 in 2015, to

6,121 in 2016 (Federal Bureau of Investigation, 2015, 2016, and 2017). These numbers do not include crimes that were not shared with the FBI by local law enforcement, or crimes that were not reported to the police at all, but early indicators reveal that the number of reported hate crimes in 2017 is expected to further continue this upward trend. The Hate Crime Statistics Act requires the Attorney General of the United States to collect hate crime statistics from state and local law enforcement agencies. This data is submitted to the FBI as part of its annual UCR report but, like traditional UCR data, the submission of hate crime information is inconsistent: in 2014, 15,494 law enforcement agencies submitted data to the Hate Crime Statistics Program; in 2015, 14,997 agencies submitted data, and in 2016, 15,254 law enforcement agencies participated in the program (Federal Bureau of Investigation, 2015, 2016, 2017).

The Hate Crime Statistics Act of 1990, which was amended effective 2010 by the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act, requires the collection of bias-motivated crimes based upon “race, religion, ethnicity, nationality, gender, sexual orientation, gender identity, and disability” (Sec. 1(a)(1)). The Civil Rights Act of 1968 is considered the first federal hate crime law. In addition to federal law, forty-five states and the District of Columbia have added hate crime laws to their state code; at the time of this writing, only Arkansas, Georgia, Indiana, South Carolina, and Wyoming remain without state hate crime legislation. Wyoming stands out for its lack of a hate crime law due to being the location of the Matthew Shepard murder, which prompted the expansion of federal hate crime protections for victims based upon gender, sexual orientation, and gender identity.

Of those states that do have hate crime legislation, inconsistency exists regarding the inclusion of protected populations: some states have added additional categories not included in the federal hate crime definition for crimes based upon the victim’s age or political affiliation, while some states do not include gender, disability, sexual orientation, or gender identity as protected categories. These inconsistencies between the inclusion of protected categories between states—and between states and the federal government—in addition to the inconsistencies with reporting official hate crime data to the FBI, make it impossible to draw definitive conclusions about the extent of hate crime in the United States. All available indicators, however, lead to the deduction that hate crime is, in fact, an increasing threat in this country. A report by the Anti-Defamation League (ADL) reveals that in 2017, anti-Semitic incidents increased 57% from 2016; this represents the single largest increase in one year ever recorded by the ADL since it began collecting this type of data in 1979 (Anti-Defamation League, 2018).

THE GEOGRAPHY OF HATE

Among the data that is collected by the FBI as part of the Hate Crime Statistics Program is the location of hate crime incidents. For offenses that are classified as crimes against persons, there are currently 46 different location designations for data collection and reporting purposes; this represents a change from 2014, when only 45 location designations were available (Federal Bureau of Investigation, 2017). An examination of the location of hate crimes against persons for the last three years for which data is currently available reveals that while hate crimes near one's home or residence is the most frequently occurring location identified out of the location designations available, hate crime victims are most likely to be targeted when in a public space such as a public road or sidewalk, a school, a parking lot or garage, a place of worship, or another public space. To summarize the data regarding the location of bias motivated crimes, hate crime victimization out of or away from one's home or residence accounted for 68.4% of reported hate crime in 2014, 68.5% in 2015, and 72.7% in 2016 (Federal Bureau of Investigation, 2017). This data reveals a gradual increase in the number of reported hate crimes being committed in public spaces.

The most prevalent types of hate crime committed remained consistent from 2014 through 2016, with intimidation reflecting the most common hate crime against persons reported for all three years. Simple assault, followed by aggravated assault, comprised the second and third most prevalent hate crimes reported for the last three years for which hate crime data is available. For 2014, intimidation accounted for 43% of all crimes against persons, in 2015 it was 41%, and in 2016, 45% of hate crimes against persons fell under the category of intimidation (Federal Bureau of Investigation, 2015; Federal Bureau of Investigation, 2016; Federal Bureau of Investigation, 2017). Simple assault accounted for 37%, 38%, and 36%, respectively, and aggravated assault 19%, 20%, 18%. For all three years, individuals comprised the main target of all hate crime incidents: 82.4% in 2014, 83.2% in 2015, and 81.3% in 2016 (Federal Bureau of Investigation, 2015; Federal Bureau of Investigation, 2016; Federal Bureau of Investigation, 2017). Examined together, the available data tells us that hate crime is most likely to be committed against a person versus property, in a public space away from the victim's home or residence, and to entail intimidation, simple assault, or aggravated assault.

STAND YOUR GROUND

Stand Your Ground laws, hereafter SYG, extend the legal provisions

from the Castle Doctrine, which justified the use of deadly force to protect oneself in his/her home with no duty to retreat, and applied this doctrine to public spaces. The Castle Doctrine received its name from the common law notion that “A man’s home is his castle,” with the implication that a person should have the right to use any means necessary to protect himself/herself and others from threats in one’s own home. The Castle Doctrine removed any expectation that a homeowner attempt to retreat from a confrontation with someone who had unlawfully entered his/her residence, and provided immunity from prosecution for the use of deadly force. SYG laws extend the Castle Doctrine to any public space in which a person has a legal right to be present: on the street, at the park, in a restaurant, etc. According to the Giffords Law Center to Prevent Gun Violence (2017):

“Shoot first” or “stand your ground” laws allow a person to use deadly force in self-defense in public—even if such force can be safely avoided by retreating. With no federal shoot first law, self-defense standards are dictated by state law. Ignoring centuries of legal precedent, more than half the states have now adopted this controversial policy, threatening the safety and lives of their citizens and allowing killers to more easily get away with murder. (paragraph 1)

Florida was the first state to pass a SYG law in 2005. The following year, an additional thirteen states passed SYG laws (Mayors Against Illegal Guns, 2013). To date, twenty-seven states have passed a version of the “shoot first” statute, and an additional seven states “permit the use of deadly force in self-defense in public with no duty to retreat through a combination of statutes, judicial decisions, and/or jury instructions” (Giffords Law Center for the Prevention of Gun Violence, 2017, paragraph 23). The Florida SYG law had been in existence since 2005, but it was not until the shooting of seventeen-year-old Trayvon Martin, an unarmed African-American teenager who was shot following a confrontation with an armed neighborhood watchman in 2012, that the SYG laws reached widespread public awareness. Concerns about Florida’s SYG law have only increased since Martin’s murder, and more people are claiming the SYG immunity to justify using lethal force in public confrontations. The year after its adoption, Wallace (2006) shared concerns regarding Florida’s SYG law from the perspective of forensic psychologists, especially as it pertained to reasonable fear. Wallace explained:

There are several basic questions for forensic psychologists to consider. One question forensic psychologists will ask is, “How will Florida law enforcement agents authenticate distinctions between excusable and justifiable actions?” That is, the law enforcer as decision-maker will need to evaluate whether a citizen’s conduct is a gross deviation from the stan-

dard of action that a reasonable person would expect to observe in the situation (Wallace, 2006, pp. 40-41).

Wallace's concerns came to fruition in the highly publicized Trayvon Martin case, which will be discussed more thoroughly later in this paper.

Stand Your Ground and an Increase in Violence

SYG laws have been criticized for promoting a "shoot first" approach in which public conflicts are justifiably resolved through the use of lethal force with no attempt to retreat or deescalate the situation. There are many challenges to conducting empirical studies of the effects of SYG laws, particularly the existence of situational variables that cannot be accounted for. Despite these limitations, studies of the effects of SYG laws are beginning to be published, with consistent results. Cheng & Hoekstra (2013) studied UCR data and the Castle Doctrine, with results indicating that these laws did not deter aggravated assault, robbery, or burglary, but did result in an increase in the number of murders and nonnegligent manslaughters. Mack and Roberts-Lewis (2016) conducted a preliminary analysis from the FBI's Uniform Crime Report and found that SYG laws increase homicide rates and undermine public safety. SYG states were also found to experience a "striking increase" in the number of justifiable homicides by private citizens in the years following a state's enactment of a SYG law (Mayors Against Illegal Guns, 2013). The American Bar Association summarized the results of existing empirical studies on SYG laws, stating that ". . . empirical evidence shows that states with statutory Stand Your Ground laws have increased homicide rates" (2015; para. 2).

More recent studies on the effects of SYG laws and violence affirm these previous findings. Using state-level monthly data to assess the impact of SYG laws on firearm homicides and injuries, McClellan and Tekin (2017) concluded that SYG laws result in an increase in homicides and firearm-related injuries and hospitalizations. A study by Humphreys, Gasparri, and Wiebe (2017) utilizing an interrupted time series design focused on the impact of Florida's SYG law on the homicide rate and homicide by firearm. Results revealed a "significant increase in homicides and homicides by Firearm" (p. E1). Whether the studies are focused upon the state of Florida, all states with SYG laws, or the Castle Doctrine in general, results consistently suggest that expanding the Castle Doctrine to public spaces has resulted in an increase in crime, and homicide in particular.

Stand Your Ground and the Effect on Racial Minorities

Following the shooting of Trayvon Martin, a highly publicized SYG case, the danger of using SYG laws to target racial minorities became a prominent part of the national discourse on the extension of the Castle Doctrine to public spaces. A report by the American Bar Association's (2015) National Task Force on Stand Your Ground Laws, a project of the Coalition on Racial and Ethnic Justice, concluded that SYG laws result in racial disparities. In *Shoot First: Stand Your Ground Laws and Their Effect on Violent Crime and the Criminal Justice System*, a disparate racial impact as a result of SYG laws was reported:

Controlling for population, the number of homicides of black people that were deemed justifiable in Stand Your Ground states more than doubled between 2005 and 2011 — rising from 0.5 to 1.2 per 100,000 people — while it remained unchanged in the rest of the country (Mayors Against Illegal Guns, 2013, p. 7).

A comprehensive analysis of Federal Bureau of Investigations Supplementary Homicide Report data conducted by Roman (2013) to study the existence of racial disparities in SYG cases that are ruled justifiable homicides found:

Overall, the rate of justifiable homicides is almost six times higher in cases with attributes that match the Martin case. Racial disparities are much larger, as white-on-black homicides have justifiable findings 33 percentage points more often than black-on-white homicides. Stand Your Ground laws appear to exacerbate those differences, as cases overall are significantly more likely to be ruled justified in SYG states than in non-SYG states.

With respect to race, controlling for all other case attributes, the odds a white-on-black homicide is found justified is 281 percent greater than the odds a white-on-white homicide is found justified. By contrast, a black-on-white homicide has barely half the odds of being ruled justifiable relative to white-on-white homicides. Statistically, black-on-black homicides have the same odds of being ruled justifiable as white-on-white homicides (p. 9).

Existing studies on the relationship between race and the outcome of SYG laws indicates an increase in justifiable homicide, particularly against African-Americans, but the racial disparities do not end there. A study by Ackermann, Goodman, Gilbert, Arroyo-Johnson, and Pagano (2015) on Florida's SYG law found race of the victim to be a significant predictor of whether a defendant will be convicted after claiming SYG immunity: a

defendant is two times more likely to be convicted when the case involves a white victim as opposed to a non-white victim, suggesting a racial bias in Florida's application of SYG laws. The authors argue these findings reveal unequal treatment under the law in Florida, and urge other states with SYG laws to conduct similar analyses of the racialized effects of SYG laws in their states.

Stand Your Ground and the Subjective Nature of Fear

Wallace (2008) followed up on her 2006 concerns regarding the subjective nature of SYG laws. As Wallace explains, courts typically differentiated between objective and subjective standards of reasonableness. Utilizing the objective standard, any reasonable fact finder would evaluate the circumstances surrounding a particular case and agree that use of force was necessary for self-defense. With a subjective standard, however, the question shifts to whether the accused believed he/she had to use force, given the circumstances, to protect his/her safety. The subjective standard removes the reasonable and prudent person standard and relies upon the accused's subjective analysis of a situation to decide whether force was justified. This becomes problematic because fact finders, whether law enforcement, prosecutors, grand juries, or jurors, will be asked to evaluate what was on the accused's mind and how the accused interpreted the situation. If it is believed that an individual's subjective assessment warranted the need for force, even deadly force, then under SYG laws, the accused should be immune from criminal responsibility.

SYG laws also face the problem of competing narratives (Megale, 2013). In any SYG conflict there are going to be two points of view: one from the accused, and one from the victim. In cases of homicide, however, the victim is not able to offer an account of what occurred, and if there were no witnesses, fact finding will rely upon the version provided by the person claiming immunity due to SYG. In the case of a homicide, we return again to the subjective nature of the situation and a reliance upon the accused's mindset at the time of the conflict. Moyer, Henderson, Lewis, and Lewis (2015) offer a theoretical framework to explain why subjective psychosocial factors influence the violence that is committed against young black males when they are viewed in what is believed to be a white social space. The authors offer suggestions for culturally competent training for law enforcement, and educational strategies intended to counter the negative perceptions of black males in the United States. More research exists, however, to support the argument that SYG laws should simply be repealed. The American Bar Association (2015) supports the repeal of SYG laws based, in part, on the fact that the laws are unpredictable, uneven, and have

a clear racial bias. Boots, Bihari, and Euel (2009) expressed concern over the ambiguity of SYG laws, particularly in the gray areas that are left to interpretation. SYG laws undermine public safety, and public policy should emphasize de-escalation rather than confrontation when possible (Mack & Roberts-Lewis, 2016). Megale (2013) calls for a return to affirmative defense, recognizing the competing narratives that will always complicate SYG cases.

Stand Your Ground and Public Space

The current study examines four homicide cases that involved allegations of racial bias when a SYG law was used as a defense following an altercation in a public space. These cases, three from Florida and one from Texas, were selected due to their prominence in state and national news media coverage and the availability of information on situational factors and other background information that this prominence provided. The relevant laws applicable to the Florida cases used in this analysis were *Florida Statutes* sections on Justifiable Use of Force, 776.012(1) and 776.012(2):

(1) A person is justified in using or threatening to use force, except deadly force, against another when and to the extent that the person reasonably believes that such conduct is necessary to defend himself or herself or another against the other's imminent use of unlawful force. A person who uses or threatens to use force in accordance with this subsection does not have a duty to retreat before using or threatening to use such force.

(2) A person is justified in using or threatening to use deadly force if he or she reasonably believes that using or threatening to use such force is necessary to prevent imminent death or great bodily harm to himself or herself or another or to prevent the imminent commission of a forcible felony. A person who uses or threatens to use deadly force in accordance with this subsection does not have a duty to retreat and has the right to stand his or her ground if the person using or threatening to use the deadly force is not engaged in a criminal activity and is in a place where he or she has a right to be.

The relevant laws applicable to the Texas case used in this study were *Texas Statutes* sections on Justification Excluding Criminal Responsibility 9.31(a), 9.31(e), and 9.31(f):

(a) Except as provided in Subsection (b), a person is justified in using force against another when and to the degree the actor reasonably believes the force is immediately necessary to protect the actor against the other's use or attempted use of unlawful force. The actor's belief that

the force was immediately necessary as described by this subsection is presumed to be reasonable if the actor:

(1) knew or had reason to believe that the person against whom the force was used:

(A) unlawfully and with force entered, or was attempting to enter unlawfully and with force, the actor's occupied habitation, vehicle, or place of business or employment;

(B) unlawfully and with force removed, or was attempting to remove unlawfully and with force, the actor from the actor's habitation, vehicle, or place of business or employment; or

(C) was committing or attempting to commit aggravated kidnapping, murder, sexual assault, aggravated sexual assault, robbery, or aggravated robbery;

(2) did not provoke the person against whom the force was used; and

(3) was not otherwise engaged in criminal activity, other than a Class C misdemeanor that is a violation of a law or ordinance regulating traffic at the time the force was used.

(e) A person who has a right to be present at the location where the force is used, who has not provoked the person against whom the force is used, and who is not engaged in criminal activity at the time the force is used is not required to retreat before using force as described by this section.

(f) For purposes of Subsection (a), in determining whether an actor described by Subsection (e) reasonably believed that the use of force was necessary, a finder of fact may not consider whether the actor failed to retreat.

Case Study #1 – Trayvon Martin

The shooting of seventeen-year-old Trayvon Martin by George Zimmerman brought the issues of SYG, racial motivations for crime, and immunity from prosecution into everyday public discourse. On the night of February 26th, 2012, Martin had been visiting family members in Florida when he left on foot to get a snack. Zimmerman, a neighborhood watch captain, allegedly noticed Martin looking into houses and suspected he may be associated with recent crimes committed in the neighborhood. Zimmerman called 911 to report Martin, and the 911 operator told Zimmerman to stay in his car. Zimmerman disregarded this instruction and approached Martin, where a conflict ensued, ending with Zimmerman killing the unarmed African-American teenager. By March 12th, when Zimmerman

still had not been arrested despite nationwide attention to the case, Sanford Police Chief Bill Lee stated that Zimmerman had not been arrested because there was no evidence to disprove his version of events. Four days earlier, investigators had received Zimmerman's medical records, showing that he had suffered an open wound of scalp, and a fracture of the nose (CNN Library, 2018). During this time, the media had attributed Zimmerman's ability to avoid arrest on Florida's SYG law, which offered him immunity from prosecution if he believed he was acting in self-defense.

Zimmerman was ultimately arrested and charged with second-degree murder on April 11, 2012 after nationwide rallies and calls for his arrest. In May, federal prosecutors announced that they were considering hate crime charges against Zimmerman. If convicted of the hate crime charge, Zimmerman would have been eligible for the death penalty. In order to charge Zimmerman with a federal hate crime for Martin's murder, a U.S. attorney in that region would have had to file charges, and federal prosecutors would have had to prove that Zimmerman followed and shot Martin because he was black (Caulfield, 2012).

Zimmerman declined his right to a SYG pretrial immunity hearing, which would have meant no criminal or civil proceedings could move forward against him if a judge had ruled that his actions were protected under the SYG legislation. Instead, jurors in his criminal trial were given the option to consider the provisions of the SYG law. In an interview with Anderson Cooper, one juror explained:

The law became very confusing. It became very confusing," she told Cooper Monday night. "We had stuff thrown at us. We had the second-degree murder charge, the manslaughter charge, then we had self defense, Stand Your Ground." Juror B37 mentioned Stand Your Ground a second time of her own accord, saying the jury ultimately made its not-guilty verdict Saturday night based on the evidence and "because of the heat of the moment and the Stand Your Ground (Caputo, 2013, para. 3).

On July 13, 2013, jurors acquitted Zimmerman of all charges, and on February 24, 2015, the United States Justice Department announced that they would not pursue federal civil rights charges against Zimmerman, eliminating the possibility that Zimmerman would face federal hate crime charges in Martin's death (CNN Library, 2018).

Case Study #2 – Onesimo Marcelino Lopez-Ramos

On April 18, 2015, eighteen-year-old Onesimo Marcelino Lopez-Ramos was murdered in Florida by three men who had reportedly been "hunting for Guatemalans" (Carrion, 2015). The men, who were between

the ages of eighteen and nineteen, had approached Lopez-Ramos, who was outside of his home with his uncle and a friend. The conversation began as friendly, but when it turned, Lopez-Ramos and his friend began to run. One of three men in the group bashed Lopez-Ramos in the head with a rock, and Lopez-Ramos died at the scene. The three men were arrested for the crime on April 25th and charged with first degree murder and a hate crime, because it was evident from information provided by witnesses that Lopez-Ramos was targeted because he was Hispanic. According to Jupiter Police Chief Frank Kitzerow, “The suspects in this case specifically targeted members of the Hispanic community. They sought them out, and this young man was ultimately killed as this crime unfolded,” (CBS News, 2015, paragraph 5). Chief Kitzerow further described the crime as “senseless.”

On September 28, 2017, the attorney for David Harris, one of the three men charged with first degree murder for Lopez-Ramos’s death and the aggravated battery committed with evidence of prejudice against Lopez-Ramos’s uncle, filed a request for the judge to throw out Harris’s charges under Florida’s “Stand Your Ground” law (Duret, 2017). Palm Beach County Circuit Judge Samantha Schosberg Feuer separated the three men’s trials after Harris’s attorney filed the request. Harris’s attorney claims that it was Lopez-Ramos’s uncle, Elmer Lopez, who armed himself with an axe when the three men approached, and Harris feared for his safety and the safety of his younger brother; Harris’s brother is one of the three men facing charges for the crime. More than two years after the crime and arrest, Harris claimed immunity under Florida’s SYG law—an updated version of the original law which now places the burden on prosecutors to prove that the defendant did not have the right to act in self-defense. Prior to this amendment, the Florida SYG law required defendants to prove that they believed they were in danger. In March 2018, a judge denied Harris’s SYG claim, and two months later Harris was convicted of first degree murder and sentenced to life in prison. Harris “. . .also received an additional 15-year term for a related charge called aggravated battery while committing evidence of prejudice” (Freeman, 2018, paragraph 7).

Case Study #3, Ziad Abu Naim

On June 26, 2015, forty-two-year-old Ziad Abu Naim was shot and killed in Texas in what District Attorney Kelli Johnson dismissed as a road rage incident. Naim and the other driver, Robert Klimek, almost collided in an intersection, but accounts of what happened after that differ depending upon the version given by Naim’s widow, Lisa Aimone, or by Klimek. Aimone claims that after the near-collision, Klimek pulled up to their car and both men rolled down their windows. Aimone asserts that Klimek yel-

led, "Go back to Islam!," after which Naim, born to a Palestinian father and a Jordanian mother, got out of the car. Aimone stated that a few seconds later she heard a gunshot, and her husband was on the ground, bleeding from his mouth. The redacted police report claimed that Naim may have struck Klimek twice in the face, after which Klimek reached into his center compartment and pulled out a semi-automatic pistol, shooting Naim once in the face. Aimone, who was watching her husband's back, said everything happened too quickly for Naim to have been able to strike Klimek before being shot. In addition, the attorney for Naim's estate pointed out that there was no evidence of lacerations or any type of physical altercation against Klimek from his mugshot photograph, which was taken a few hours after the shooting. Naim had a gun in his glovebox that he had purchased due to the dangers of his work, but never removed the gun during the encounter with Klimek (Caldwell, 2016).

Klimek remained on the scene after the shooting and was arrested, first charged with aggravated assault and then, after Naim died in the hospital, with murder. A week after the shooting, Aimone approached the Harris County District Attorney's office about whether her husband's death could be considered a hate crime, but was told that would require her to provide evidence that Klimek "had racist tendencies in the past" (Caldwell, 2016, paragraph 7). Aimone did not pursue the investigative work necessary because she was still in an emotional state following her husband's death, but research into Klimek's past would have revealed "a decade-long trail of anti-immigrant, xenophobic vitriol" (Caldwell, 2016, paragraph 11). That September, the grand jury in Harris County declined to indict Klimek for Naim's murder. The Texas SYG law is very clear that "civilians have no 'duty to retreat' from their vehicles before using deadly force in self-defense" (Caldwell, 2016, paragraph 4). Some people called Naim's death a hate crime, others called it a case of road rage; regardless, all charges against Klimek were dismissed due to provisions of the state's SYG law.

Case Study #4: Jordan Davis

On November 23rd, 2012, seventeen-year-old Jordan Davis was shot and killed in Florida by forty-seven-year-old Michael Dunn after an argument over the loud music that Davis and his friends were playing in their car. Dunn was in town for his son's wedding, and he and his fiancée, Rhonda Rouer, had just pulled into a gas station to purchase wine and potato chips. Davis and three of his friends had stopped to get cigarettes and gum on their way to the mall. Before Rouer got out of the car to make their purchase, she testified that Dunn had told her "I hate that thug music," in reference to the teenagers' loud rap music. While Rouer was in the gas

station, Dunn told the boys to turn down their music. One of the teenagers complied, but Davis began a verbal exchange with Dunn, and told Dunn that he was tired of people telling him what to do. From the back seat of the car, Davis then ordered his friend to turn the music back up (Zook, 2015). At this point the driver of the teenagers' car had returned, and just after the front passenger told him what was going on, Dunn said, "Are you talking to me?" before he reached into the glove box of his car, retrieved and cocked his gun, and aimed it out of his window, firing at Davis. Dunn continued to fire into the teenagers' car as they put it in reverse and sped away (Dahl, 2014a). The teens were unarmed, despite Dunn's claims that Davis had a gun or pipe, and Dunn's fiancée testified that Dunn never mentioned a weapon to her (Wallace, 2014). Dunn drove home and was arrested the next day after an eyewitness reported his license plate number to police.

Dunn's attorney claimed the SYG defense based upon Dunn's allegations that the teens had a weapon, and that Davis was attempting to get out of the car. Dunn told police, "I've never been so scared in my life" (Newcomb, 2011, para. 5). No weapon belonging to the teenagers was ever found, and Davis's friends testified that what Dunn stated was not possible, because Davis was in the back seat and the child locks were on the car—one of Davis's friends would have had to unlock the child lock before Davis could have gotten out. On October 17, 2014, Dunn was found guilty of first-degree murder for Davis's death, in addition to three counts of attempted second degree murder for continuing to shoot at the car with the other teens in it as they drove away. The jury had deadlocked on the first-degree murder charge in Dunn's first trial (Dahl, 2014b). Although the Davis case never involved a hate crime charge against Dunn, Dunn's condemnation of the loud "thug music" as the reason for his anger prompted many to argue that this was, in fact, a racially motivated shooting between a white male and four African-American youth. "As one commentator noted, it's hard to imagine what the response might have been to a 47-year-old black man shooting into a car full of white teenagers because he thought their country music was too loud" (Zook, 2015, para. 27).

ANALYSIS

Each of the cases included in this analysis involved an attempt—whether successful or unsuccessful—to use the SYG law as immunity from prosecution or as a defense at trial for committing homicide. In the first case, the shooter was able to convince a jury that he applied the state's SYG law fairly after killing an unarmed African-American teenager following an altercation in the shooter's neighborhood; he was acquitted of second degree murder following a highly publicized case for which there were no

other direct witnesses of the actual shooting. In the second case, three white males approached and then started an altercation with three Hispanic males, resulting in the death of one victim when the three Hispanic males turned to run. The victim was not found to have a weapon of any kind on his person. Despite an attempt to use the SYG defense, the first defendant was found guilty of first degree murder and received a sentence enhancement of fifteen additional years for the bias motivation behind his actions. In this case, there were several witnesses to support his bias motivation. Case #3 involved the shooting of an Arab male by a white male following a traffic dispute/interaction. The victim's wife, a direct witness to the shooting, claimed that the shooting was unprovoked and followed a derogatory comment about Muslims. The victim did own a weapon and it was in the glovebox of his car, but he did not have it on his possession when he was shot. The other driver was arrested but ultimately charges against him were dropped, despite claims from the victim's wife that his version of events was not accurate. The final case involved a white male who shot into a car full of African-American teenagers in the parking lot of a convenience store, killing one of them, following a dispute about the volume of the teenagers' music. A search of the teenagers' car did not produce any weapons, and the defendant was found guilty of first degree murder at his second trial after jury deadlocked in his first one.

These cases illustrate differential situations and outcomes in the application of the SYG defense in homicide cases. In the two cases in which there were multiple witnesses to challenge or contradict the justification for invoking SYG, the offenders were both prosecuted and convicted. In the murder of Trayvon Martin, in which there were no witnesses to the shooting, Zimmerman was charged primarily because of public pressure and the high media interest in the case; it took forty-six days for any charges to be filed against Zimmerman. In the case in which the sole witness was the surviving spouse, a Grand Jury failed to indict and all charges were dropped. These outcomes reveal the complexity of SYG cases when attempting to base a legal defense upon one individual's interpretation of a situation. This review also reveals a need to further examine the outcome of SYG cases when there are no witnesses to challenge a person's justification for using SYG; the absence of witnesses should not result in an automatic default to the survivor's version of what happened. Additional analyses must examine whether those claiming SYG incited the incidents that resulted in loss of life; in three of the four cases reviewed in this study, the victims were approached and were not the original instigators in the situation. In the remaining case, which stems from what some have called a road rage incident, this series of events is more difficult to discern.

DISCUSSION: HATE, CONFLICT, AND PUBLIC SPACE

The cases selected for inclusion in this analysis were chosen based upon the competing narratives of the accused as a person lawfully acting in self-defense, versus the accused as a person who abused the broad immunity from prosecution that SYG legislation offers. These cases also illustrate the potential for miscarriages of justice when violent outcomes following public conflicts can be easily justified by one's subjective reaction to a situation. With the increase in hate crimes and the number of hate/extremist groups in the United States, and the majority of states maintaining a commitment to broad self-defense laws which offer immunity for deadly force used in public spaces, the social and legal implications of interpersonal conflicts in public spaces should raise concern among policy makers and the public alike. The potential for the misuse of SYG laws to shield bias-motivated offenders from prosecution for violent crimes should not be ignored, and neither should the implications that these laws have upon the use and misuse of public space. These laws should raise the concern over the safety of traditionally marginalized groups in these spaces. Future crimes committed by bias-motivated offenders may go unprosecuted under the protection of SYG laws when no witnesses exist to contradict the version of events presented to police. The legal loophole that SYG laws offer to bias-motivated offenders may result in the failure of police to make arrests, prosecutors to file charges, grand juries to indict, and juries to convict when offenders invoke the legal immunity that SYG laws offer. While previous research has suggested the need to examine the factors that influence prosecutorial decision-making in bias crimes (Byers, Warren-Gordon, & Jones, 2012), the existence of SYG laws complicate this endeavor.

Existing research discussed earlier in this paper suggests that SYG laws result in increased homicide rates, increased firearm violence, and an increase in justifiable homicides of African-Americans. Further research needs to explore the reasons for the disparate impact of SYG laws on racial minorities. Light (2015) argues that "In the georacial politics of our contemporary version of the Castle Doctrine, the white castle might potentially be anywhere, including a public street" (Light, 2015, p. 296). SYG laws give full subjective power to the person claiming SYG immunity to justify his/her use of force, and just as with traditional hate crimes, evidence must be produced to prove that the accused acted with intentional hate or bias against the victim. The importance of the implications of SYG laws on the intersection of hate, conflict, and public space cannot be understated. Brahinsky, Sassés, and Minkoff-Zerne (2014) offer:

Racial ideologies are deeply tangled in the ways we think about nature,

biology, the environment, and space. Race as a system of social hierarchy is encoded through projects and policies governing access to and exemption from pristine or polluted spaces. Spatial and environmental policies and arrangements are a primary way that race gets “made” in the contemporary moment. Further, race is sedimented through environmental projects, ideas about cities and who belongs where; race grounds environmental racism and injustice, and defines access to environments thought of as pristine. (Brahinsky, Sasses, & Minkoff-Zerne, 2014, p. 1147).

RECOMMENDATIONS

To date, the effect of SYG laws on racial minorities constitutes the prevalent focus in the scholarly literature. Future research should continue this work and expand it in order to evaluate: 1) the disparate impact upon other groups affected by the intersection of hate and SYG laws; 2) the importance of location in these conflicts, the role of the person invoking SYG in inciting or instigating violence; 3) the absence or presence of weapons for all parties involved; and 4) any alleged history of bias-motivated speech or actions.

Based upon the current analysis in addition to the review of previous research on SYG laws and bias-motivated crime, the following recommendations are offered:

Recommendation #1

The burden should be on the individual to prove that SYG conditions existed in order to justify lethal action in a public space. A person should have to demonstrate that an attempt to retreat would have likely resulted in their death or injury. A person should report the encounter to law enforcement immediately, and the SYG immunity should be filed within a specified time frame.

Recommendation #2

Fear alone—which can draw from prejudices and implicit bias—should not be allowed as a justification to use SYG as a legal defense. A person should have to demonstrate a clear physical, not verbal, threat from which he/she could not retreat. The escalation of a verbal encounter alone is not sufficient to justify SYG immunity. Evidence of a person’s involvement in previous hate crime, hate/extremist groups, or hate ideology should be evaluated and balanced against a person’s claim that he/she was fearful for his/her life.

Recommendation #3

States should be mandated to report law enforcement- and court-level data on variables relevant to SYG cases such as decisions to arrest or prosecute, the presence or absence of weapons, case outcomes, victimization rates, and other relevant demographic data. Data should be collected at the state level, but shared with federal authorities and made available to the public.

Recommendation #4

Analysis of the data collected from Recommendation #3 should be conducted on an annual basis to identify the potential disparate effects and impacts of SYG laws.

In sum, SYG legislation should not provide bias-motivated offenders with a legal loophole to get away with murder. The four cases included in this study demonstrate the complexity of allowing a legal defense to homicide to be based solely upon the subjective interpretation of a single person. If state lawmakers refuse to repeal these laws, as has been suggested by legal scholars and analysts, then a narrower definition of SYG needs to be drafted. In addition, SYG states should commit to complete transparency of the frequency of the use of this defense by collecting and disseminating data relevant to the use of SYG. A confrontation in a public space resulting in bodily harm or death should not be quickly dismissed. In a social and political climate rife with conflict, lawmakers must take steps to ensure that hate crime offenders cannot systematically hide behind SYG immunity.

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Ministering to Other People's Fears: Effects of Anti-Muslim Hostility on American Muslim Participation in Public Life

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ABSTRACT

This article explores the manifestations and effects of anti-Muslim hostility in the United States, asking how anti-Muslim hostility affects the nature of American Muslim participation in public life. It argues that cultural trauma among American Muslim communities, resulting from an expectation of routine harm, conditions the nature of participation in public life undertaken by many American Muslims. Drawing on original datasets documenting anti-Muslim hostility and outreach efforts undertaken by American Muslim communities, we can see that ministering to non-Muslim fears has become a central element of participation in public life. This burden of “humanization” pushes us to consider central elements of American “freedom mythologies” around public life and to ask what responsibility non-Muslims have in advocacy work on behalf of American Muslim communities.

Keywords: Islamophobia, cultural trauma, affect theory

INTRODUCTION

Incidences of public anti-Muslim hostility in the United States rose exponentially in late 2015 and continued at significantly heightened rates through the end of 2017, the date range under consideration in this article.¹ Anti-Muslim hostility include an incredible variety of things: nasty encounters in line at stores, vandalism of mosques and Muslim-owned businesses, harassment, assault, murder, public campaigns against mosque construction, Qur'an desecrations, anti-Muslim curriculum reform, local and state-wide regulatory and legislative efforts across the country targeting Muslim communities in a variety of ways, school bullying, and instances of anti-Muslim national political discourse and policies. This selection—and I emphasize *selection*—of what I have learned while building a dataset of anti-Muslim hostility for a website called Mapping Islamophobia provides some sense of the conditions of public life for Muslims in today's America.²

By this I mean the conditions in which Muslims in the United States participate in the wide variety of activities that constitute public life: attend schools, ride public transportation, drive through town, run for office, vote, shop, attend city council meetings. The list could go on and on. Public life includes but is not limited to political life; it consists of everything that brings us into contact with people beyond our most intimate relations. The data I have collected from news sites about the conditions of public life for American Muslims has led me to the conclusion that we *must* ask critical questions about core elements of America's "freedom mythology." Namely, for American Muslims, is participation in public life free and voluntary?

In other words, do American Muslims enjoy the same ability as members of majority or otherwise privileged communities to choose when, where, and how to participate in public life? The short answer is that *at the very least* the conditions of public life appear to have quite a profound effect on the *nature* of American Muslim participation in public life.

In addition to collecting data on incidents reflecting anti-Muslim hostility, I have also been collecting data on what American Muslims, both individually and collectively, have been doing to counter Islamophobia, to push back against public hate in order to improve the conditions of public life for themselves, their families, and their communities.

As I have been working through both datasets, I have been struck by the incredible amount of time American Muslim communities and individuals have put into efforts to humanize themselves in the eyes of the broader, non-Muslim American public. Here, I include participation in interfaith dialogue, holding mosque open house events, "ask a Muslim" events, public presentations about Islam, and other similar initiatives. The data collected from news sites about such activities serve as a strong rebuke to those who might claim that Islamophobia and anti-Muslim hostility results at least in part from American Muslims being insufficiently integrated into American public life.

Yet for a variety of reasons this data also gives reason to pause for some further questions. For example, to what extent are the conditions of public life for American Muslims *requiring* this kind of work? And if in fact these conditions are creating significant constraints on the nature of participation, what does this tell us about the capacity of American Muslims to choose when, where, and how to participate in public life? What is the relationship between anti-Muslim hostility and the "good stories" about all the work American Muslims do to show non-Muslim publics that they are, in fact, human?

Some time ago, early on in the development of Mapping Islamophobia, I was giving a public talk on anti-Muslim hostility. During the question and answer session, a member of the audience asked why I

spent so much time focusing on negative things when there were lots of positive stories about Muslim/non-Muslim friendliness and cooperation I could tell. This certainly affected the trajectory of my research. I have come to see that anti-Muslim hostility and the “good stories” do not exist on parallel tracks. They are intimately connected, and this relationship serves as a window through which we can glimpse the conditions of public life for American Muslims. What we see is that the threat of harm is woven into the conditions of public life. This appears to affect the nature of participation for many, many American Muslims.

THEORIES, CONCEPTS, AND APPROACHES

The theoretical insights of three scholars inform my analysis and presentation of data. Each of these scholars in their own way engages core theme in hate studies. In trying to capture the conditions of public life for American Muslims, I draw on the work of cultural geographer Anna Mansson McGinty (2018), who distinguishes and explores the connection between what she calls systematic “Islamophobia” and “embodied Islamophobia”. That is, McGinty analyzes how Islamophobic public discourses and institutional policies play out in people’s lives and on their bodies.

Sara Ahmed’s (2014) work on the cultural politics of emotion has proved vital to the way I think about analyzing and presenting data relating to the conditions of public life for American Muslims. Her engagement with affect theory—which religious studies scholar Donovan Schaefer (2015) describes as a way of approaching culture, history, and politics through non-linguistic forces, such as emotion—has pushed me to prioritize humanistic engagement with data. This includes both how I try to capture the emotional effects of anti-Muslim activity for American Muslims (individually and collectively) in my analysis and what I ask of my readers. This is crucial for thinking about how anti-Muslim hostility reverberates in the lives of American Muslims.

The dataset I have been building, all drawn from media coverage of anti-Muslim hostility, includes information about where and when incidents occur, which allows temporal and geographical analysis of this pressing social phenomenon in American life. The dataset also includes qualitative information, providing the stories behind each row of data. While I present some very basic empirical information in this article, I privilege a humanistic, affective presentation of data because this helps us make sense of the relationship between anti-Muslim hostility and patterns of American Muslim participation in public life.

This in turn leads me to Angela Onwuachi-Willig’s (2016) interven-

tion in theories of cultural trauma. She follows earlier work in bringing the concept of trauma from the individual psychological realm to the collective socio-cultural realm, but she asks whether general theories about cultural trauma apply equally to majority and non-majority communities in the United States. I explore Onwuachi Willig's intervention in more detail below. For now, I will note that applying her theorization of cultural trauma to the conditions of public life for American Muslims yields important insights into the effects of anti-Muslim hostility.

Capturing the Conditions of Public Life for American Muslims

To begin answering questions about the conditions of public life for American Muslims and how anti-Muslim hostility affects participation in public life, we must first consider how to measure—or perhaps more accurately, capture—conditions of public life. The “conditions of public life” is a rather abstract concept. How, then, can we make it more concrete? Anti-Muslim hate crimes are an obvious place to begin. However, as the reader will see, there are significant limits to using hate crimes as a stand-in for the conditions of public life more generally.

In 2016, there were a total of 381 anti-Muslim criminal offenses (FBI 2016a). More than one incident per day is certainly an alarming rate. However, the FBI is the first to admit that there are no reliable national statistics on hate crimes in general, let alone anti-Muslim hate crimes. The Department of Justice estimates that victims in over half of incidents that could be classified as hate crimes do not report their experiences to law enforcement (Masucci & Langton, 2017). This means that the FBI's annual hate crimes reports, which in 2016 included a total of 6,100 cases, skims the surface of agency estimates on the true number of crimes motivated by hate: about 260,000 per year (Sandholz, Langton, & Planty, 2013). There are myriad reasons for this gap.

Among the most significant reasons is the lack of uniform national standards around what constitutes a hate crime. Some states—Wyoming, Indiana, Arkansas, Georgia, and South Carolina—do not even have hate crime statutes. Elsewhere, the voluntary nature of the hate crime reporting system results in low participation rates. In California, which according to criminologist and attorney Brian Levin is better than most states when it comes to hate crime reporting, only 30 percent of law enforcement agencies submitted data in 2016 (Hauslohner, 2017). Furthermore, only one percent of agencies in Arkansas, Pennsylvania, and New Mexico submitted hate crime statistics that made its way into FBI totals.

The case of the state of Minnesota reflects these and other institutional barriers to data collection. For the purpose of this paper, Minnesota is a

useful illustrative example of the limits of hate crimes statistics as a measure of anti-Muslim hostility. The state has a significant Muslim population, it shows up with regularity in Mapping Islamophobia data, and it is squarely among the so-called “purple states” in American political culture, functioning as something of a “control” when considering rates of public anti-Muslim hostility by state.

According to a report in the *Star Tribune*, which draws on FBI and Minnesota Bureau of Criminal Apprehension data, over the last decade, nearly two-thirds of the over 435 law enforcement agencies in Minnesota report zero hate crimes per year in their jurisdictions (Montemayor, 2018). This includes law enforcement agencies in some of the state’s largest cities, such as Rochester and Duluth. This mirrors national trends. Across the country, 187 law enforcement bodies serving communities of 100,000 or more either reported zero incidents or did not report any statistics at all for the FBI’s annual report. In all, 88.6 percent of participating law enforcement agencies across the country reported zero hate crimes in their jurisdictions in 2016 (FBI, 2016b).

The reasons behind non-reporting or zero reports can vary. Some agencies wait until a suspect has been identified. In some situations, jurisdictional questions prevent local law enforcement agencies from reporting on something that is part of an investigation being undertaken by a larger agency. Both of these scenarios are at work around a 2017 incident in which an unknown suspect or suspects targeted the Dar al-Farooq Islamic Center in Bloomington, Minnesota, with a homemade bomb. Past incidents involving the same Center suggest that this crime was likely motivated by hate. However, neither these earlier cases, including an anonymous threat to blow up the facility, nor the more recent bombing appear in Minnesota hate crime data because either the case remains unsolved and/or the FBI is handling the investigation.

It is also unclear who is responsible for ascertaining whether bias or hate motivates a particular incident. Minnesota state law requires reporting when either a victim or a law enforcement agent believes that an incident was motivated by race, religion, origin, gender, sex, age, or perceived sexual orientation. Some jurisdictions wait until a prosecutor deems an incident to be bias or hate-related. This leaves a tremendous amount of room for subjective evaluation, and this is where institutional questions around hate crimes reporting meets the social, political, and cultural settings in which people and agencies make decisions.

It is impossible to ascertain motivations behind particular decisions by law enforcement agencies in Minnesota and elsewhere to *not* report an incident as motivated by bias or hate. It is fair to wonder, however, how the attitudes that give rise to “hoax” discourses around anti-Muslim crimes

might at times affect the evaluation process, both in Minnesota and elsewhere across the country.

In December of 2016, for example, ABC News published a story on false reports of anti-Muslim incidents; drawing on comments from Muslim advocacy organizations that worried even a handful of false claims would undermine the many legitimate reports reflecting sharp increases in overt anti-Muslim sentiment and activity (Tan, 2016). The Breitbart News Network, with its 70 million-plus monthly viewers, then picked up and reported on the story, describing a “wave of hate crime hoaxes” involving American Muslims (Binder, 2016).

More recently, *Front Page Magazine*, which claims to have nearly one million unique visitors per month, published an article in February of 2018 arguing that false reports of anti-Muslim incidents fundamentally distort hate crimes statistics³. (Greenfield, 2018). The author cites a handful of well-known examples to create the impression that anti-Muslim activity is not as much of a problem as Muslims might lead you to believe. “Islamophobia hoaxes never die,” he says. “They become statistics” (Greenfield, 2018).

How might the circulation of “hoax” discourses, especially in communities in which news sources like Breitbart and *Front Page Magazine* are particularly popular, affect the evaluation process? Might it affect the standards that officials use to determine whether to report a claim? Might concerns about being taken seriously affect willingness to report an incident in the first place?

Even with institutional and other kinds of impediments, there was a sharp rise in *officially reported* anti-Muslim hate crimes in 2016, mushrooming by 20 percent over 2015, which had itself set a post-2001 high-water mark (FBI, 2016b). Given Department of Justice estimates of hate crime underreporting in general, it stands to reason that anti-Muslim hate crimes follow the same patterns. Indeed, my own dataset is a microcosm of broader challenges around hate crime statistics.

For example, following practices of many law enforcement agencies, I code incidents a hate crime only when there is a suspect who has been booked and/or charged with a criminal offense that includes a hate-crime designation. Otherwise, it remains coded as a bias-related incident, a broad designation that admits to a range of activities that are not necessarily criminal in nature. Moreover, my decision to draw data only from news sources with a clear editorial policy and chain of command means that I knowingly exclude incidents if they appear in sources that do not meet this standard, a step I take to insulate the data from claims that it represents “fake news.”

Despite these problems, hate crime statistics remain a crucial tool in efforts to protect civil rights of non-majority communities. I am certainly

not suggesting otherwise. That said, even with more reliable reporting practices hate crimes statistics alone would remain insufficient to measure the conditions of public life for American Muslims. Anti-Muslim hostility manifests in myriad ways that fall short of criminal activity but that nonetheless contribute to the lived environment of American Muslims or, in other words, the conditions in which American Muslims decide when, where, and how to participate in public life. According to a 2017 Pew Research Center survey, nearly half of American Muslims *report* having experienced one or more instance of anti-Muslim hostility over the previous year, including being treated with suspicion, singled out by airport security and/or law enforcement, called offensive names, or being physically threatened or attacked (Pew, 2017). How can we begin to capture this lived environment?

From the beginning of 2015 to the end of 2017, there were at minimum 825 instances of *publicly reported* anti-Muslim activity. (I want to emphasize here that this is a minimum. As I note, the data I have collected represents only those incidents that receive media attention from reputable news sources.) A number, however, cannot alone communicate the effects of anti-Muslim activity on the conditions of public life for American Muslims. Concretizing something abstract like the conditions of public life requires an affective mode of inquiry.

In the opening of this article, I provide a brief list of the kinds of activities I have seen in building the dataset for Mapping Islamophobia. It is crucial to humanize basic empirical measures of anti-Muslim hostility, like the number of events per year or by state over time, by highlighting particular exemplars of activity motivated by anti-Muslim and anti-Islam sentiments. It is further necessary to present these exemplars in a way that provides some insight into the cumulative effects of anti-Muslim hostility, helping to create affective understanding of the conditions of public life for American Muslims.⁴ This is an essential step in demonstrating how anti-Muslim hostility might be influencing the nature of American Muslim participation in public life.

As Sara Ahmed (2014) argues, experiences leave emotional impressions upon us. These impressions accumulate, constituting a history through which we understand subsequent experiences—or, in other words, they create a lens through which we analyze a lot of what surrounds us. As I discuss later in the article, the cumulative effects of anti-Muslim hostility create an expectation of routine harm, and evidence seems to suggest that this expectation has a significant role in determining when, why, and how a good number of American Muslims engage broader American publics.

In an effort to capture the place of emotion in how anti-Muslim hostility affects American Muslim participation in public life, I have deliberately

chosen to present data as vignettes rather than in a more recognizably quantifiable form. Most of the following incidents below are from 2015 through 2017. However, I also include stories from before that period to underscore that this is not a new phenomenon. Anti-Muslim hostility became an ever-greater part of public life—especially public discourse—in the 2000s, thanks in no small part to the emergence of what Nathan Lean calls the Islamophobia industry (Lean, 2015) and the mainstreaming of anti-Muslim sentiment (Bail, 2015). The great increase we see in 2015 is a long-term result of these developments. I draw from media reports to present these manifestations of contemporary anti-Muslim hostility as brief vignettes, stitching together incidents of similar kinds to illustrate similarities across time and geography. I also include some incidents in which non-Muslims are targets of anti-Muslim hostility. Where appropriate, I incorporate some broader context, as this surely becomes part of the experience of the event itself. I offer further explanation below about why I have chosen to present these stories in this fashion. Please take the time to read these brief stories slowly and carefully. Ideally, the reader can let each one sit with them for a moment before moving on to the next.

VIGNETTES

In September of 2012, an unknown vandal or vandals deface graves in the Muslim burial section of Evergreen Cemetery in Evergreen Park, Illinois, multiple times over two weeks. There are seven such incidents over a three-year period (Brachear, 2012).

On August 5, 2013, the Des Plaines, Illinois, City Council rejected the American Islamic Center's proposal to convert two empty office buildings into a mosque and community center, citing loss of property tax revenue. The buildings had been vacant for two years. The city's planning commission had recommended that the Council approve the proposal (Krishnamurthy, 2013).

On October 25, 2013, a woman named Rose, driving a Toyota Corolla in Orlando, Florida, is run off the road by another driver in a large pickup truck. Before successfully forcing her off the road on the third attempt, the pickup truck driver mocked her headscarf, tying a flannel shirt around his head. Rose's two daughters aged one and four, were in the car during the incident (Stennett, 2013).

On November 12, 2014, the New Hampshire Republican Party adopts a platform plank stating that it will protect against the implementation of shari'a law in New Hampshire (McDermott, 2014).

On February 4, 2015, South Carolina state representative Chip Lime-

house introduces H3521, a bill seeking to ban the consideration of shari'a from South Carolina judicial proceedings. Supporters of the bill claim it is a necessary part of a larger war against radical Islam (Borden, 2015).

On February 12, 2015, self-proclaimed atheist Craig Hicks shoots and kills Deah Shaddy Barakat, Yusor Mohammad Abu-Salha, and Razan Mohammad Abu-Salha, in Chapel Hill, North Carolina. Although the incident allegedly resulted from a parking dispute, Hicks had made comments in the past about the victims' religious identities (McCoy, 2015).

In March of 2015, William Whalen, a teacher at New River Middle School in Fort, Lauderdale, Florida, prevents a new student, who is Muslim, from entering the classroom, saying, "We don't need another terrorist in this class" (Lipscomb, 2017).

In April of 2015, a teacher at Foster High School in Richmond, Texas, draws on materials taken from popular anti-Muslim and anti-Islam web sites for in-class instruction. The materials claim to expose Muslims' hidden, conspiratorial agenda of domination and forced conversion, a popular trope among anti-Islam and anti-Muslim activists (Murphy, 2015).

On November 16, 2015, members of the Islamic Center of Pflugerville (Texas) arrive to find that vandals had smeared feces on the front door and had left pages torn from a Qur'an on the ground (Ulloa, 2015).

On November 19, 2015, an unidentified man grabs a female student at San Diego State University and tries to pull off her head scarf. During the incident, the man called the student a terrorist and made other anti-Muslim comments (Warth, 2015).

On December 26, 2015, Daniel Coronel Wilson, Jr., attacks Amrik Singh Bal (68) in Fresno, California, first by hand and then by running him over with a car. Before attacking the victim, Wilson allegedly said to his friend, "ISIS. Terrorist. Let's get him." Singh Bal is Sikh. (Lopez, 2016).

In December of 2015, members of the Gurdwara Singh Sabha Sikh Temple in Buena Park, California, arrive to find "Islam" and "ISIS" spray-painted in the parking lot (Casiano, 2015). In December of 2015, a rideshare passenger insults the driver with expletives and accuses him of being an ISIS sympathizer before punching him in the head (Buhain, 2015).

In December of 2015, Bernards Township, New Jersey, rejects the Islamic Society of Basking Ridge's plan to build a mosque. After 39 planning board meetings, the township's main reason for blocking the project was that proposal did not contain space for adequate parking. The Islamic Society of Basking Ridge subsequently filed suit and a federal judge ruled in their favor. Although it denied discrimination, the town

acknowledged applying different planning standards to the project than to previous church or synagogue projects (O'Brien, 2017).

On June 8, 2016, Thomas Russell Langford waves a gun and threatens members of the Masjid al-Madina in Raeford, North Carolina. The encounter followed a series of troubling incidents, including bacon being left at the entrance of the mosque and a vehicle, thought to be Langford's, following people home from the mosque. When police arrive they find multiple weapons in Langford's truck (Futch, 2016).

On August 12, 2016, Vernon Majors shoots and kills his neighbor, Khalid Jabara, in Tulsa, Oklahoma. Jabara and his family, Lebanese Christians, had filed multiple reports with law enforcement about Majors, who regularly abused them verbally with profanity and anti-Muslim slurs (Miller, 2016).

On August 27, 2016, Americans for a Secure Wyoming, which seeks to ban Islam in the state, holds an anti-Islam rally in a public park in the City of Gillette. The rally ended with a Qur'an burning (Ballard, 2016).

On September 15, 2016, the Tennessee Board of Education releases new draft middle school social studies standards, essentially removing basic literacy about Islam from instruction. The revised standards omit basic facts relating to Islam, including the physical location of Saudi Arabia, the origins of Islam, and information the Qur'an, among other things. The changes appear to reflect public complaints about Islamic indoctrination in public schools (Wagner, 2016).

In November and December of 2016, at least twelve mosques receive identical letters across the country announcing that the election of Donald Trump as President is a day of reckoning for Muslims. The letter declares that Trump will cleanse America of Muslims, just as Hitler did with Jews in Germany (Ellement, 2016).

On January 27, 2017, the President of the United States, Donald Trump, signs an Executive Order ceasing entry of all refugees into the country for 120 days, barring Syrian refugees in general, and blocking entry to the United States by citizens of seven Muslim majority countries for 90 days. The order also reduces the overall refugee quota by more than half. The action comes after candidate Trump had called for an outright ban on Muslims entering the country (Liptak, 2017a).

On January 30, 2017, Azra Baig stands in line at a New Jersey Modell's Sporting Goods. A man in the check-out line next to her says, "Oh, that Muslim ban is long overdue." Of the incident, Baig said, "He said it loudly so I would hear it, so I knew it was directed at me." (Baldwin, 2017).

On February 1, 2017, Idaho state representative Eric Redman introduces

a bill banning foreign law from Idaho state courts. The bill does not mention shari'a specifically, a common tactic in recent years as sponsors seek to head off court challenges on first amendment grounds, but Redman acknowledges that it is a significant motivating factor. He introduced a similar bill in 2016 (Clark, 2017).

On February 19, 2017, Gerald Sloane Wallace leaves an expletive-filled voice mail at the Muslim Communities Association of South Florida, a mosque in Miami Gardens, Florida. He threatens to shoot and kill members of the community, later admitting that he has made similar calls and threats to other Miami-area mosques (Weaver, 2017).

On March 6, 2017, the Bayonne, New Jersey, zoning board fails to pass a proposal submitted by the non-profit Bayonne Muslims, who were seeking to convert an abandoned warehouse into a mosque and soup kitchen. Those voting against the proposal did so basing their decision on traffic and parking concerns on the dead-end street. Public opposition to the project was virulently anti-Muslim (Villanova, 2017).

On March 6, 2017, staff at the Santa Fe Public Library report to police that they suspect a patron of urinating on three copies of the Qur'an in the library's collection (Horwath, 2017).

On March 27, 2017, a family returns to their Fairfax County, Virginia, home to find that vandals have scrawled anti-Muslim graffiti and destroyed a Qur'an and prayer books. The family also reported missing valuables (Weil, 2017). On March 28, 2017, a man in Troutdale, Oregon, returns home to find anti-Muslim hate speech spray-painted on his walls and a note, held in place by bullets, threatening his life. The man is Iranian American and identifies as Baha'i (Oregonian, 2017).

On April 5, 2017, Delaware state senators Dave Lawson and Colin Bonini protest a Muslim-led prayer opening a legislative session. Lawson called the event, which featured a Qur'anically-inspired prayer, despicable (Rush, 2017).

On April 14, 2017, members of the Islamic Center of Hattiesburg (Mississippi) arrive to discover that vandals had damaged their sign. In 2014, an unknown suspect or suspects fired multiple shots at the Center (Beveridge, 2017).

On May 6, 2017, a customer at Trader Joe's in Reston, Virginia, verbally harasses and taunts a Muslim woman standing in line, expressing regret that the United States allowed the woman (who was born in the United States) to enter the country and suggesting that she was in trouble now that Obama (who is Muslim, according to the harasser) is no longer in office (Washington Post, 2017).

On June 13, 2017, Asad Khan announces that he is closing his restaurant in Galveston, Texas, after months of harassment. In late 2016, he arrived at the restaurant to find the front windows covered in bacon and bacon grease. In the months that followed he received calls and messages laden with anti-Muslim slurs and death threats and faced accusations of making up all of the incidents (Guillen, 2017).

On June 18, 2017, Darwin Martinez Torres allegedly kills Nabra Hassanen, a teenager from Reston, Virginia. He beats her to death with a bat after harassing Hassanen and her friends from his car and following them into a parking lot as they walked to the All Dulles Area Muslim Society for Ramadan celebrations. Police suggest the incident likely resulted from road rage, though family members are certain that Hassanen's death was the result of anti-Muslim hostility (Jouvenal & Zauzmer, 2017).

On June 24, 2017, members of the Masjid Annur Islamic Center in Sacramento, California, find a burned Qur'an stuffed with bacon handcuffed to a fence on the property. The event occurred during Ramadan (Glover, 2017). On October 11, 2017, Robert Marley, a member of the Taylor Township board in Taylor Township, Indiana, angrily confronts residents protesting a presentation by anti-Muslim activist Usama Dakdok. Marley had invited Dakdok in response to the Kokomo City Council's decision to include a Muslim prayer at the start of a council meeting earlier in 2017, which he bitterly opposed (Myers, 2017).

On December 26, 2017, a group of teenage girls attack Souad Kirama in a Brooklyn, New York, Panera Bread, punching and spitting at her while screaming anti-Muslim slurs. There were multiple witnesses. None intervened (Tracy, 2017).

On January 26, 2018, Libby Hilsenrath of Chatham, New Jersey, files a complaint in federal court alleging that the Chatham School District is requiring her middle school-aged son to read materials and complete assignments that advocate conversion to Islam, violating his religious freedom. The material in question was part of a world cultures and geography unit (Westhoben, 2018). These vignettes demonstrate, but certainly do not exhaust, the variety of ways that anti-Muslim hostility manifests in public life. I have presented them in this fashion, unadorned by interspersed analysis, to illustrate as viscerally as possible the cumulative emotional effect of incident after incident, small and large.

ANALYSIS

In *The Cultural Politics of Emotion*, Sara Ahmed (2014) argues that typically we understand emotion in one of two ways. From a psychological perspective, emotions begin from the inside and move outward, thereby manifesting how our response to a situation or to another person or people.

From a sociological perspective, emotions are what bind people together, drawing the individual into relation with others, and thus move from the outside in. Ahmed (2014), in contrast, wants us to consider what she calls the “sociality of emotions” (p. 9). That is, she wants us to think about how emotions accumulate over time, through various and manifold interactions, to form the “I.” The “I” then imagines itself in relation to the social “we” and acts in the world accordingly. This in turn affects how the “we” relates to the “I,” and so on. The circulation of emotion is ongoing. This is what she calls the sociality of emotions (Ahmed, 2014).

In the case of anti-Muslim hostility, I am especially interested in how fear functions to create the “I” and the “we” in society. The idea that Muslims pose a threat to an American way of life is central to contemporary anti-Muslim discourses, having entered the mainstream in part through the 2010 controversy around the Park51 Muslim community center project in lower Manhattan. The fear that results from the perceived threat, which creates an imagined “we” as the “real” America for those with anti-Muslim feelings, manifests as anti-Muslim activity. This then generates fear for American Muslims, generating a self-understanding (an “I”) that exists in tension with the broader “we” of American society.

I am struck by how frequently I come across expressions of real befuddlement by those directly affected by an anti-Muslim incident. In one case, for example, a member of the Muslim community in Madera, California, responded to anti-Muslim signs left at the local mosque by saying, “We’re not travelers. We live here. We’re Americans. We’re Rotarians” (Marcum, 2010)! The data I have collected suggests that this response, and accompanying fear that results from an established history of anti-Muslim hostility, leads to American Muslim efforts to humanize themselves, to show that in fact they share values that make them American. In this way, fear—other people’s fear and fear for American Muslims that results—is an essential element in the conditions of public life for American Muslims.

As I will discuss, it is not necessary for an individual to experience each and every incident directly to be affected by them. The circulation of stories, informally through family and friend networks and social media as well as more formally through media outlets, has the potential to create an effect across an entire community. Beyond the often unreported bias-related incidents that many American Muslims directly experience as they move through their days, it is this precisely this effect that colors the experience of public life and, in turn, influences when, where, why, and how people participate. The cumulative effect of anti-Muslim hostility appears to lead many American Muslims to minister to other people’s fears. It is in this context that we must situate the “good stories” on which the audience member at my public talk suggested I focus my attention.

The Good Stories?

From the beginning of 2015 to the end of 2017, the same period during which there were at least 825 incidents of public anti-Muslim activity, there were at minimum 695 instances of American Muslim individuals and communities engaging in humanizing work. At the beginning of the article I refer to this portion of the Mapping Islamophobia data as “the good stories.” Sometimes, this work is a reflection of American Muslims simply striving to be good people—outreach efforts in the wake of natural or human-made disasters, for example. (Though even here communities will often strategize about how to represent what they are doing to non-Muslim audiences.)

But much more often it seems like humanizing work is a direct response to conditions of anti-Muslim hostility; individuals and communities who feel the need to convince others that they are not a threat. During this period, according to data from Mapping Islamophobia, 82% of documented American Muslim participation in public life was of the humanizing variety; 13% involved American Muslims running for political office, whether local, state, or national; and 5% involved Muslim communities—outside of advocacy organizations—reaching out to elected officials.

With this data in hand, it becomes difficult to imagine that if the conditions of public life were different, if anti-Muslim hate was not an endemic feature of American life in our moment, that American Muslims would be participating in public life in the same way. The conditions of public life, in other words, seem to be affecting the nature of American Muslim participation in public life. The following are examples that provide illustrative examples and are crucial to making empirical measure meaningful on a human scale.

One such example is the case of Ayaz Virji (Tevlin, 2017). In 2014, Virji and his family moved to a small town in western Minnesota, where he assumed the post of chief of staff and medical director at the local hospital. After the 2016 presidential election, Virji began to wonder what his neighbors, many of whom had voted for an openly anti-Muslim candidate, thought of him. He worried for his wife and kids. It is in this context that he began receiving invitations to talk about Islam to local communities. He was hesitant. But he accepted, despite on one occasion being offered a bullet-proof vest by a neighbor in light of chatter he was hearing on the eve of one such event in a nearby town. The events left Virji feeling agitated and upset. Yet he did them (Tevlin, 2017).

Many, many others report that outreach efforts are an essential part of being Muslim in America in today’s environment. Mohammad Qamar, a doctor who lives in Sioux Falls, South Dakota, says that speaking about

Islam at civic organizations like his local Rotary club “is not just important. It is a necessity” (Anderson, 2017, p. 22). A director of interfaith dialog at the Muslim Community Center of South Dakota, Qamar also regularly invites people to visit his mosque.

A recurring theme in the Mapping Islamophobia dataset of humanizing work is that of invitation. Mosque open houses, in which a worship community offers an open invitation to the general public, are quite common, and while the numbers of such events may have increased in recent years, they are not in themselves a new phenomenon. By contrast, beginning in late 2015 more and more individual Muslims began making themselves available so that curious members of the public could meet a Muslim and ask questions about Islam. It is hard to pinpoint the first such event, but there are two that seem to be among the earliest iterations of what has become a common feature of American Muslim participation in public life.

Just after the tragic San Bernardino shootings in December 2015, Moina Shaiq placed an advertisement in her local Fremont, California, newspaper advertising an opportunity to “Meet a Muslim” (Brodeur, 2018). She arrived at the designated coffee shop and, much to her surprise, over 100 people showed up. Since that time, Shaiq has travelled around the country doing similar events. Like Ayaz Virji, she has no formal training in Islamic studies, nor is she a professional advocate. Yet she feels a responsibility to make herself available because, she says, “every day, Muslims are being dehumanized” (Brodeur, 2018). This dehumanization results, in her view, from an environment in which people feel free to vocalize and act on anti-Muslim hostility and fear.

That same month in 2015, Mona Haydar, a resident of Cambridge, Massachusetts, held question and answer session on a sidewalk beneath signs that read “Talk to a Muslim” and “Ask a Muslim” (Annear, 2015). Of her initiative she said, “We are just normal people. There is definitely fear in America, and I want to talk about it, because it’s actually misplaced and misguided—I am really nice” (Annear, 2015)! Like Shaiq’s “Meet a Muslim,” Haydar’s “Ask a Muslim” event has inspired many similar events across the country since she made herself available for questions outside of a public library.

There are differences in how Virji, Qamar, Shaiq, and Haydar seem to feel about their work, but there is a common theme that runs throughout their descriptions. Ayaz Virji is clearly uncomfortable having been thrust into his role as spokesperson for Islam. He began speaking about Islam publicly only because people asked and he felt a responsibility to humanize Islam (Tevlin, 2017). Mohammad Qamar, in his capacity as interfaith director at his mosque, appears to be more at ease as a representative of his community, though he, too, acknowledges that outreach is a *necessity*

(Anderson, 2017). Moina Shaiq does not seem to mind representing Muslims and Islam. It is clear, however, that she has taken on the burden because of what it means to be Muslim in post-September 11 United States. Mona Haydar displays real enthusiasm for her initiative, yet it is essential to note that in her own description it is the fact of other people's fear that prompted her to make herself available to the public (Annear, 2015). In all four cases, it is clear that the conditions of public life for American Muslims play a significant role in shaping the nature of their participation.

For Meyran Omar, a Somali-American woman living in Minnesota, activities driven by anti-Muslim sentiment—itsself a product of fear of Muslims and Islam—create an environment that is anxiety-provoking (to say the least). For many Muslims, the more common these public activities become, the more visceral the anxiety. In her own words: “When I am on my way home, while I am driving or walking or even going into my apartment, I look around and I never had that fear before” (Osman, 2017).

A recent study published in the *Journal of Women's Health* suggests that Omar is not alone. Researchers Henna Budhwani and Kristine Hearld (2017) found that almost two thirds of the Muslim women they interviewed reported carefully monitoring what they say, that almost two-thirds reported avoiding certain social situations and locations, that nearly forty percent reported being careful about their appearance, and that over twenty percent reported regularly steeling themselves for possible insults from other people. The researchers are careful to point out that future work regarding internalized stigma would benefit from more careful attention to the source of discrimination. Nonetheless, other research shows that levels of anxiety and fear are far higher in Arab communities than in other groups of similar socio-economic statuses. As an example, Amer and Honey (2012), while stopping short of definitively attributing these higher rates to “perceived hostility and discrimination,” suggests that these stressors—even for non-Muslim Arabs—play a significant role (p. 415).

This is of course not to reduce Muslim communities to Arab communities, nor to definitively generalize across gender identities, but as Amer and Honey (2012) point out there is scant research on mental health in American Muslims communities more broadly. Given the complex terrain around race and religion in the United States—especially regarding Islam and Muslim communities—we are left to piece together a picture of how public hate affects life for American Muslims from various sources. Research on mental health in Muslim and Arab communities is one important source. The data I have been collecting for Mapping Islamophobia is another.

When we draw together insights from these different sources of data, we can see that the presence of public hate may be creating what scholars call “cultural trauma” (Alexander, 2004). Much scholarship on the topic of

cultural trauma seeks to understand the broad effects of a shocking event or development that fundamentally shifts a community's expectations around what constitutes a normal and routine life. The attacks of September 11, 2001, certainly qualify as the kind of event that scholars of cultural trauma would identify as affecting people across an entire community in this way, well beyond those directly involved (Smelser, 2004). This bears out in a variety of ways, among them a general anxiety about security as well as an increased cultural presence of sadism (Levin, 2014). Yet, as critical race scholar Angela Onwuachi-Willig (2016) asks, is it possible that community-wide trauma can also result from a long history of harm? If so, what are the possible implications for non-majority communities that fall victim to racism and racist violence?

Cultural Trauma and the Conditions of Public Life

In considering the long-term effects of racism and racial violence on African American communities, Onwuachi-Willig (2016) demonstrates quite effectively that cultural or community-wide trauma can result from a long history of routine harm. I argue that her theory of cultural trauma is applicable to American Muslim communities and can help us make sense of how the conditions of public life affect American Muslim participation in public life. Her insights illuminate why Ayaz Virji, Mohammad Qamar, Moina Shaiq, and Mona Haydar—and countless others—might feel compelled to minister to other's fears. When we apply Onwuachi-Willig's (2016) theorization on cultural trauma, we can begin to see that in broader context the "good stories" are a much more complex phenomenon than they appear at first glance.

Public anti-Muslim hate produces fear and anxiety based on what has happened or what might happen as a result of one's Muslim identity or, as in a good number of cases, one's perceived Muslim identity. According to Onwuachi-Willig (2016), this expectation can transcend individual trauma to become community-wide cultural trauma when three conditions are in place. These are the conditions that, at least in part, generate the necessity of humanizing work, or the "good stories."

The first and foundational condition in which an expectation of routine harm generates community-wide cultural trauma is a long-established history of harm affecting the community in question. What length of time is sufficient to constitute a "long-established history?" Based on my research, it is clear that the conditions of public life for American Muslims in the sixteen-plus years since the September 11 attacks have left their mark, creating an expectation of routine harm. Anti-Muslim hostility and Islamophobia have been a consistent feature of life in the post-September

11 United States, some of it officially sanctioned, some not, some subtle, some very much out in the open. The cumulative effect of routine harm, even for those not directly experiencing specific incidents, has profound consequences.

In the months following the September attacks, law enforcement agencies, with the support of the federal government, rounded up and detained hundreds of Arab and Muslim men, especially in the New York City area. The NYPD established the Demographics Units, dedicated to the surveillance of Muslim communities. (Of course, the FBI has long maintained surveillance programs relating to American Muslim—especially African American—communities, though the scope and number of law enforcement agencies involved ballooned after September 11.⁵) Over time, detention programs did end and by 2014 law enforcement agencies had begun to see that the optics (and lack of concrete results) of the surveillance and infiltration of American Muslim communities was counterproductive. (Apuzzo & Goldstein, 2014)

Nonetheless, throughout the 2000s and into the 2010s, government action continued to create the impression that American Muslims in general were legitimate targets of suspicion. Airports have become a common site in which this suspicion plays out: Muslims being singled out by the Transportation Security Administration for extra screening, being removed from flights because of other passengers' discomfort and being subjected to interrogation—experiences like this have given rise to a popular phrase and social media hashtag, #flyingwhileMuslim.

Other instances of officially sanctioned harm abound. Law enforcement agencies continued to target American Muslims for surveillance and infiltration long after 2001, a fact that is the subject of ongoing legal action (See Adely, 2018, for example). In late 2016, the FBI conducted what appears to have been a sweep of American Muslims in the days leading up to the Presidential elections, visiting homes across the country (Sidahmed, 2017). (This becomes especially significant when we learn that American Muslims voted at a lower rate than many non-majority communities.) In a case that began with a class action lawsuit filed in 2002 over the aforementioned detention programs, the Supreme Court ruled in 2017 that American citizens could not sue federal officials responsible for potentially unconstitutional policies put in place in times of security crises (Liptak, 2017b). Finally, after months of threatening to stop all immigration and visitors from Muslim majority countries as a candidate, since the beginning of 2017 President Trump has attempted on numerous occasions to enact what numerous federal courts have labeled a “Muslim ban.”

These are instances that exemplify what Onwuachi-Willig (2016) calls officially sanctioned harm. Another way of thinking about them is in terms

of McGinty's (2018) concept of systemic Islamophobia. Most of the vignettes I present earlier in the article involve everyday forms of harm resulting from interactions with other people. These constitute what McGinty (2018) would call embodied Islamophobia. Particularly when set in the context of the history of officially sanctioned harm, the cumulative effects of everyday experiences, quite understandably, produces fear—an expectation that something bad will happen. It is just a matter of time. Maheen Haq, a student at the University of Maryland Baltimore County, in a beautiful op-ed, calls this “fear in your heart.” (Haq, 2017)

As Mohamed Omar, the director of the Dar al-Farooq mosque in Bloomington, Minnesota, said just after the August 2017 bombing, “The threat is unknown. We do not know what is going to come” (Montemayor, 2018). When it does come, even when motivations are not clear, an established history of routine harm also appears to make it more likely for those affected by an incident, or who hear about an incident, to assume that anti-Muslim hostility is to blame. This is certainly true in the case of Nabra Hassanen, which I include in the vignettes earlier in the article, whose parents bitterly contest the determination by law enforcement agencies that her death was not the result of a hate crime.

Officially sanctioned and everyday anti-Muslim incidents have grown considerably over the last three years, but they have been part of the conditions of public life for American Muslims for far longer. Even after a significant decline following an initial post-September 11 spike in anti-Muslim incidents, between 2002 and 2014 rates remained around 400% higher than pre-September 11, 2001 levels. Taken together, these established histories of officially sanctioned harm and everyday anti-Muslim hostility combine to create a climate of fear. The tremendous increase in anti-Muslim hostility since 2015 has merely intensified a phenomenon with a long history.

The second condition that contributes to an expectation of routine harm becoming community-wide or cultural trauma is the occurrence of an event or series of related events that generate widespread media coverage. This focuses attention on the history of routine harm and (re)affirms the marginalized status of the community. Media coverage of Islamophobia and anti-Muslim hostility has been on the rise for many years, starting with reports of mass detentions after September 11 and their implications for the civil rights of American citizens. This trend has continued, if not increased, over the past three years. Coverage of anti-Muslim hate crimes has increased as incidents themselves have increased. Similarly, the several attempts to implement restrictions of immigration and refugee arrivals from a number of Muslim-majority countries have led to a significant increase in public discourse around anti-Muslim hostility. The entire Mapping Islamophobia project, in fact, is possible because of increased media cover-

age. This is certainly a two-sided coin: On the one hand, media coverage has begun to communicate the extent of the problem to non-Muslim communities, but it is also a constant reminder to American Muslims of their contested status in the United States.

Third, in response to this coverage, there needs to be an increase in public and private discourses about the *meaning* of routine harm—at home, school, in town meetings. In my research and in informal conversation I have heard many stories about families speaking with their children about the implications of being Muslim in today's America, about what might happen if young women decide to wear a headscarf, a topic of particular significance given the gendered visibility this decision brings; about young men not using their given names if they mark them as Muslim; about being bullied at school, which by some estimates is four times as likely for Muslim students as it is for the general student body (Mogahed & Chouhoud, 2017). (This includes bullying *by teachers or administrators*, which constitutes one quarter of reported incidents, as in the vignette earlier in the article.)

As with increased media coverage of anti-Muslim hate, many civic organizations and local, state, and national political leaders regularly speak about what routine harm toward particular communities says about our country. The volume of op-eds and letters to the editor written by Muslims and published in reputable news sources since 2015, each testifying to the fear that is part of life for American Muslims in towns and cities across the country, shows that families and Muslim communities more generally are talking—a lot—about the meaning of routine harm. This, too, is a two-sided coin, drawing attention to a significant problem *and* reaffirming the marginal status of American Muslims.

I have found Onwuachi-Willig's (2016) work on cultural trauma theory very helpful for a few reasons as I analyze what the data I have collected for Mapping Islamophobia tells us about anti-Muslim hostility and its effects. Insofar as Onwuachi-Willig (2016) is drawing on research regarding African American experiences, her work—especially when brought into conversation with data from Mapping Islamophobia—helps connect American Muslim experiences to broader histories of racial violence and intimidation around participation in public life (Elfenbein, 2017). This is important because it shows that anti-Muslim hostility is not *entirely* the result of current developments. It is tied to longstanding questions relating to white supremacy in the United States—and the harms that follow—dating back to before independence, especially in connection with participation in public life. This underscores that there is not necessarily a quick or straightforward fix for this situation—and why questioning “freedom mythologies” is more important than ever.

At the same time, Onwuachi-Willig (2016) argues, the very conditions that can give rise to cultural trauma also open up new possibilities: While the emergence of public discourses around the *meaning* of routine harm can generate community-wide trauma, it also creates conditions for social change insofar as it can lead those not directly affected by anti-Muslim hostility to begin thinking more seriously about its implications and to become more active allies. This offers some important hope for improved conditions of public life for American Muslims.

CONCLUSION

Onwuachi-Willig's (2016) insights about social change highlight that American Muslim communities—as evidenced by the data—are doing *more* than their part to push back against public hate. Her insights into cultural trauma provide a frame for understanding why American Muslims, despite evidence that raises some questions about the utility of outreach efforts, at least in the shorter term, remain incredibly committed to humanizing efforts. This is important to note as a response to those who might claim that anti-Muslim hostility results from a lack of engagement in public life by American Muslims.

Still, the incredible amount of humanizing work in which American Muslims are engaged results from community-wide trauma and is not necessarily a reflection of free and voluntary participation in public life. Furthermore, a focus on ameliorating other's fears, rather than, say, freely and voluntarily participating in policy debates about pressing issues facing our local communities, our country, and our country's role in the world, will end up reinforcing difference more than normalizing American Islam and Muslim communities for the broader American public. Of course, engaging in humanizing work and participating in policy debates are not mutually exclusive, but asking any more of American Muslim communities to ameliorate other's fears places a tremendous burden on people who are already doing more than anyone could possibly ask in this regard.

A key question, then, is what large and small steps those outside of American Muslim communities can take to create the conditions in which American Muslims can freely choose when, where, and how to participate in public life. In my somewhat darker moments, I fear that humanizing work will continue to dominate the ways in which American Muslims participate in public life for the foreseeable future. In my more positive moments, I focus on the small steps we can all take to be active bystanders and advocates, most importantly in our families and our local communities, to lessen the burden on those already victimized by the specter of public hate.

NOTES

1. “Islamophobia” is the term most commonly used to describe activities that are meant to threaten and/or harm Muslim individuals or communities. In this article, I am following the lead of Juliane Hammer, who argues that Islamophobia, which refers to something inanimate, “Islam,” obscures the very real ways that anti-Muslim hostility plays out on the bodies and in the lives of Muslims. For more on this point, see Hammer, 2013. On the term “Islamophobia,” see Green, 2015.

2. This web site, mappingislamophobia.org, is a publicly-facing resource documenting anti-Muslim hostility and its effects. The datasets that animate Mapping Islamophobia and from which I draw for this article is freely available for download on the web site. The site has been made possible by generous support from Grinnell College and the Mellon Foundation-funded Digital Bridges for Humanistic Inquiry, a collaboration between the University of Iowa and Grinnell College. I have had the pleasure of working with a number of my students in collecting and analyzing data, including Julia Schafer and Farah Omer. I am grateful to the Gonzaga Institute of Hate Studies for providing a venue to present early findings of this research.

3. *Front Page Magazine* is published by the David Horowitz Freedom Center, which describes its mission as combatting “the efforts of the radical left and its Islamist allies to destroy American values and disarm this country as it attempts to defend itself in a time of terror.”

4. Affective understanding implies experiencing something in a way that combines intellectual and bodily registers. Emotion is crucial to the idea of affective understanding because we experience it across these registers. Fear is an important example. When we respond to something with fear, this emotional response manifests in our thoughts as well as our bodies. See Ahmed, 2014, especially 1-19.

5. There are a number of essays in *The FBI and Religion: Faith and National Security Before and After 9/11* that treat portions of this history, including Sylvester Johnson, “The FBI and the Moorish Science Temple of America, 1926-1960,” Karl Evanzz, “The FBI and the Nation of Islam,” and Michael Barkun, “The FBI and American Muslims After September 11.”

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“So Much for Darwin” An Analysis of Stormfront Discussions on Race

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ABSTRACT

Even though people who actively participate in the white nationalist movement appear to be a relatively small percentage of the global population, it appears that racist and anti-Semitic attitudes continue to inform a new generation of white nationalists, many of whom populate discussion forums on Stormfront, online since 1995 and billed as the first Internet site in the hate genre. Membership in extremist groups and support for sites like Stormfront embody specific attitudes about race, the importance of the existence of biological races, intellectual superiority of whites, and justification for these beliefs that is sometimes framed with a religious perspective such as Christian Identity. This project is based on a content analysis of Stormfront discussion forums posted online between the years 2010 and 2017. The findings indicate that some discussants are willing to admit the existence of small percentages of mixed DNA without giving up their white identity. They understand the concept of mass migration and human breeding patterns. Others stand ready to argue these points and discredit DNA testing whenever possible. Hatred of Jews is a recurrent theme throughout Stormfront forums, no matter the topic of discussion and both William Pierce and Wesley Swift are gaining currency with younger discussants on the site. Additionally and maybe most importantly, a mentoring system is in place where more mature and seasoned white racialists share race science anecdotes and articles from J. Philippe Rushton and Arthur Jensen, among others. They also provide information and answer questions about Christian Identity ideology in an effort to build bridges from one generation of racists to the next.

Key words: white nationalism; white racial identity; white supremacy; Christian Identity

INTRODUCTION

The white nationalist movement, also known as the white power movement and the white supremacist movement, is an extreme right wing

social movement that has ties to the United States, Canada, Australia, and countries in Europe that include Germany, France, and England (Dobratz & Waldner, 2016). A characteristic of the movement is a collective sense of superiority based on race and many people who identify with the movement communicate and commiserate online in spaces such as Stormfront, the focus of this study. Billed as a community of white nationalists, Stormfront is home to four divisions of the movement identified by Simi and Futrell (2015) that include the Ku Klux Klan, Christian Identity, neo-Nazis, and racist skinheads along with curiosity seekers, the occasional anti-racist, and others who analyze its content for research purposes (p. 6). Since the site is international in scope it attracts discussants who have hate speech laws in their own countries that prohibit them from engaging in racist rhetoric one finds in discussion forums on Stormfront. In 2017 after the deadly events in Charlottesville, Virginia the *Stormfront.org* name was blocked by web-hosting company Network Solutions following complaints from consumers that it promotes hateful rhetoric and incites violence (Reeves, 2017).

As of this writing, the site is still online although not as active as it once was according to white racial activist and Klansman Billy Roper (personal communication, September 24, 2018). The site's founder, Don Black is in ill health and his son, Derek, has publicly renounced white nationalism altogether (Saslow, 2016). There is also online competition for the white nationalist market from sites such as the Shieldwall Network and regional sites such as League of the South, among others; therefore, long term prospects for Stormfront are open for debate. However, whether Stormfront stays online is not the issue here. The propaganda housed in Stormfront is readily available to anyone with Internet access or direct ties to the white nationalist movement. The work of Wesley Swift, William Pierce, and race scientists J. Philippe Rushton and Arthur Jensen (all deceased) influence people in the movement beyond the Stormfront community and their ideas will be discussed in this paper.

Regardless the controversy surrounding Stormfront, the site is a treasure trove of information that has chronicled the evolution of the white supremacist movement in the United States since the site's founding in 1995. Authors including Bowman-Grieve (2009), Brown (2009), De Koster and Houtman (2008), Meddaugh and Kay (2009), and Weatherby and Scoggins (2005/2006) have mined Stormfront for data and thus contributed to literature about white nationalist rhetoric and ideology over the years. This paper presents an analysis of seven Stormfront discussion forums. Findings reveal that older discussants act as guides for younger white nationalists who interact in blog style discussions and, in some instances, post and participate in non-scientific polls. With indoctrination as a goal, potential recruits are introduced to the writings of Pierce, Swift, Rushton,

and Jensen whose words resonate in white nationalist circles; even from the grave.

CONCERNING THE WHITE RACE

The literature framing this paper is not a review of scholarly work on race and white nationalism, but rather an overview of writings by Swift, Pierce, Rushton, and Jensen. Their racially inflammatory rhetoric, contained in pamphlets, books, and even scholarly articles, continues to resonate with both seasoned veterans of the white nationalist movement and its newest recruits. Within the ideological world of Christian Identity, an extremist religion associated with the white supremacist movement, adherents argue that both traditional and evangelical Christianity overlook fundamental, fixed differences between human groups. They agree with more mainstream fundamentalist Christians that America was founded as a Christian nation and uncontrolled immigration along with declining morals and religious malaise is threatening the original covenant made by the founding fathers with God (Douthat, 2012, p. 42). Much less politically correct than evangelicals Franklin Graham and Pat Buchanan, Christian Identists believe that equality in all its manifestations is a myth that has been propagated by a church that is languishing in denial about the existence of inherited racial differences among human groups. Much of contemporary Christian Identity ideology is indebted to interpretations of the Bible by racist theologian, Wesley A. Swift.

A significant American religious and political figure during the 1940s and 1950s, Swift combined British-Israelism, anti-Semitism, and Ku Klux Klan inspired beliefs about race to produce a non-denominational apocalyptic heresy. He founded his own church, the Church of Jesus Christ Christian in Los Angeles, California somewhere around 1945 (Ridgeway, 1990, p. 15). At one point he also had congregations in San Francisco, Oakland, Lancaster, Riverside, Hollywood and San Diego. A combination of hell fire and brimstone sermons peppered with racist epithets and nativist rhetoric became his signature brand of preaching. He warned his followers to beware of mainstream Christian ministers who were nothing more than false prophets, in part, due to their support for religious revivalism and unification following World War II (Milwicki, 2014/2015).

Pre-millennialist Identity preachers count on the final battle between good and evil (in the guise of a race war) to be waged in North America. Additionally, Christian Identists firmly believe that Jesus and his disciples were white skinned Israelites and not Jews (White, 1989, p. 12). Swift's theology is an example of ways in which Christian Identity dogma justifies separation of races based on perceived intractable inherent differences. His

writings and sermons continue to influence contemporary Christian Identity ministers such as Thom Robb of Zinc, Arkansas and Robert G. Millar of Elohim Village, Oklahoma along with followers of the late Mark Downey, a protégé of Robb's. Christian Identity dogma states that the most important human traits are inborn and immutable, justifying the existence of a racial hierarchy with the white race at the top.

The Immanent Consciousness of William Pierce

The late William Pierce, founder of the neo-Nazi group, National Alliance, was born in 1933 in Atlanta, Georgia. According to Zeskind (2009), Pierce became fixated on the preservation of white genes during an era he perceived as one steeped in "racial decay" brought about by integration along with a breakdown in traditional gender roles that, in his opinion, would eventually destroy white families (p. 66). An avid student of Hitler's brand of National Socialism, Pierce believed that genetics explained racial differences (Griffin, 2001). In his condemnation of organized religious institutions, he argued vociferously that they were inadequate in meeting the needs of northern Europeans due, in part, to a lack of racial awareness among both ministers and parishioners.

During the late 1970s and early 1980s when Pierce was at his peak, white racial consciousness was a cornerstone for collective activities organized by Pastor Richard Butler of the Aryan Nations, Henry Beach of Posse Comitatus, and various neo-Nazi and skinhead groups (Ridgeway, 1990). Fully aware of what was happening within the broader movement, Pierce was more interested in attracting racially aware middle class college students than the rough and tumble crowd, who in his opinion, populated other less acceptable extremist groups of his time. His interest in cultivating an intelligent, resurgent white racial community was a focus of recruitment strategies during his years as head of the National Alliance. In reality, middle class recruits were few and many of his members were either skinheads or drifters in search of a temporary home (Billy Roper, personal communication, August 9, 2009).

In an attempt to offer an alternative to both mainstream and Christian Identity religious perspectives, Pierce developed "Cosmotheism". One of his goals with this theory was to formulate a verifiable reason about why humans were created and what their role was to be in the broader cosmic world. His religion rejected all supernatural communications between God and man. An atheist in real life, his scientific education informed his interpretation of evolution. He also realized that many people depend on some sort of religion to anchor their lives and the establishment of a church might help him with his annual tax debt. With that, Pierce founded the Cos-

motheist Community Church based on the tenets of white racial pride, racial separation, and establishing universal understanding and acknowledgement of the superiority of persons of northern European lineage.

Cosmotheism was only one aspect of Pierce's philosophy. He was virulently anti-Semitic and according to Zeskind (2009) no one joined the National Alliance without a full understanding that Jews were the number one enemy to white cultural strength (p. 472). Pierce formulated much of his philosophy based on readings by and about Hitler. According to Pierce's biographer, Robert S. Griffin (2001), Hitler was responsible for five major influences on Pierce's belief system that included: 1) developing a collective ideological identity based on race; 2) establishing genetic reasons for racial differences; 3) identification of Jews as the enemy; 4) legitimization of Jews as the enemy; and 5) aggressive promotion of white culture and historical contributions to future generations (p. 82).

The Whisper of the Genes¹

The work of two controversial psychologists, Arthur Jensen and J. Philippe Rushton, confirm for many people in the white nationalist movement that genes matter and blacks do not achieve at the same level when compared to whites and Asians (Duke, 2000, p. 132). Their work has also elicited criticism from the scientific community for years. With regard to Jensen, critics argue that his model of race is based solely on evolutionary misconceptions (Richardson, 1999). Fancher (1999) suggested that Jensen consistently failed to mention connections between the origins of intelligence testing and eugenics. Jensen also incurred the wrath of anthropologist, C. Loring Brace (1999), who reminded readers that races have no biological coherence. Additionally, French social scientist, Paul J. M. Jorion (1999) argued that Jensen never successfully established his claims regarding the existence of an 18 point lag between the average IQ score for American blacks when compared to American whites.

When evaluating black and white students, Jensen suggested achievement differentials might be rooted in inherent genetic racial differences. He went on to state that there are two specific types of learning ability; Level I entails the retention of facts and Level II represents general intelligence properties. His published findings revealed, after administration of IQ tests to diverse groups, that Level I ability was fairly consistent across all races. However, Jensen's examination of Level II ability varied across races with whites scoring higher than blacks and Asians scoring higher than both whites and blacks (1969). Labeled a racist by some and a misunderstood genius by others, Jensen's work is widely cited by leaders in the white supremacist movement who believe that whites are inherently superior to

other racial groups (Duke, 2000, pp. 47, 60-61; Robertson, 1981, pp. 18, 23).

The late J. Philippe Rushton also ruffled many academic feathers with his claims that there is a highly consistent pattern of intellectual and behavioral differences among the three major races and that these differences cannot be explained away by environmental factors. Rushton (1994) hypothesized that when modern humans migrated out of Africa, the colder Eurasian climate selected for larger brains and advanced parenting skills among other things. He also tinkered with the idea that there is an evolutionary basis for ethnocentrism since, according to his theory, humans (along with other species) recognize, prefer, invest in, and grieve for others who share similar genes (Rushton, 2005). In other words, altruism toward kin and similar others is what enables a species to survive – through shared genes.

Rushton's theory that racial group differences are influenced primarily by genes added fuel to the fire of racist interpretations of the Bible in Christian Identity circles and on hate related Internet Web sites such as Stormfront. Using the Eysenck Personality Questionnaire, Rushton (1985) averaged the results across 25 countries in an attempt to compare temperament and personality traits among white, black, and Asian samples. His published findings supported the theory that blacks are more aggressive, impulsive and excitable than either whites or Asians. With regard to sexuality, Rushton and Bogaert (1987) argued that the same patterns can be found with regard to reproductive or sexual restraint. Their study found that blacks had more sexual partners, more permissive attitudes toward sex, and less control over sexual behavior than did whites and Asians. Additionally Rushton (1990) found that from 1983 to 1986, Eastern and European countries reported less incidences of rape, murder, and assault than did African and Caribbean countries with no accounting for ongoing wars and other civil disturbances in comparative statistical analyses. Rushton's and Jensen's work on intelligence and race differences marked both men as contributors to white nationalist racist rhetoric that exists to this day.

METHODS

Stormfront was initially a private dial-in bulletin board developed by former Klansman Don Black to accommodate supporters and staff of the David Duke for Louisiana Senate Campaign in the early 1990s (Rose, 1992, p. 50). In March 1995, *Stormfront.org* became the first fully online white nationalist Internet website (Zeskind, 2009, p. 451). Users become members at different levels and those who want to gain access to private discussions and start polls, blogs, and/or discussions pay an annual fee to Don

Black, the site administrator. According to archived profiles some users have been members since 1995, the year Stormfront officially came online. Table 1 reflects the demographic profiles of discussants who posted comments cited in this study.

This study consists of an interpretive analysis of discussions based on years of work in the field with people who identify as white nationalist and who represent many different groups in the movement. Posts were selected based on relevance sampling (Krippendorff, 2004, p. 120), whereby discussants state their opinions, ask questions, and argue with each other regarding specific topics such as race, hatred of Jews, and Christian Identity. This type of sampling technique works well for a content analysis of a site such as Stormfront because it is not meant to be totally representative of the whole population of texts. As Krippendorff (2004) proposes, focusing on specific content guided by research questions helps to weed out irrelevant and/or redundant details from the analysis.

TABLE 1: STORMFRONT DEMOGRAPHICS*

	Female	Male	Unknown
Gender	24 (10%)	209 (89%)	2 (.8%)
	US	International	Unknown
Location	144 (61%)	63 (27%)	28 (12%)

N = 235 *Based on analysis of seven discussion forums

Regarding privacy issues, there continues to be debate about whether online posts to sites such as Stormfront are public or private (Eysenbach & Till, 2001; Paccagnella, 1997). However, most, but not all, members of the Stormfront community use pseudonyms rather than their real names. According to Eysenbach and Till (2001) if a discussion contains 10 or fewer posts, the argument can be made that informed consent might be necessary (p. 1104). Thus, in this study no discussion forums were included in the analysis that had fewer than 15 discussants and 30 posts. The Stormfront search engine was used initially to narrow the list to a manageable number that answered one or more of the research questions. It should be noted that analysis of the Stormfront Internet site is limited in its focus due to the nature of convenience sampling. Additionally, it is impossible to verify the identity of discussants that use pseudonyms rather than their real names. It is not always easy to identify where the discussants are from or whether they are male or female. The Community feature of the site pro-

vides a minimum of details regarding gender and physical location of members. Further information can also be gleaned from reading discussant posts in other forums and the author is also familiar with many Stormfront discussants based on years of analyzing forums throughout the site. However, findings cannot be generalized or considered directly representative of the broader population of people who identify in some way with the white nationalist movement. The following research questions form the basis of analysis for this study:

- Why are so many Stormfront users preoccupied with hatred of Jews?
- How do Stormfront users deal with the science of DNA and racial identity?
- Why are racial origins so important to discussants on Stormfront?
- How do Stormfront discussants feel about IQ testing and genetic profiling?
- In what ways, if any, does Christian Identity resonate with young white racists?

The Stormfront discussions analyzed in this paper are listed in Appendix A.

FINDINGS

The first sub-forum analyzed for this paper, “Cosmotheist Ideology/Philosophy” (<https://www.stormfront.org/forum/t1086261/>) was started on January 31, 2015 at 8:23 a.m. by discussant *Will Williams*:

This topic is for expression of Dr. William Pierce’s Nietzschean world view. Articles by him will be posted here as well as links to the National Alliance’s American Dissident Voices broadcasts which follow the Founder’s Cosmotheist teachings.

On April 4, 2015, *Williams* posts a transcript of one of Pierce’s broadcasts.

SINCE THE “Who We Are” series began appearing in National Vanguard magazine, the National Office has been receiving complaints from subscribers who are unhappy because the account of man’s origins given there doesn’t jibe with the Jewish account in the Book of Genesis.

Some readers have sent curt notes, such as, “You evidently don’t believe in the Bible. Don’t you know that evolution is the work of Satan? Cancel my subscription immediately!” Others have been more patient, explain-

ing either that (a) the first White people were placed on earth via flying saucer somewhere around 7,000 years ago, or that (b) the Creation occurred as described in Genesis, but Adam and Eve were Whites, not Jews, and that the people of the Old Testament eventually migrated to northern Europe and were the ancestors of the European race.

Complaints were definitely in the minority, with most readers indicating an approval of the race-history article, but there was no intention of offending any of our readers' religious sensibilities with the “Who We Are” series. On the other hand, the National Alliance never hesitates to print the truth — even when the truth conflicts with cherished myths. The racial history and prehistory in “Who We Are” are in accord with the presently known facts, whereas the account in the Old Testament and subsequent migrations from Eden to Scandinavia are not.

But the objections to presenting the facts of biological evolution, and our insistence on doing so, go deeper than a quibble over Jewish mythology. Evolution is not just a scientific concept which helps us understand race history; it is an idea which is absolutely fundamental to our whole way of thinking. The doctrine of the National Alliance is based solidly on the evolutionary concept.

The discussion continues with anecdotes about Dr. Pierce's life, encouragement for newcomers to read the writings of Pierce, watch videos of his speeches, and listen to posted recordings of his radio shows. The second forum analyzed for this study was started by discussant *raven alb j* (2013) who asked the question “How intelligent are the Jews?” (<https://www.stormfront.org/forum/t987183/>). The first response came from *folk abovedogma* (2013):

The jew's intellectual qualities were developed in the course of centuries. today we think him “cunning”, and in a certain sense it was the same at every epoch. But his intellectual capacity is not the result of personal development, but of education by foreigners.

Thus since the jew never possessed a culture of his own, the basis of his intellectual activity have always been supplied by others. His intellect has in all periods been developed by contact with surrounding civilisations. Never the opposite.

Later that morning *VstheModernWorld* (2013) had this to say:

The Jew is a very intelligent being who specializes in understanding the human psyche. He uses and abuses this power he has gained through centuries of observing host civilizations, to drain them dry and ultimately enslave them.

The average Aryan cannot match the cunning-ness of the Jew. So, the task is up to the spiritual elite of our folk (Men like Hitler and dr. Goebels come to mind), to fully comprehend the Jewish nature and to guide the misguided mass against them, ultimately destroying them.

A discussant called *DefiantYoungWhiteMale* (2013) added more to the conversation:

When you listen to some of the Jewiest of Jews speak such as Ben Shalom Bernanke, Ariel Sharon, any Jewish media boss, ect. .you can see they are rather full of s***. I can see right through the deception as they dance around the truth of matters. They aren't anything special intelligence wise. Calculating, deceptive, manipulative, hateful, and so fourth does not equal intelligence. They just focus all their energy toward evil and ugliness.

Discussion number three in this analysis was started by *philojones* (2016) and titled "Who is White? DNA Tests Messing with Peoples Minds" (<https://www.stormfront.org/forum/t1186734/>). It begins with the following anecdote:

I have a friend in North Dakota who is a big nationalist and CI lay preacher. Nothing wrong with him. Great guy. . . .give the shirt off his back. He went and had a DNA test done (I think it is called 23andme) for his whole family: him/wife/parents. So it come back with something like this: 70% Scandinavian; 25% British/Irish; 3.5% Eastern European; 1% East Asian; 0.2% Askenazi; 0.3% Unidentified

This came through his Mom cause she has more of it than him. The Dad shows nothing but European. But no one thinks there has even been any exposure to these other races. Whatever the case, he's all worried about it and downcast. I just told him that he has the law on his heart and now he's all worried about it. So I thought I'd get on here and see if anyone has any advice.

Later that same day, *Ruthless* posted the following response:

Has anyone else noticed something off about all of the people posting DNA test results online? Not necessarily Stormfront, but anywhere. Even in the commercials. It seems as though everyone is mixed with a little of everything under the sun. We can see this as the Jews way to manipulate people into thinking they are something they are not and so therefore can't "hate" the other races.

When I read something online by a former Black Panther who hated Jews because he knew they brought the slaves here. Then he takes a DNA test

and is conveniently 2% Jewish so now he is no longer a Black Panther and doesn't hate the Jews because he is “part Jewish”. It's so obvious it's a scam. Maybe not to a low IQ black, but to intelligent whites out there it should be obvious this is bull.

On November 20, 2016 *denki* had this to say:

Honestly, if you're caught up on being .1% ashkenazi you need to stop. What is he going to do now? “Oh no I'm a full blown Jew, I have to wear a prayer shawl and never breed again lest I poison someone else with my mixed race!” What the hell kind of garbage is that. If you judge whites by the 2% of east asian blood that slipped in ten generations ago, then none of us are white and the WN movement should cease to exist.

On April 13, 2017 *Defender1512* started the fourth discussion in this analysis titled “Origins of the White race?” (<https://www.stormfront.org/forum/t1207524/>). A female discussant called *Londinstan* (2017) posted the following response:

I think if anything, the original whites (maybe proto-european groups) were the ‘Elohim’ that taught the ‘modern’ white tribes how to live after they were kicked out of ‘Eden’ and fell. The Bible reads to me as a very old history book and a lesson against race-mixing and how it led to the downfall of our kind. The earlier white groups were wiped out in the flood (perhaps the end of the ice age era that they had adapted to live in) and we were the remaining genetic remnants of that original white race (now known as the 12 tribes of Israel). There are various descriptions of the Elohim in the cannon and non-cannon Bible books (and ancient writings/myths from elsewhere) that describe giant, white skinned (also red head) advanced people that lived in the world.

Following a long series of snarky comments back and forth about the origin of white people, *Crusader2008* (2017) stated:

I am more concerned with the muslim invasion of Europe and other white nations. More so than I am with where someones 1,500th Great Grandfater came from.

As this discussion came to an end, *Ascension* (2017) summed things up:

In my understanding whites originated in west and northern europe which whites then evolved into pagan tribes until it reached saxon and viking era which settled in around europe. Then Christianity came from the east and hindered alot of ancient white religion and culture such as paganism

which was prosecuted as witchcraft and sorcery. Christianity brought a fair amount of ideals, morals, conservatism and contribution to European civilization but is not the true heritage and beliefs of ancient ethnic whites. It is also possible that whites may have descended from some sort of advanced human civilization along the lines of Atlantis or lost Nordic Civilizations.

The fifth discussion, "IQ Based Breeding" (<https://www.stormfront.org/forumt1212040/>), was started by *AmericaFree* (2017) and begins with the following statement:

I've always felt that for this planet to reach a more Utopian like state it's important to raise the average IQ. These Jew Supremacists seem to be trying to do the opposite in order to create a low IQ slave planet that they rule over.

People with IQ's below 85 should be sterilized- This was once considered retarded. People with these low IQ's are mainly just capable to simple manual labor tasks and many of these jobs have been replaced by machines. The majority of negros, people living on social programs, and people in prison have these low IQ's. They're more prone to violence and typically make very poor parents.

People with IQ's 85-90 should be limited to one kid. Unless they have a history of violence then they should be sterilized- This would be our manual labor class. You need an average IQ of 90 to have a civilized nation so its important to limit the reproduction of low IQ people.

People with IQs 90-100 should be limited to 2 kids- Unless they have an exception beneficial talent; mechanical, inventive, constructive, artist, etc or exceptional beauty then they should be allowed to have unlimited kids.

People with IQ's 100-130 should be allowed to have as many kids as they wish- Societies with average IQ's above 100 tend to be very civilized, productive, and safe. Like Scandinavian countries before mass 3rd world immigration.

People with genius level IQ's 130+ should be incentivised to have a lot of kids- People who are great inventors and highly beneficial to the progress of society should be paid and receive free housing to have lots of kids (opposite of our current welfare system). Just imagine if men like Nikola Tesla had 10 kids. These geniuses could benefit society in so many ways.

The following day discussant, *I am Ireland* (2017), responded:

Yeah so much for Darwin.

Procreation in the natural world seems to be determined by availability of resources specifically food and shelter when abundant the species multiplies if the resources dwindle the surplus dies off. . . .that’s the way it’s supposed to work.

In the western human world we have artificially stimulated the resource end of the equation leading to an overabundance of inferior species. The superior species must work twice as hard at acquisition of resources in order to support the substandard and are less inclined at procreating themselves.

In other words white people don’t want to expend the resources necessary to have multiple children. . . . The more educated and higher IQ the more prevalent this thought is and since we are no longer an agricultural society it seems less necessary.

“What Are The Strongest Scientific Arguments That Race Is More Than A Social Construct” (<https://www.stormfrnt.org/forum/f72/>) is the sixth discussion included in this analysis. A discussant called *Timberwulf* (2013) asked the following questions:

. . . So here are my questions: What is the strongest scientific evidence (not just, “use your eyes” arguments) available supporting the idea of biological races? If you were in a debate with a modern day PC biologist, anthropologist, or geneticist, what would your best empirical arguments be in favor of race? Also, can you tell me the names of the scientists from the past whose work contributed the most to the concept of race, and the names of the scientists still alive today who support the idea of race contrary to popular opinion. . . .

Later in the discussion he² clarifies the original question:

How would you define a White person in scientific terms? What are the exact genetic markers (genes) one must have to be a “White person”?

If we can’t answer this then we’re in big trouble, because the scientific community, while recognizing differences in an individuals phenotype (outward appearance), treat it as a superficial difference, and that in terms of personality, mental abilities, and physicality, we’re all the same. Our people are responsible for modern civilization as we know it. There has to be a specific genetic factor that explains how we were able to accomplish this.

As the discussion came to an end, *quaere* posted a lengthy response on February 7, 2013. A pared down version, minus many outside links, follows:

Silly Utopians are always taking “snapshots” to define something. For instance, I just read an article by a black harvard professor, who believes [race] is a social construct. One of the reasons is that we are supposedly 99.9% the same genetically. They often cite- “We’re all african underneath the skin,” as an explanation. It’s easy to see, that even with their entire background being in science, that they’ve just decided to willfully ignore the larger perspective, to take a “snapshot” in time.

Basically the proof in genetics, is the very small demonstrations that align themselves with completely understood divergent branching. The masses and self validating negress professors, however, don’t want to look at the “album,” they just want to photoshop a picture here, or picture there.

The final discussion, “Thinking of becoming CI” (<https://www.stormfront.org/forum/f84/>), began with a post by *Define Normal* (2010) who had questions about Christian Identity. During the course of the discussion, Christian Identity is touted as superior to other religions because of its focus on the racial superiority of whites. Some discussants warned that he may have trouble convincing his wife to leave her mainstream church if he decides to become a Christian Identist. There were also posts in the forum from people inquiring about where to find Christian Identity congregations where they live. *Sam Reeves*³ (2010) clarified the links between CI and white supremacy:

I don’t believe a person can be CI and not also be a White Supremest. Now supposedly that label means a White person that intends to enslave non-Whites. I’ve seen folks here at Stormfront run with that definition. In all reality “White Supremest” is an oxymoron. It should be obvious that Whites are at the top of the food chain. The reason a White Christian should be a White Supremest is because a White Christian, especially a Cler is because White folks were created in God’s own image. Therefore we are superior to all and are honor bound to hold that position like a jealous house wife.

Unfortunately you will always run into the “Jesus loves everybody” crowd but the Jewish question is always solved by a White Supremest by who did God model Adam after. Judaism and Christianity are not compatible and proof of this is in their own book the Talmud. The Talmud is a playbook on how the rip everybody else off. A CI church will only be a gathering of Adamites. Jew need not apply anymore than a negro should.

Cheimon (2010) shared the following comment in his community profile, “Christian Identity is the belief that the Jews have usurped the identity and heritage of the white race. We believe that Europeans, not the Jews, are the true Chosen of the one and only God, and that Jesus came only for our

people." Another discussant, *Fenric* (2010) cites Wesley Swift: "The man with greater spiritual guidance, greater intellectual ability and adaptivity to the universe (created by God) is the individual destined to survive."

DISCUSSION

Gender is a factor when it comes to analyzing posts in Stormfront forums. Of 235 discussants in this analysis, only 24 or 10% were female. Dentice and Bugg (2014/2015) also found that most people who actively participate in discussions on Stormfront are young, with an average age of 32. Even though many of the discussions on the site turn into verbal brawls and deteriorate into name calling, some Stormfront users appear to have exposure to higher education. For that reason they are able to articulate arguments about race and politics with some basic skill. Those of us who use the Stormfront site to gather data also realize that in addition to actively engaged members, there are others who are labeled trolls and enter or even start discussions meant to result in confrontation. There is a lot of noise on Stormfront. With that said, social researchers who have the stomach for it can glean important information about who makes up the online community in terms of demographics. The site also has value for tracking extremist attitudes about topics on race, immigration, and politics.

In trying to tease out an answer to the first question regarding hatred of Jews, it appears that anti-Semitic attitudes crop up in Stormfront forums time and time again. Even though not all Stormfronters who participated in the first discussion about Cosmotheism were familiar with its creator, William Pierce, it could be argued that they are, in fact, influenced by his ideological legacy without being aware of it. It has been 14 years since Pierce died and his group, National Alliance, foundered. *Will Williams* (2015), the man who started the discussion appears to be trying to revive interest in Pierce, an avowed anti-Semite who considered Jews to be the greatest single threat to white culture globally. Many discussants were receptive to learning more about William Pierce and his contributions to white nationalism. One must assume that many of these discussants are young and perhaps born after Pierce died. One must also remember that sites such as Stormfront are places where individuals can go to learn more about the movement, exchange ideas and learn from older members who are trying to recruit, sell books and other items, and spread the word to a new generation of white racial activists.

Again, senior members of the site often take the lead in starting anti-Jewish threads. For instance, the individual who started the second forum in this analysis is an author and Romanian immigrant, *raven alb j* (2013). His question about how intelligent are the Jews resulted in long drawn out

discussions about IQ testing and its validity. A discussant called *Hume Laws* (2013) suggested that most whites will never oppose Jewish supremacy because Jesus was a Jew. Eventually *vikingcelt* (2013), another long term Stormfront supporter with 37,271 total posts, reminded everyone that Jesus was a Galilean, not a Jew. *Vingthor* (2013), also weighed in on the Jesus question stating that Jesus preached against the Jews so he could not possibly have been one. Many posts follow with speculations as to which group has the higher IQ, Jews or whites. The most frequent response was that Jews are not necessarily smarter but they are well organized and they control financial holdings and even more importantly, the media.

The second research question in this study asks how Stormfronters deal with the science of DNA and racial identity. A female discussant called *EmmaOberheuser* (2016) dismissed DNA testing as left wing propaganda aimed at peddling anti-white ideas to the general public. *European Traveler* (2016) commented that even if one or two percent Asian or black DNA shows up in his family line, he is still white. Among other forum participants was a member from Great Britain, *lord flints volunteer* (2016), who has logged over 10,000 posts. He warned fellow discussants not to waste money on DNA tests because they are marketed by companies whose goal is to discredit white identity.

Another factor in Stormfront culture is the importance of racial origins, especially for white people. Stormfront discussants appear to be active stewards of their own white genes. Discussant *ColdFire* (2017) believes that Aryans are the highest evolved of all humans and other races have never gotten past the animal stage. Based on exposure to Christian Identity ideology, he supports the theory that Aryans descended directly from Adam. Various discussants threw around words such as ‘Semite’, ‘Armenoid’, and ‘haplogroups’ to make points about their knowledge of race evolution. *Anfield* (2017) ends the discussion with a link to a book by William Pierce which documents the evolutionary origins of the white race and ends with a highly critical appraisal of Jewish influence in Europe.

As a general rule, Stormfronters are fans of eugenics and they feel that IQ test scores reveal the superiority of European genetic heritage. A newcomer to the Stormfront community, *USNavySherwin* (2017) claims he has a 150 IQ and attributes that number to his Nordic roots and exposure to classical piano as a child. He believes that people with a low IQ should be sterilized and people with a high IQ should be encouraged to have children. He never gives a number for low IQ and one must assume that if he indeed has an IQ of 150 that he falls into the privileged group. Another discussant in this forum, *AmericaFree* (2017) blames “Jew Supremacists” for efforts to create a low IQ slave nation that they can more easily control. This discussion contains comments from one of four female Stormfronters identified in

this study, *Bellatrix* (2017), who does not support sterilization based on IQ alone even though she does believe that whites with high IQs who are of good moral character should be given incentives to have at least four children.

All of the forums analyzed in this study reveal the Stormfront preoccupation with the importance of biological races. A participant in discussion six on scientific arguments about race was *LionAxe* (2015) who joined Stormfront in 2005 and has logged a total of 8,858 posts. Based on his long term association with the site and his personal profile, has identified as male, Swedish, and makes his living as a steelworker. He encourages novice users by posting links to other sites in order to help them build a portfolio of racial discourse. He also appears to have read much of what he recommends to his comrades in arms. Some of his favorite books include: 1) Madison Grant's (2012) *The Passing of the Great Race*; 2) *Race, Genetics and Society* by Glayde Whitney (Lamb, 2002); and 3) *Race, Evolution, and Behavior* by J. Philippe Rushton (2000). In many other discussion forums throughout the site, it is easy to spot potential mentors for the next generation who have profiles similar to that of *LionAxe*. Senior members, some of whom are moderators, are versed in aspects of race science and consistently refer to the work of J. Philippe Rushton and Arthur Jensen, among others.

The final research question concerned the ways in which Christian Identity might resonate with young white racists. First of all, not all white nationalists are Christian Identists but they tend to be collectively racist and anti-Semitic. Discussants who posted in the "Thinking of becoming CI" forum either wanted to know more about the perspective, others wanted to critique it, and a few of the more seasoned members of the forum clarified its tenets for potential converts. Mark Downey, the late Christian Identity minister, once had a presence online in Stormfront as *kludd*. His church web site, Kinsman Redeemer Ministries, is still active and suggests that accusations of racism are perpetrated by liberals and anti-racist activists in their war against the white race. Much of this same rhetoric is found in Stormfront forums that have nothing to do with religion or Christian Identity. It is difficult to know how much of an influence Christian Identity dogma will have on future generations but many of the posts revealed that a religious perspective so linked to white racial superiority will probably remain an intrinsic part of the broader white nationalist movement.

CONCLUDING REMARKS

The category of "other" is positioned within Stormfront discussions as a conspiratorial alliance between Jews and persons of color in their collec-

tive efforts to malign and destroy Anglo-Saxon culture (Meddaugh & Kay, 2009, p. 259). With that said, the subject of race continues to be a difficult and polarizing topic of discussion in contemporary American society and not just on online sites such as Stormfront. Christian Identists and rank and file members of the broader white supremacist movement stubbornly refuse to acknowledge the unity of humankind regardless of race. They reframe biblical texts to suit their own racist purposes and buttress their beliefs with scientific data that non-racist supporters of both Jensen and Rushton argue was not meant to ignite fears and reproduce negative attitudes about non-white groups.

Evolutionary psychologist, Edward O. Wilson (2012) believes that much of the basis of human nature derives from our evolution as a social species. He does not appear to be blindly optimistic about the human condition due, in part, to turmoil consistent with evolutionary processes. After having spent many years researching white supremacy and interviewing people who are strong supporters of the movement, I am inclined to agree with Wilson's assessment that the worst in our collective human nature coexists with the best. According to Beirich (2014) Stormfront is a breeding ground for psychopathology, murder, and social chaos. Citing several perpetrators of documented violent acts that include Norwegian mass murderer Anders Breivik and Americans Buford Furrow and J. T. Ready, among others, Beirich (2014) links them directly to Stormfront. She also writes that site administrator and founder, Don Black, publicly acknowledged that Stormfront attracts too many sociopaths. I do not think that anyone who is familiar with the conversations that take place in this particular online community would argue that point.

The broader question becomes what, if anything, can be done to eradicate racism and anti-Semitism before it manifests itself in ugly rhetoric on Stormfront and other online sites that cater to avowed racists? According to Nelson (2015), strong families are critical for controlling racist attitudes since socialization processes are so important to child development. Parents, as exemplified by their own behavior and speech, maintain a huge influence over their children's lives. For some, prejudice may be a family value especially when parents participate in ethnic and racial stereotyping and name calling. Children may form their own negative attitudes if these are the same attitudes that even one parent conveys (Nelson, 2015, p. 495). One can hope that racism in families might be challenged effectively if someone is willing to reject racist language and attitudes outright and point out the fallacy of racial difference.

One of the most important ways to change things in American society is through organized protests that affect public opinion about issues such as civil rights, women's rights, and LGBTQ rights. Collectives of likeminded

people have engaged in boycotts and other forms of economic pressure for decades. In today's world, young people are using video, the Internet, and other forms of social media to speak truth to power. Contemporary examples are the Black Lives Matter and Antifa (anti-fascist) movements. In a democracy, the primary sources of people-power are membership organizations, mass movements, and unorganized individuals acting in concert for a common cause. Both Antifa and Black Lives Matter are mobilizing to combat hate in all its manifestations. Organizers of both groups have similar objectives that include bringing awareness to the problem of racial and ethnic hatred that continues to plague our country. Hopefully the work they are doing will make a difference. Butler (1997) argues that reappropriation of ethnic and racial slurs might become a mechanism for empowerment such as occurred when LGBTQ folks embraced the term 'queer' as their own. Will alternative discourse eventually replace entrenched discourses of power? Musicians Missy Elliott, Jay Z and other hip-hop and rap artists have reclaimed the N-word to make various political statements. Only time will tell if this approach comes to serve a higher purpose.

Analysis of Stormfront forums is one way to monitor attitudes and opinions of people who want to do away with social policies that benefit Americans of all races, ethnicities, and sexual orientations. Will this particular forum be a lasting legacy for white supremacy in all its ugliness? I think, at least for now, no one really knows the answer to this question. Will the site remain viable and online? Again, there are some significant variables at play such as the health of Stormfront's founder, Don Black, the viability of the Stormfront domain name in the online world, and the amount of resources available to counter potential law suits aimed at the site. What we do know is that the white supremacist movement has ebbed and flowed since the early days of the Ku Klux Klan without ever completely going away. Stormfront just happens to be one of the oldest and best established hate related Internet web sites but that could all be changing. Individuals who want to continue advocating for white rights and resisting racial and ethnic inclusion policies have plenty of other places to align such as Jared Taylor's American Renaissance which has had a web presence since 1994 and is touted as the Internet's premier race-realist site. Because the white nationalist movement does not appear to be in imminent decline as of this writing, it is the responsibility of those of us who research white supremacy to guard our stewardship of what is happening within the movement with the same vigor that white supremacists guard their white genes.

NOTES

1. A heading in Rushton's article titled "Ethnic nationalism, evolutionary psychology, and genetic similarity theory."
2. After examining *Timberwulf's* profile in the Community Section of Stormfront, I assigned a male pronoun.
3. I am assuming this is his real name. He appears to be known by several of the other discussants in this forum.

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APPENDIX A: STORMFRONT DISCUSSION FORUMS

Ideology and Philosophy (<https://www.stormfront.org/forum/f9/>)

- 1) “Cosmotheist Ideology/Philosophy” (<https://www.stormfront.org/forum/t1086271/>)
- 2) “How intelligent are the Jews?” (<https://www.stormfront.org/forum/t987183/>)
- 3) “Who is White? DNA Tests Messing w/People’s Minds” (<https://www.stormfront.org/forum/t1186734/>)
- 4) “Origins of the White race?” (<https://www.stormfront.org/forum/t1207524/>)
- 5) “IQ Based Breeding” (<https://www.stormfront.org/forum/t1212040/>)
- 6) Science and Technology (<https://www.stormfront.org/forum/f72/>)
- 7) “What Are The Strongest Scientific Arguments That Race Is More Than A Social Construct” (<https://www.stormfront.org/forum/t944879/>)
- 8) Christian Identity (<https://www.stormfront.org/forum/f84/>)
- 9) “Thinking of becoming CI” (<https://www.stormfront.org/forum/t752639/>)

The Perpetuation of Online Hate: A Criminological Analysis of Factors Associated with Participating in an Online Attack

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ABSTRACT

Online extremism, or the use of information technology to profess attitudes devaluing others based on a characteristic such as race, religion, gender, or sexuality, is a growing problem. This has led to myriad harmful effects for some who are exposed to online hate. A critical first step toward stemming the tide of online hate is understanding factors associated with its creation and spread. To that end, this analysis examines factors associated with joining an ongoing attack against a targeted group online. We use insights from four leading criminological theories – routine activity theory, social control theory, general strain theory, and social learning/differential association theory - to investigate who is likely to join an attack on a targeted group when they view such an attack occurring. Using data from a national sample of 15 – 36-year-old Internet users, we conduct an ordinal logistic regression analysis. Results show support for social control theory and strain theory, as low levels of self-control and online strain are both positively correlated with joining an online attack. Similarly, we find support for the applicability of social learning theory; close engagement with online friends and groups is related to an increased likelihood of joining in online hate. Routine activity theory, however, is less relevant for understanding our outcome. Taken together, our findings shed light on factors associated with the perpetuation of online hate, and, in doing so, offer avenues for reducing its growth.

Keywords: Online Hate, Online Extremism, Criminological Theory

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INTRODUCTION

Online extremism, also synonymously referred to as online hate or cyberhate, is the use of computer technology to profess attitudes devaluating others because of their religion, race, ethnicity, gender, sexual orientation, national origin, or some other characteristic (Hawdon, Oksanen, & Räsänen, 2014). As such, online hate material is a distinct form of cyberviolence that attacks a collective rather than a specific individual, like cyberbullying or cyberstalking. This distinction is consistent with previous research (e.g. Costello, Hawdon, & Ratliff, 2016; Räsänen et al., 2016). Online hate material takes many forms, and is channeled through visual material, such as artwork, photos, memes, or videos, online games, or text-based interactions on social media sites or in the comments sections of various online forums (Keipi, Oksanen, Hawdon, Näsi, & Räsänen, 2018). Policymakers and scholars are increasingly concerned about online hate and extremism as exposure to and the creation of these materials are recognized as critical steps in the radicalization process (Europol, 2011; White House, 2015).

Given the link between hate materials and potentially devastating violence, it is critical that we understand who becomes engaged in creating, supporting, and disseminating online hate.

Previous research demonstrates that Cohen and Felson's (1979) routine activity theory (RAT) can account for variation in rates of being exposed to online hate materials (e.g. Costello, Hawdon, Ratliff, & Grantham, 2016; Hawdon et al., 2017; Räsänen et al., 2016), but less is known about what happens once one is exposed to these materials. While some who see online hate defend those being attacked (Costello, Hawdon, & Cross, 2017), others join the offenders in attacking the targeted group. We use insights from several leading criminological theories to investigate who is likely to join an attack on a targeted group when they view such an attack occurring. Using measures from RAT, Agnew's general strain theory, Gottfredson and Hirschi's (1990) self-control theory, and Sutherland's differential association theory, we predict who joins in attacking a targeted group when they witness such attacks online. We begin by briefly reviewing each theory and discussing how it would apply to participating in joining in an

online attack against a group. We then use logistic regression to predict who joins in an attack when they see it online. We conclude by discussing the theoretical and practical implications of our research.

LITERATURE REVIEW

A number of theories originally developed to explain involvement in criminal activities in the “real world” have been applied to the virtual world. In general, most tests to determine if our theories are truly general and apply to both the analog and virtual world find that they do indeed predict online criminality and deviance. While some of the theories do not apply directly (see, for example, Yar’s (2005) discussion of RAT), the theories are typically found to apply once modified. However, most of this work investigates behaviors such as online theft and fraud, identity theft, piracy, and sexual harassment. Do our leading theories also apply to participating in hateful online attacks against a group? We will consider RAT, General Strain Theory, Self-Control Theory, and Differential Association Theory.

Routine Activity and Lifestyle Theories

Routine activity theory (Cohen & Felson, 1979), which is the most influential theory of victimization (Miró, 2014), argues there are three necessary factors for crime to occur: (a) the presence of motivated offenders, (b) the presence of a suitable target, and (c) the absence of a capable guardian. Crime will be most likely to occur when all three components spatio-temporally converge. Routine activity theory proposes that victimization stems from the “recurrent and prevalent activities” in which individuals are involved, which in turn influence the likelihood that the three necessary factors for crime are present (Cohen & Felson, 1979). Therefore, an individual’s routines influence his or her risk of being victimized.

This perspective has recently been applied to the online world by recognizing that offenders and victims intersect within a virtual network instead of physical space, and virtual contact can occur asynchronously (Leukfeldt & Yar, 2016; Vakhitova & Reynald, 2015;). Thus, online routine activities can increase the likelihood of victimization by bringing potential targets into virtual contact with potential offenders in environments lacking guardians (see Eck & Clarke, 2003; Reyns, Henson, & Fisher, 2011). Adapting the theory to the online world, several recent studies successfully explain a variety of types of cybervictimization, ranging from fraud and identity theft to harassment and other forms of cyberviolence (e.g., Bossler & Holt, 2009; Bossler, Holt, & May, 2012; Costello, Hawdon, & Ratliff, 2017; Costello, Hawdon, Ratliff, & Grantham, 2016; Hawdon et al., 2015;

Holt & Bossler, 2013; Marcum, Higgins, & Ricketts, 2010; Navarro & Jasinski, 2012; Navarro & Jasinski, 2013; Pratt, Holtfreter, & Reisig, 2010; Reyns, 2013; Reyns & Henson, 2015; Reyns et al., 2011; van Wilsem, 2011). These studies find that engaging in risky online behaviors such as downloading games and music from unknown websites, using file-sharing programs, instant messaging, opening unknown email attachments, and clicking on pop-up messages increases cyberharassment (Hinduja & Patchin, 2009; Holt & Bossler, 2008; Marcum, 2009; Marcum, Higgins, & Ricketts, 2010; Navarro & Jasinski, 2012). Similarly, those who anonymously confide in others online experience greater levels of cybervictimization than those who are more guarded in their online behaviors (Hawdon et al., 2014; Reyns & Henson, 2015). Holt and Bossler (2008) found that general computer use, such as playing video games, spending time in chatrooms, online shopping, or checking email increased the likelihood of experiencing cyberviolence. One of the most robust findings regarding online routines and victimization is that the use of social networking sites increases the likelihood of victimization (Bossler & Holt, 2009; Bossler, Holt, & May, 2012; Costello et al., 2016; Hawdon, et al., 2014; Leukfeldt & Yar, 2016; Navarro & Jasinski, 2012; Reyns et al., 2011; van Wilsem, 2011).

In addition to behaviors that can bring one into virtual contact with online offenders, other factors can increase victimization by reducing guardianship or collective efficacy. Guardianship is “the presence of a human element which acts—whether intentionally or not—to deter the would-be offender from committing a crime against an available target” (Hollis, Felson, & Welsh, 2013, p. 76). Collective efficacy includes working trust and social ties within communities as well as the willingness to intervene to achieve social control. The findings with respect to guardianship and cybercrime are inconsistent (e.g., Bossler & Holt, 2009; Leukfeldt & Yar, 2016; Reyns, 2015), in part due to conceptual uncertainty across both studies and types of victimization (Vakhitova & Reynald, 2015). Recently, Hollis, Felson, and Welsh (2013) explicitly rejected the notion that guardianship is social control; instead, guardianship occurs when the mere presence of a person or persons acts to reduce the likelihood of a crime occurring (also see Felson 1998). Finally, in addition to online social control and guardianship, the use of target-hardening devices such as antivirus programs, firewalls, filtering and blocking software can potentially reduce cybervictimization. In general, researchers have found that target hardening has very little effect on violent cybervictimization (e.g., Holt & Bossler, 2008; Marcum, 2009; Marcum, Higgins, & Ricketts, 2010).

Although RAT is a theory of victimization, the well-documented overlap between being victimized and engaging in victimizing behaviors (see

Jennings, Piquero, & Reingle, 2012) suggests that exposure to online hate materials and joining in the attack of a group would be positively related. Indeed, this relationship could be partially due to the strain that victimization causes, and this potential linkage is best explained through Agnew's (1992) general strain theory (GST).

General Strain Theory

GST posits that stressful life events produce negative effects (e.g., anger, frustration, or sadness) that can lead to delinquent coping responses. Agnew (1992) identifies three types of strain: failure to achieve positively valued goals; removal of positively valued stimuli; and, presentation of negatively valued stimuli. Strain is linked indirectly to aggression and engagement in violence as well as other problems behaviors because strain also produces negative affect, including feelings of anger, frustration, or sadness (Agnew, 1992). For example, victimization is a negative stimulus, and cyberviolence victimization would be a form of strain that could produce negative emotional states that result in participation in cyberviolence. As noted above, there is a well-documented relationship between victimizing others and being victimized, and this relationship holds online as well as offline (see Bossler & Holt, 2009; Costello et al., 2016; Holt & Bossler, 2008; Holt & Bossler 2013; Jennings, Piquero, & Reingle, 2012; Marcum, Higgins, & Ricketts, 2014; Ngo & Paternoster, 2011; Reyns et al., 2011). For instance, participating in sexting activities increases with threats of violence and other forms of cybervictimization (Reyns, 2013), and those who see expressions of cyberviolence and extremism are more likely to produce online hate materials than are those who are not exposed to these materials (Costello & Hawdon, 2018; Hawdon et al., 2014). Recent work by Costello and Hawdon (2018) shows that online users who have been targeted by online hate are more than eight times as likely to produce such material, relative to those who have not been directly targeted. Further, use of general message boards and Reddit, a news aggregation and discussion site where hate is pervasive, was found to correlate with the production of online hate. This reciprocal relationship between engaging in cyberviolence and being a victim of cyberviolence may result from victimization creating strain.

Indeed, research demonstrates that cyberviolence victimization can be a strain-inducing experience and result in committing acts of cyberviolence both directly and indirectly (Ak, Özdemir & Kuzucu, 2015; Bae, 2017; Hay, Meldrum, & Mann, 2010). Cyber-aggression by one (or a group) upon another intuitively involves the presentation of negatively valued stimuli. Moreover, from a GST perspective, reported social acceptance of cyberviolence by others is problematic because people seek affirmation and

approval from their peers. Cyberviolence, however, derails the pursuit of social affirmation and approval because of the complexities with rejection and exclusion associated with cyber-aggression. Researchers argue that when individuals perceive themselves to be rejected or otherwise socially excluded, a number of emotional, psychological, and behavioral ill effects can result (Keipi et al., 2017). In other words, the failure to achieve peer acceptance as signaled through cyber-aggression and victimization may produce stressful feelings that ultimately result in participating in cyberviolence.

General Theory of Crime/Self-Control Theory

Gottfredson and Hirschi's (1990) general theory of crime or self-control theory may also explain involvement in cyberviolence. Simply put, Gottfredson and Hirschi (1990) argue that criminals and deviants lack the ability to regulate their behavior. That is, they lack self-control. Claiming that levels of self-control are determined early in life and remain invariant over the life-course, Gottfredson and Hirschi (1990) argue that the correlations among deviant behavior, dangerous-but-legal behaviors such as smoking and crime are so high because these are all manifestations of the same lack of self-control. Similarly, the well-documented correlations between crime and a host of individual traits and characteristics such as intelligence, educational attainment, divorce, drug use, and a host of other problems are due to these being "manifestations of low self-control." In short, "people who lack self-control will tend to be impulsive, insensitive, physical (as opposed to mental), risk-taking, short-sighted, and nonverbal, and they will tend therefore to engage in criminal and analogous acts" (Gottfredson & Hirschi, 1990, p. 90). At its core, self-control theory is a variant of rational choice theory because those with low self-control are unlikely to calculate properly the negative outcomes of their behavior. As Gottfredson and Hirschi (1990) say,

So, the dimensions of self-control are, in our view, factors affecting calculation of the consequences of one's acts. The impulsive or short-sighted person fails to consider the negative or painful consequences of his acts; the insensitive person has few negative consequences to consider; the less intelligent person also has fewer negative consequences to consider. (p. 95)

Thus, those with low self-control would likely emphasize the immediate rewards associated with cyberviolence and fail to recognize the potential dangers associated with the behavior. Indeed, for some circulating online hate has been found to be liberating; the Internet offers an outlet for purvey-

ors of hate to spread their socially-undesirable views and vent frustrations (Douglas, 2007). According to psychologist Bernard Golden (2016), participating in group hate can fill a void in individuals lacking a sense of identity. The dissemination of hate can distract one from feelings of powerlessness or inadequacy, while simultaneously fostering connection with likeminded individuals.

The general theory of crime has produced numerous attempts to test it and various assertions made by Gottfredson and Hirschi (1990). In general, these tests have been favorable although several authors (e.g. Geis, 2000; Higgins, 2006; Holt, Bossler, & May, 2012; Pratt & Cullen, 2000; Wikestrim & Svensson, 2010) note or find that some of the more general claims of the theory are somewhat limited. Nevertheless, there is empirical support for the claim that low self-control is related to participation in a variety of cybercrimes (e.g. Bae, 2017; Clevenger, Navarro, & Jasinski, 2016; Donner, Li, Holt, Bosler, & May, 2016; Marcum, & Jennings, 2014; Marcum, Higgins, & Ricketts, 2014).

Social Learning / Differential Association Theory

Social learning theories, which evolved from differential association theory (Sutherland & Cressey, 1974), suggest subgroup variation in attitudes toward violence. Accordingly, individuals learn antisocial values and techniques through intimate social relations, especially family and friends. Because some individuals and groups have positive attitudes toward violence or justify violence under particular circumstances, social learning theorists assume youth may be bonded to others while simultaneously holding attitudes favorable to law violation. While the original conceptions of social learning theory postulate that violence stems from individuals learning pro-violence definitions and attitudes within interpersonal relationships, more recent conceptualizations also include definitions of learning from behavioral psychology. Mechanisms such as imitation and personal and vicarious reinforcement are also powerful means for learning violence (Akers, 1977). Thus, violence results from continual and reciprocal processes of social observation, attitude internalization, and real and perceived reinforcements from self and others. That is, individuals learn to be violent through interactions with others who define their violent behaviors positively, reward that behavior, and help them internalize pro-violent orientations.

Social learning/differential association theory is one of the most widely tested and supported theoretical perspectives of crime (see Pratt et al., 2010), and a growing body of literature demonstrates its applicability to online settings. For example, among a sample of university students, Hollinger (1992) found that friends' involvement in computer piracy signifi-

cantly increased respondent involvement in piracy. Similarly, Skinner and Fream (1997) report that associating with friends who participate in computer crime is the strongest predictor of engaging in piracy, accessing or trying to access a computer account, changing another's computer files, or creating or using a virus. Testing several criminological theories, including strain theory, techniques of neutralization, social learning theory, and self-control theory, Morris and Higgins (2009) found that differential association was the most pronounced theoretical predictor in self-reported piracy. Finally, Aker's (1977) social learning theory—an elaborated version of differential association theory—has been supported in a number of studies of cybercrime (Higgins & Makin, 2004a; Higgins & Makin, 2004b; Higgins et al., 2006; Ingram & Hinduja, 2008). While social learning/differential association theory has been applied to several forms of cybercrime, research on its applicability for cyberviolence has been somewhat limited. Yet, Hinduja and Patchin (2013) found youth who were punished by their parents or adults at school for engaging in cyberbullying were less likely to engage in cyberbullying. Similarly, researchers have found that social learning variables predict sexting and cyberbullying (Li et al., 2016; Marcum, Higgins, & Ricketts, 2014). While we are unaware of any empirical work that uses social learning theory to predict the creation or dissemination of online hate, Hawdon (2012) has theoretically outlined how social learning theory applies to creating and disseminating extremist materials.

DATA AND METHODOLOGY

This analysis assesses factors associated with seeing online hate material and joining in the hate. We focus on the potential explanatory power of four major criminological theories – routine activity theory, general strain theory, self-control theory, and social learning/differential association theory. The analysis begins by presenting descriptive attributes of the data. This is followed by an ordinal logistic regression analysis. This technique is used because our outcome of interest is ordered and categorical. The effect of independent variables are reported as odds ratios, which show relative changes in the odds of an outcome when an independent variable's value is increased by one unit, holding all other effects constant.

Sample

We use data from a sample of 900 American Internet users between the ages of 15 to 36. The data were collected during the week of November 21, 2016 from demographically balanced panels of people who agreed to participate in surveys. Survey Sample International (SSI) administered the

panels. SSI recruit panel members through various permission-based techniques, including random digit dialling and banner ads, and they provide of incentives to panel members for participating in and completing surveys. To recruit respondents, SSI emailed invitations to a sample of panel members between the ages of 15 and 36. In addition to age, the sample was stratified to reflect the U.S. population on gender and geographic region. The ages 15 to 36 were selected because these data are from a study of online hate designed to provide comparative samples from earlier research conducted in several European nations (e.g. Räsänen et al., 2016).

Demographically balanced panels protect against bias in online surveys. Screening can eliminate respondents and panelists who have previously participated (Evans & Mathur, 2005; Wansink, 2001), and the recruitment and selection processes, the use of pre-panel interviews and incentives increase the respondents' seriousness and attention completing the survey thereby improving the validity of responses (see Wansink, 2001). Similar samples have been used in several studies related to cyberhate (e.g. Costello, Hawdon, & Ratliff, 2017; Costello et al., 2016; Näsi, Räsänen, Hawdon, Holkeri, & Oksanen, 2015; Näsi et al., 2014; Räsänen et al., 2016).

Dependent Variable

The dependent variable asks respondents to indicate how often they join in mean or offensive behavior on social networking sites when they encounter it. Respondents decided what constituted mean or offensive behaviors. They "joined in" the behavior if they engaged in similar behavior or explicitly approved of the materials they encountered online. Potential responses range from "never" to "frequently." A majority of the respondents (58.7%) indicate that they "never" engage in such behavior. Smaller shares responded that they do so "only once in a while," (18.1%), "sometimes," (17.4%), or "frequently" (5.8%).

Independent Variables

RAT emphasizes the intersection of proximity to motivated offenders, suitability of targets, and a lack of capable guardianship to explain crime. While RAT is typically used to explain crime in the physical world, we use a modified version that allows for application to an online setting. Recent scholarship has demonstrated the applicability of RAT to understand online crime and deviance.

Proximity, or exposure, to online offenders is assessed using measures of social networking site (SNS) usage, and hours per day online. We expect

that increased proximity to online hate will afford individuals more opportunities to engage in hateful behavior and hence be positively associated with our outcome variable. Countless SNS exist, and some have reputations for being particularly hateful. Notably, recent work found that people are more likely to be exposed to online hate on YouTube, photo-sharing sites like Snapchat, and Tumblr (Costello et al, 2016). Further, users of general message boards and Redditt were found to be more likely to produce hateful material online (Costello & Hawdon, 2018). Thus, there is reason to believe that individual SNS could inspire various types of hate using diverse forms of presentation. We therefore initially investigated the potential individual effects of SNS separately. None of these SNS achieved statistical significance after relevant control variables were included in the regression model, however, and we therefore opted to measure SNS usage dichotomously. While the particular social media platform that individuals use may not matter per se in this analysis, including an overall measure of SNS usage is theoretically important as an online routine, since prior work shows that it predicts exposure to online hat material (Costello et al., 2016; Oksanen et al., 2014). Our dichotomous measure captures individuals who use a high volume of SNS. Respondents who report using 15 or more SNS are scored as a “1”, while those who use 14 or less are scored as a “0.” Only 7.9% of respondents use more than 15 SNS.

We asked respondents how many hours per day they spend online to assess time online. The variable response set ranges from 1, “less than one hour per day,” to 6, “ten or more hours per day.” Respondents spent between three and five hours online per day, on average. We assess guardianship by looking at the living arrangements of respondents. Living arrangements is measured dichotomously, with respondents indicating if they live alone or with friends or family members. Only 9.6% of our sample lives alone. We expect respondents with less guardianship, or those who live alone, to be at a heightened risk of encountering, and perhaps engaging in, online hate. Since this work focuses on participating in hate, not victimization, we do not examine indicators of target suitability, which are relevant for studies of victimization.

Social learning theory suggests that offenders learn their criminal or deviant behaviors from intimate contacts who then reward and reinforce that behavior. It is therefore likely that factors that account for exposure to online hate may similarly account for its perpetration. This might be especially true regarding factors that increase proximity to motivated offenders online. These indicators of exposure can in turn indirectly lead to the perpetration of hate by bringing individuals into contact with offenders who recruit, groom, or reward those who join in their hateful behavior. We control for several variables that represent characteristics of online users who

would likely comprise the group of offenders apt to encourage others to join in their deviance, and therefore represent agents of social learning.

First, we use a measure that asks respondents how frequently they see hate material online. This measure was assessed using a 4-point scale, ranging from 1, corresponding to “never” to 4, corresponding to “frequently.” Most respondents reported seeing hate “sometimes” (40%) or “only once in a while” (29.3%). Smaller shares indicated seeing hate material “frequently” (21.4%) or “never” (9.6%). Second we control for closeness to an online community. Closeness to an online community is measured on a 5-point scale that ranges from 1, or “not at all close,” to 5, or “very close.” Most respondents report a moderate to high sense of closeness to an online community, with 28.1% answering with a “4” and 27.6% responding with a 3. It was least common for respondents to say that they are “not at all close” (10%) to an online community. Third, we control for interactions with close friends online, which is measured with a 4-point scale with responses ranging from 1, or “almost none of them,” to 4, or “almost all of my close friends are online.” Half of our sample (49.4%) said they interact with a “few” online friends, but that “most of their close friends they also see offline.” It was less common for respondents to say that they interact with “almost none” (14.6%) or “almost all” (8.6%) of their close friends online. We expect respondents who see online hate more frequently, have closer ties to an online community, and interact with more close friends online to be more likely to join in hateful behavior online because hateful ideologies are likely to be nurtured and reinforced in tightly bonded groups who hold hateful beliefs (see Hawdon 2012). We lack direct measures of being involved in groups that advocate hate, however, so these measures serve only as indirect proxies of involvement with deviant peers.

We also control for demographic traits of respondents that might bring them into contact with hateful offenders. Notably, the realm of online hate is currently dominated by rightwing hate that champions white-supremacy, patriarchy, and nationalism (Hawdon et al., 2014; Potok, 2015; Ratliff et al., 2015). We therefore control for gender, race/ethnic minority status, immigrant status, and political ideology. Gender and minority status are measured dichotomously. Fifty-three percent of our sample is comprised of men, and 82% is white. Immigrant status is assessed by asking respondents if their parents were born outside of the United States. Nearly one third (31.1%) indicated that their parents were. Political ideology is assessed using a 7-point scale that ranges from 1, or “extremely liberal,” to 7, “extremely conservative.” The largest share of our sample (29.6%) report moderate political views. One-third (33%) identify as extremely liberal or liberal, and 20.3% categorize their political ideology as extremely conservative or conservative. We expect white men/boy respondents whose parents

were born in the United States, and conservatives to be more likely to join in online hate, given the dominance of far-right extremism online. However, it is important to note that not all respondents who fall into these categories are more likely to engage in such behavior. Indeed, the likelihood is probabilistic, and based on the notion that they are merely more likely to hold worldviews that align with rightwing hate.

We evaluate self-control theory using a composite of three indicators that approximate self-control. Examining the factorability of the measures demonstrates that each item shares variance with the other two items and the combined index explains 66.8% of the total variance in the items. The first measure asked respondents to assess on a 1-to-10 scale how true the statement "I enjoy taking risks" was for them. Higher scores indicate a higher proclivity for risk-taking. The average level of risk taking in our sample is 6.8. Nearly half of the respondents (46.18%) answered with a score of 8 – 10. The second measure asked respondents to rate the accuracy of the statement "I often do things that feel good in the moment, but I regret later on." Possible responses ranged from 1 to 10, with higher scores denoting that the statement was truer of them. Respondents reported an average score of 5.5, and nearly identical shares of our sample responded with a score of 8 – 10 (29.89%) and 1 – 3 (29.55%). The final component of this measure, using the same 10-point scale, asked survey-takers to rate the statement "sometimes I can't stop myself from doing things my friends are doing, even if I know it is wrong." The average response for the survey was 4.6, and a large share of respondents, 43.84%, indicated that this is not very true of them, responding with a score below 3. We expect individuals who show less self-control to be more inclined to join in hateful behavior online, in line with extant work showing that low self-control correlates with the engagement in various types of cybercrime.

We examine strain using two measures. The first looks at online strain, which represents the presentation of a negatively valued stimulus. This variable is an additive indicator composed of two dichotomous measures: the first asks respondents if they have ever been the target of online hate, and the second asks if they have ever been victimized by an online crime. These two measures are highly correlated ($r = .52$). Over 30% of the sample said they were a victim of online hate, and 18.6% of respondents reported they had personally been the victim of an online crime. The second measure evaluates offline strain, looking at economic engagement. This variable represents failure to achieve a positively valued goal. We use an indicator that categorizes individuals who are in school or working full-time as economically engaged, and those who are unemployed or only working part-time as not economically engaged. A sizable share of our sample (75.2%) is economically engaged by this definition. We expect individuals who experi-

ence strain to be more apt to join in hateful behavior online, given the established link between strain and delinquency more generally.

Finally, we include indicators of age and education as demographic control variables. Education is measured on a 5-point ordinal scale, ranging from 1, or “less than a high school diploma,” to 5, corresponding to “a master’s degree, professional degree, or higher.” The most common response in our survey was that individuals had a college degree (29.46%). The age range spans 15 – 36 year olds, and the average age of respondents is 24.7 years old. We do not advance specific hypotheses about these three variables.

FINDINGS

Table 1 reports the means, standard deviations, and minimum and maximum values for all variables in the analysis. A visual inspection of correlations between the independent variables does not appear to raise concerns over multicollinearity. In fact, the only correlation above .6 is between age and education (.68). A variance inflation factor (VIF) test affirms that multicollinearity is not a concern. The mean VIF score for the full model is only 1.27. A correlation matrix is available upon request.

Table 2 shows the results of regressing the dependent variable, joining in online hate, on the independent variables. We utilize a two-model sequence for this analysis. The first model includes measures that test RAT and social learning/differential association theory. It also includes sociodemographic control variables. The second model adds a measure to examine social control theory and two measures that look at general strain theory.

TABLE 1: DESCRIPTIVE STATISTICS OF ALL VARIABLES

Variable	Mean/%	Std. Dev.	Min	Max
See Hate Online & Join In	1.70	0.95	1	4
High SNS Usage = 1	7.9%	0.27	0	1
Hours/Day Online	3.75	1.40	1	6
Live Alone = 1	9.6%	0.29	0	1
Frequency/See Offensive Online	2.73	0.90	1	4
Close to Online Community	3.33	1.23	1	5
Interact with Friends Online	2.30	0.82	1	4
Male = 1	53%	0.50	0	1
White = 1	82.4%	0.38	0	1
Foreign-Born Parent(s) = 1	31.1%	0.46	0	1
Political Ideology	3.66	1.76	1	7
Age	24.70	6.80	15	36
Education	3.15	1.38	1	5
Self-Control (High to Low)	0	1	-1.97	1.89
Online Strain	0.49	0.74	0	2
Economically Engaged = 1	75.2%	0.43	0	1

Model 1 does not support the applicability of our RAT variables to our outcome variable. SNS usage is not significantly related to joining in online hate and, contrary to expectations, time per day online is negatively associated with our dependent measure ($OR=.91, p < .05$). Our measure of guardianship also fails to demonstrate a significant relationship with joining in online hate.

We do, however, find support for our hypotheses regarding differential association. Notably, seeing online hate frequently ($OR=1.35, p < .001$), being close to an online community ($OR=1.83, p < .001$), and interacting with close friends online ($OR=1.22, p < .05$) all demonstrate a positive association with seeing hate and joining in, suggesting potential social learning processes. Men are also more likely than women to engage in such behavior online ($OR=1.79, p < .001$). Contrary to our expectations, though, respondents with foreign-born parents were more likely to see hate and join in ($OR=1.71, p < .001$), and race/ethnic minority status and political ideology were both unrelated to our dependent measure. Additional findings show that level of education is positively associated with seeing hate and joining in ($OR=1.31, p < .001$), though age is not a significant correlate.

Model 2 shows that those with less self-control are more than twice as likely to join in being hateful upon encountering online hate ($OR=2.10, p < .001$). This is the strongest effect in the model, lending robust support to the applicability of social control theory to an online setting. General strain theory receives varied support in this model. Indeed, experiencing online

strain is positively associated with joining in online hate (OR=1.73, $p < .001$), though economic engagement is not significantly related to our dependent measure. The results from the first model remain mostly intact, with the exception of the positive effect of having parents born outside of the U.S., which fails to reach significance in this model.

TABLE 2: ORDINAL LOGISTIC REGRESSION ANALYSIS OF ENCOUNTERING ONLINE HATE MATERIAL AND JOINING IN THE HATE

See Hate Online & Join In	Model 1		Model 2	
	Odds Ratio	Std. Error	Odds Ratio	Std. Error
High SNS Usage = 1	1.17	0.29	1.09	0.28
Hours/Day Online	0.91*	0.05	0.96	0.06
Live Alone = 1	0.86	0.24	0.72	0.21
Frequency/See Offensive Online	1.35***	0.12	1.33**	0.13
Close to Online Community	1.83***	0.14	1.32***	0.11
Interact with Friends Online	1.22*	0.12	1.24*	0.12
Male = 1	1.79***	0.29	1.49**	0.25
White = 1	0.97	0.22	0.92	0.22
Foreign-Born Parent(s) = 1	1.71***	0.28	1.28	0.22
Political Ideology	1.03	0.04	1.03	0.05
Age	0.98	0.01	0.99	0.02
Education	1.31***	0.10	1.25**	0.10
Self-Control (High to Low)	—	—	2.10***	0.21
Online Strain	—	—	1.73***	0.19
Economically Engaged = 1	—	—	1.39	0.27
LR X2	185.49		294.73	
Log Pseudolikelihood	-763.71		-694.51	
N	763		753	

* $p < .05$; ** $p < .01$; *** $p < .001$ (two-tailed tests)

DISCUSSION

While most people who witness cyberhate do not join in, a notable minority, 23.8%, do at least sometimes, suggesting that the threshold for participating in online hate is something that many people are willing to cross under certain circumstances. When a person engages in such behavior, doing so increases risks for them, in addition to the harm it causes the targets of their hate. Because online exposure to - and engagement in - hate is related to offline hateful behavior (Cowan & Metrick, 2002; Foxman & Wolf, 2013), addressing digital hate may prevent harm from being done both online and in the real world.

Routine activity theory proposes that increased exposure to motivated offenders and lack of capable guardianship should correlate with seeing hate and joining in. However, neither more time spent online each day nor increased SNS usage increases the likelihood of our sample participants joining in an online attack. Living alone is likewise unrelated to joining in hate. Even so, while the number of SNS visited and time online are not positively related to a person's decision to join an online attack, the kinds of places visited and people with whom respondents observe or engage are, lending support to the power of the modeling of social behavior.

Indeed, our findings suggest that those who see hate frequently online, are close to an online community, and interact with close friends online are more likely to join in hateful behavior. All of these findings lend credibility to the application of social learning/differential association theory to studying online deviance. Being online with others who one feels close to may prompt deviant behavior if those online acquaintances engage in or promote deviance. Unfortunately, parental disapproval of online friend's parents labeled "deviant" has been shown to increase children and teens' involvement with those very people online (Keijsers et al., 2011), producing the exact opposite effect that parents and other guardians desire. In short, young people seek out and engage in online socialization with peers who engage in deviance.

We also find that men are more likely to join in online hate. This is unsurprising for a few reasons. First, this finding aligns with studies of offline deviance in general (Tedor, 2015), offline hate in particular (Ferber, 2004), and other kinds of online deviance (Abougaoude, Savage, Starcevic, & Salame, 2015; Donner, 2016) that show men partaking in deviance more readily than women. Second, in this particular case, the positive male effect might also be a byproduct of the type of hate that presently permeates cyberspace. Rightwing hate has a virulent misogynic and anti-feminist streak. Thus, if, statically individuals are most likely to see rightwing hate online, it would stand to reason that men, not women, would most likely participate in the hateful behavior.

Further investigation into the nature of online relationships—if they are with people who advocate or warn against online deviance—can illuminate whether and how online socialization teaches cyberhate. Studies of these online relationships and how people enter them can help scholars understand whether people prone to hateful online behaviors flock together (and perhaps to particular SNSs that may be more accommodating of their views and behaviors) and thus reinforce hateful behaviors or if, alternatively, they find each other prior to being cyberhaters and then develop hateful views that in turn inspire hateful behaviors, a framework termed *feathering* (Costello et al., 2016; Hirschi, 2017; Sutherland & Cressey,

1992). Of course, both flocking and feathering may be useful explanations of cyberhate socializations, and further research could distinguish when each model is most applicable.

The strongest finding of this analysis is that low levels of self-control predict a higher likelihood of engaging in deviant behavior. This may be because low levels of self-control are an indicator of a poor ability to foresee unpleasant consequences for oneself or others, an insensitivity to unpleasant consequences, or the ability to make accurate predictions and/or feel their consequences but not to regulate behavior accordingly. In an online setting, this could take the form of a cyberhate attackers not understanding the pain they cause others, not understanding the potential negative social consequences of their comments (including, for example, loss of job or public shaming), simply not caring about those consequences, or accurately judging and caring but exercising poor impulse control. Additionally, people with poor impulse control could flock together, socializing members into a further lack of consideration of consequences, impulsivity, or cruelty. Finally, the culture of particular SNSs may encourage such impulsive behavior through, for example, upvotes that allow readers to reward the most hateful comments, or loose or non-existent moderation, so hateful comments go without a formal sanction from the group.

Finally, general strain theory received mixed support. Economic uncertainty is commonly cited as a primary source of strain that can lead to deviant or criminal behavior. Our results do not show evidence such a relationship, though. This could be attributable to the lack of applicability of economic strain to an online setting, or it could indicate the imprecise nature of our measure, which primarily taps into whether a person is employed or unemployed. Given that a large share of our sample is college-aged or younger, economic engagement may not be a primary concern for a large swath of our respondents. Interestingly, online strain, which represents the introduction of a negative stimulus into a person's life, is associated with engaging in online hate, though. That is, individuals who have been targeted by hate online or fallen victim to an online crime demonstrate an increased likelihood of engaging in online hate. This speaks to oft-found relationship between being victimized and victimizing (e.g. Bossler & Holt, 2009; Bossler, Holt, & May, 2012; Costello, Hawdon, & Ratliff, 2017; Marcum, Higgins, & Ricketts, 2014).

Study Limitations

This study has a few limitations that require discussion. First, our sample is comprised of individual between the ages of 15 and 36. This age range was selected because youth and young adults are avid Internet users,

and therefore might be more likely to regularly encounter online hate. Even so, our results cannot be generalized to older and younger individuals, who are increasingly spending more time online. Second, our study relies on respondents' perceptions of hate material. While we provide survey-takers with a definition of hate, it is ultimately up to them to interpret what they see online. And, to be sure, not everyone has a parallel definition of hate. Finally, our measures of social learning/differential association are indirect. We lack explicit measures of the type of people and groups that our respondents interact with online. Having such measures would allow for a more precise test of the effects of social learning on joining in online hate.

CONCLUSION

Using data from a national sample of 15- to 36-year-old Internet users, this study sought to adjudicate between leading criminological theories—routine activity theory, general strain theory, self-control theory, and social learning/differential association theory—by predicting which factors are associated with joining in attacking a targeted group when such attacks are seen online. Results from our ordinal logistic regression analysis provide strong support for self-control theory, mixed support for social learning theory and general strain theory, and a lack of support for routine activity theory. Most notably, individuals who reported experiencing online strain, less self-control, higher frequency of exposure to offensive content, and closeness to an online community were all more likely to join in online hateful behavior against a targeted group. With these findings in mind, we now outline actionable recommendations that may assist in the identification, mitigation and prevention of the creation and spread of online hate.

Given that a lack of self-control increases the propensity to engage in hateful activity online, we foresee at least two strategies that could curb the proliferation of such behavior. First, social networking sites and other online communities can take steps to implement more robust moderation in order to remove hateful content more quickly. Not only would this approach reduce the impact on the groups targeted by hate by reducing their opportunity to be exposed to the hateful content, but it would also reduce the likelihood of galvanizing other individuals who may be sympathetic to the offensive content and wish to join in. The more time a hateful message remains online, the more likely it is to be seen by users, which may produce strain-inducing feelings and eventually compel those individuals to engage in cyberhate in the future. Prominent social networking services such as Twitter, Facebook, and Reddit can play a major leadership role in this regard, as moderation of such sites remains thoroughly lax despite the fact that most SNSs have clear, articulated policies and community standards

regarding the conduct of its userbase. Moreover, the sheer popularity of these sites makes moderation more difficult—thousands of tweets are posted to Twitter every second, for example—meaning that SNSs typically rely on their users to report hateful material as they see it, a well-meaning policy that has the negative consequence of ensuring that users will be exposed to hate in the first place. While many of these sites have vowed to be more diligent when policing for hate materials, the task ahead of them is truly daunting.

Second, social networking services can improve the accountability and transparency of their userbase by reducing anonymity, thus bringing the online and offline world into closer contact. This tactic may sufficiently deter some individuals from engaging in hateful activity when they encounter it online by raising the costs and consequences of poor self-control. As indicated by literature in social psychology (see Svensson, Pauwels, & Weerman, 2017), the anticipation of social stigma and shame can have a deterring effect on an individual's likelihood to engage in criminal behavior. The online outing of participants who participated in the August 2017 tiki torch-laden "Unite the Right" rally in Charlottesville, Virginia led to several of the named protestors expressing regret for the hateful optics of their demonstration (Ryland, 2017). By making the consequences of participating in hateful behaviors online more salient to users, individuals may think twice before joining in hateful activities and will reduce the overall prevalence of hate on SNS domains. Of course, limiting anonymity would also reduce what many consider to be the appeal of the Internet and a more open exchange of ideas.

Finally, the findings that closeness to an online community and interacting with close friends online increases the likelihood of participating in hateful behavior online deserves further investigation. Indeed, it should be noted that while these factors did not mediate the effects of self-control in this study, the variables we use to assess social learning/differential association are merely proxy measures. The fact that these proxy measures are significant predictors of joining in online hate attacks suggests that online contexts can exacerbate offensive material if one associates with an online community that sanctions and produces hateful content (see Hawdon, 2012). Consequently, scholars need to better understand the subcultures of the communities in which cyberhateful individuals spend their time, and future research should attempt to operationalize involvement in these groups more directly. As has been documented in offline settings (Eliasoph, 1998), these communities often function as spaces for playful but offensive banter. These collective norms of playful or ironic engagement in online hate can serve as a means for generating social solidarity but also as an end in and of themselves (e.g. a genuine expression of attitudes), and the dis-

inction between these boundaries is frequently quite blurry. Ultimately, hateful behavior is not born, but made, and it is the prerogative of scholars and SNS stakeholders alike to recognize and explain how factors of exposure, strain and self-control can contribute to hateful behavior; disrupt flocking and feathering processes among hateful communities online; and finally, to offer would-be participants of cyberhate alternative sources of social connectedness and belonging.

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Learning the Language of Justice Through Play

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ABSTRACT

Video games are often seen as a medium for entertainment. However, there is an emerging genre of video games that are designed to raise awareness about important social issues like poverty, immigration, and war. These games use persuasive strategies for engaging communities in conversations about human rights issues. This paper provides analyses of the educational strategies of twenty-one human rights video games on the *Games For Change* website. Our analysis reveals that the ways these games increase cognition, increase empathy and teach affective responses, as well as teach players how to participate in social change processes, serve to educate for behavioral change. Through this medium, players are immersed in simulations which give them a language to not only understand the dynamics at play in issues such as deportation, but also offers players insight into how to change these dynamics and why it is important.

Keywords: prosocial games, social change, educational strategies, human rights

INTRODUCTION

Playing video games is a popular form of American entertainment, and according to the Entertainment Software Association's Essential Facts report, 67% of households possess video game playing devices with the average age of a gamer being thirty-five. In 2016, according to this report, video games were a 30.5-billion-dollar industry. Additionally, ninety-one percent of U.S. children ages 2-17 play video games (Van Camp, 2011). Given this popularity, many scholars have studied the cultural and social impact of mainstream video games because, until recently, the suspicion was that they negatively affect players contributing to anti-social behaviors (De Simone, 2014; Passmore & Holder, 2014). Some gaming scholars have begun to focus on the positive benefits of playing video games, also known as prosocial games, and note the need for more research in this area (Casvean, 2016; Flanagan, 2006; Passmore & Holder, 2014). While some prosocial game scholarship focuses on the benefits of playing video games,

other prosocial game scholarship such as ours, asks questions about how video game play can promote social change. Human rights video games are a narrow subset of social change types of games. We suspect that understanding the strategies used in this narrow subset of social change games can provide insight into how game makers are communicating to audiences not only about the significance of human rights issues, but also ways to think about addressing social justice. Some video game designers and organizations are trying to use this popular medium specifically to raise awareness about a number of different kinds of pressing human rights issues around the globe. One such organization is called Games for Change. Games for Change was founded in 2004. Their mission is to empower “game creators and social innovators to drive real-world change using games that help people to learn, improve their communities, and contribute to make the world a better place” (www.gamesforchange.org). The website is a portal for housing prosocial video games on topics designed to raise awareness (at the least) about important social issues like poverty, immigration, and war. The list of video games has filters, and at the time of this research, human rights games were one such filter a person could choose. Many of these games can be found on the website Games for Change (www.gamesforchange.org).¹

Human rights were an important part of the founding of America and because of this, according to the United States State Department website,

a central goal of U.S. foreign policy has been the promotion of respect for human rights . . . The United States understands that the existence of human rights helps secure the peace, deter aggression, promote the rule of law, combat crime and corruption, strengthen democracies, and prevent humanitarian crises. (United States Department of State, n.d., para. 1)

More broadly, the United Nations with its headquarters in New York City, is an international assembly of countries committed to world peace. It was formed in the aftermath of the human rights violations of WWII, according to the organization, United for Human Rights (2018). The founding of the United Nations integrated “all legal traditions” of the world and agreed to a common Universal Declaration of Human Rights that insist on “inherent dignity and the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world” (United for Human Rights, 2018, para. 1) to prevent future human devastation. It is clear from the game descriptions and game designs that the Games for Change human rights games align with these common definitions in their classification of their games in this category.

Given the popularity of video games in America, and the potential of

video games to promote prosocial goals, we ask how such video games are designed to support a human rights' ideal, and if they are effective in this regard. The medium of video games engages players in narratives where they have options to occupy different identities and roles, think through complicated rules and goals, and become immersed in situations altogether different from their own. Video games designed pro-socially not only immerse players in educational stories, but they give players a reality to navigate that can potentially increase empathy toward social issues and encourage players to contribute to making global social change.

To improve education about human rights through video games has real potential, not only because gaming is appealing to a younger generation of digital natives, but also because the medium of video games has potential to tap into cognitive, affective, and behavioral learning domains. Given the educational and social justice opportunities of human rights video games and the lack of research on prosocial video games, our aim is to examine the educational components of twenty-one of these human rights video games on Games for Change and thereby contribute to both scholarship and advocacy. Our overall research question asks how these video games use strategies to educate audiences about human rights issues. We explore this question through qualitative content analyses of the video games.

Video Games as Learning

Popular discourses about playing video games are divided into positive and negative claims about effects. Negative effects are considered antisocial because they manifest in attitudes and behaviors like aggression, hostility, and violence. According to De Simone (2014) who defined antisocial behavior as “a broad term used to refer to any type of behavior that is enacted by one person against another person, group of people, or inanimate objects with the intention of harm,” and prosocial as supportive and helpful behaviors toward individuals or groups (p. 82). What both sets of discourse share is the assumption that people learn through video game play. In other words, video games influence. They operate on simulation and representation, allowing players to enter into many different possibilities interactively which can culminate in, “expanding new horizons, particularly new ways of thinking, doing, and being” (Squire, 2008, p. 24). Gee (2016) writes that “in playing and learning video games, language and literacy are fully situated in images, actions, interactions, and dialogue” (p. xi). Playing video games engages both body and mind. In this way, the medium of video games help develop 21st century skills, such as problem solving, critical thinking, and creativity. For example, Squire (2008) writes about the importance of video games for developing 21st century skills. He uses the example of *Civiliza-*

tion, a game in which players create their own civilizations. In the game, players are in charge of a civilization from 4000 B.C. to the present day. Squire writes that the game teaches a different approach to world history, moving away from “grand narratives” to instead having students learn through themes and patterns. As Squire writes, *Civilization III* can offer “a story of advantageous global trade networks, resources, technologies, and limited opportunities for population expansion. The game also offers opportunities to think about broad domestic decisions (e.g., “guns vs. butter”) and foreign policy decisions (isolationism vs. trade)” (p. 19). Squire writes that game-based learning can allow students to move from novices, to expert gamers, to perhaps producers or video game designers as they participate in 21st century learning.

Some research on prosocial video games exists, which sheds some light on this path. Passmore and Holder (2014) conducted a comprehensive literature review on video games designed to increase prosocial behaviors. One important trend they found in this review is the number of scholars who use the General Learning Model (GLM) to explain video games as educational. This model was developed by Buckley and Anderson in 2006. Buckley and Anderson (2006), in researching the effects of violent video games on people who play them, noted the broad range of learning that occurs through playing video games and developed the GLM. In the process of building their model, they note that video games are used in traditional classroom settings, workplace and corporate training settings, military settings, and other socialization-oriented settings. In educational settings specifically, Buckley and Anderson (2006) discussed evidence of educational video games that teach both cognitive and emotional or affective behaviors (p. 365). Briefly, research reveals that video games are useful as educational tools because they are participatory, they are designed to gain attention, they build in repetition and practice, they show people attitudes and steps necessary to adopt behaviors, they are motivating, and they are designed so that players feel competent about the tasks they are asked to perform (Buckley & Anderson, 2006, p. 367). Their GLM model is based on social learning and social cognitive theories. As they write, social learning theories explain how people learn either directly or through observing others and social cognitive theories account for how people learn scripts. According to Buckley and Anderson (2006),

People can learn many complicated behaviors, attitudes, expectations, beliefs, and perceptual schemata through observation and participation in video games. And, as they observe and perform these new behaviors, they are learning scripts. Scripts are organized sets of knowledge that define situations and guide behavior. (p. 368)

As Buckley and Anderson (2006) describe, the GLM model begins with input variables that are personal and situational. These input variables impact a person's response through one or more of the interrelated internal states: cognition, affect, and arousal. The outcomes of the GLM model account for types of learning (facts, behaviors, perceptual and decision schemata, and personality changes) as well as duration of learning (long or short term). In the end, Buckley and Anderson (2006) underscore that video games do teach and that content matters. In fact, using GLM, as Greitmeyer and Osswald (2010) point out, impacts "the kind of associations that are activated by a video game depends on the content of the game played" (p. 212).

The GLM model is one commonly used educational framework. But like others, we also see education from a constructivist orientation as valuable. Marone (2016) offers a theoretical model he calls playful constructivism, to help scholars explain how video games educate. Playful constructivism, as Marone (2016) conceives it, is based on learning theories of situated cognition, social constructivism, and constructionism, and it integrates play, game design, and participation. Marone draws from Anderson, Reder, and Simon's (1996) ideas of situated cognition to show that learning is an outcome of interaction in a social setting rather than a process confined to the mind. Important to the claim that video games educate is Ackerman's (2001) argument that learning happens in situations and is not detached from them. Using Brede (1997), Marone (2016) includes constructivism's ideas to explain learning not as acquired but as actively assembled through experiences with objects, interactions with persons, and situations, in this case, as players interact with games. Players enter the stories and challenges of game worlds, repeatedly engage challenges, fail in a risk-free environment, and develop knowledge and skills through the engagement. As Marone (2016) writes, "solving meaningful problems is an essential component of any engaging digital game, but a carefully crafted gaming and learning experience is not focused exclusively on performance, but also on experience" (p. 4). Marone (2016) offers this theory so that;

[S]cholars may explore the construct of "playful participation," looking into the social interactions and discourses engendered by games . . . or examine, compare, and contrast how learning is constructed in such environments and how it may be transferred from one setting to another. (p. 13)

We hope to find that learning human rights through prosocial video games transfers.

Video games on GFC add a visual dimension to issues such as poverty, war, and immigration. They are teaching players about these issues through engaging them in play. The medium of the video game offers a space to introduce players to issues and create simulations in which players navigate these worlds. For example, in the video game *I Can End Deportation (ICED)*, players take on different identities of people affected by immigration law, including legal permanent residents, asylum seekers, students, and undocumented people. Throughout the game, players make moral choices about how to answer questions by immigration officers. They have to decide how to answer questions to avoid being thrown in detention or be deported. In the process, players learn about the language of immigration, and the barriers that those affected by immigration law face.

The GLM model and Playful Constructivism inform this study as both explain video games as educational. If education happens through situated experiences, repetition, failure and play, interactions, and foster change in cognition, affect, and arousal that result in acquiring facts, behaviors, perceptual and decision schemata, and behavior, these ideas help us examine the educational designs of human rights video games.

Prosocial or Serious Games

In order to better understand these human rights games, it is important to situate them within the larger genre of prosocial and serious games. These games use entertainment media to communicate a serious message (Gee, 2003). For prosocial games, we employ the definition Passmore and Holder (2014) describe where “prosocial acts are necessary to advance in the video game, provide models of, and give direction for, prosocial behaviour” (p. 213). As Flanagan (2006) observed, there exist very few video games with such prosocial values intentionally designed into the technologies. One video game she points to that does this is *Peter Packet*, which comes from the non-profit organization, NetAid, whose mission is to eliminate poverty. *Peter Packet* is designed to raise awareness about issues people in Haiti, India and Zimbabwe face and to create change as “players help Peter Packet dodge viruses and hackers in order to help the in-game characters communicate with international contacts such as teacher organizations” (p. 494). Since Flanagan’s (2006) observation, more prosocial videogames have been created. Passmore and Holder (2014) categorize these as video games from advocacy organizations.

Prosocial Games and Empathy

One of the educational advantages of prosocial games is their ability to

evoke empathy in players. For this analysis we use Alder and Towne's (1996) definition of empathy as three ingredients: perspective taking - the cognitive ability to temporarily inhabit another person's viewpoint, emotion - the ability to affectively experience another person's feelings, and "concern for the welfare of another person" (p. 117). In many video games, players are required to identify with characters in the game. Empathy in prosocial games asks players to infer mental states and experiences of characters in game. For example, in the human rights video game *Against All Odds*, players take on the role of a refugee fleeing her home country and starting a new life in a foreign country. In the process, players learn about and occupy the limited choices that refugees have. The game is designed to increase empathy through perspective-taking, placing the player in the role of someone who has been displaced and must navigate a new world. As Happ, Melzer, and Steffgen (2015) write, "While the affective component of empathy involves an emotional response to another's affective state, the cognitive component involves understanding another's feelings" (p. 81). In this way, affect and cognition are linked. Importantly, Harrington and O'Connell (2016) found that playing prosocial games was associated with higher levels of empathy in children. They also found that prosocial games led to positive affective relationships and cooperation. Thus, there is the potential of prosocial and serious games to have impacts outside of the medium of the games.

Prosocial Games and Behavioral Change

A dictionary definition of behavior involves an observable act of a human. Definitions of culture often include behavior, and as Conrad and Poole (2005) describe, behaviors are noticed when something abnormal or unusual happens. In other words, behaviors are observable and we learn them as we learn our cultural norms. There is evidence that serious and prosocial games can change behavior (Baranowski, Buday, Thompson, & Baranowski, 2008). For example, Greitemeyer and Osswald (2010) found that playing prosocial games was related to increases in prosocial behavior. These authors acknowledge the body of research that suggests that playing violent video games may lead some players to act more aggressively. However, in their research, they found that the opposite was also true. Playing prosocial games had real-world consequences by increasing players' behavior outside of the game. Additionally, research suggests that playing serious games, or games designed for educational purposes or for social change, can increase student motivation to learn in school (Gee, 2003). Play is an important dimension of social development because it allows children to "experiment with social experiences and simulate alternative emotional

consequences, which can then bring about feelings of resolution outside the play context” (Granic, Lobel, & Engels, 2014, p. 67). These dimensions of video games support the GLM model as well as the potential of prosocial and serious games to impact prosocial behavior, such as increasing empathy for those people experiencing dire circumstances, such as poverty and displacement. Further, this research suggests the potential of behavioral change, such as becoming an advocate for those in need.

ANALYSIS

In order to better understand the educational strategies of the human rights video games found on the Games for Change website, we categorized the games according to the learning dimensions that the games employed. *Cognition* refers to the strategy of increasing players’ knowledge or understanding of a particular human rights issue. *Empathy* refers to the strategy of increasing the player’s understanding of a human rights issue by having the player engage in perspective-taking. By playing a character that is in the role of disempowerment, such as a refugee fleeing a war-torn country, players are involved in a process of empathy. *Behavioral change* refers to engaging players in a set of steps to show them the skills needed to participate in social change. These behaviors include calls to action, such as donating money to nonprofit organizations or writing letters to Congress to end human rights abuses.

We selected video games on the GFC website that were categorized as games about “human rights.” Twenty-one games were in this category. However, while the games fall into the category of human rights, it is unclear from descriptions of the games who the target audience is. While mainstream video games follow a rating system which communicates to gamers what the age level of the players should be, the games on GFC do not follow this convention. With that in mind, we speculate that these games are targeted toward a general gaming audience, which can include players from all ages.

In the following sections, we describe the different educational domains that were present in the 21 human rights video games. See Appendix 1 for list of games.

Cognition

All of the video games had the goal of educating players about pressing antisocial social issues, including poverty, war, and immigration. Many of these games included additional educational content, like a companion website or curriculum, which were designed to extend the educational bene-

fits beyond the game itself. As the GLM and Playful Constructivism explain, it is through the process of play that players develop cognition. Having the additional resources allows players to delve deeper into the topics. Additionally, teachers can find ways to integrate these topics into their curriculum. For example, *That's Your Right* is a digital card game designed to teach middle school and high school students about the Bill of Rights, the first ten amendments of the American Constitution. Players are faced with scenarios in which they need to make decisions about how these scenarios would affect their ability to apply the amendment. The game is part of a larger curriculum of the Annenberg classroom which aims to provide resources for civic education.

Mars Generation One: Argubot Academy is a game set in 2054 when there is the first human settlement on Mars. Players have to make lots of decisions about their civilization. Players learn about how to construct good arguments that include collecting evidence, matching evidence to claims, applying reasoned thinking, and discussing proposals collaboratively. Research on the game suggests that students who play it for three hours with two hours of instruction can gain one year of learning in argumentation. The educational version of the game comes with instructional resources so that teachers can integrate the game into their classrooms.

In addition to offering curriculum on a companion website, another strategy for increasing players' knowledge about human rights topics was to embed educational materials into the medium of the video game. For example, *Never Alone (Kisima Ingitchuna)* is a game that explores the cultural folklore of the Iñupiat Native Alaskan people. Throughout the game, players take on the role of Nuna, a young girl, and her arctic fox companion as they set out to find the source of a blizzard that threatens her community's survival. As players move through the game, they are presented with puzzle challenges. The video contains short documentaries that tell stories about the Iñupiaq people.

Decision-making

Eighteen of the twenty-one games used decision-making as the main strategy for educating players. As the GLM model suggests, decision-making and problem-solving are important for cognition because they help players to develop a set of scripts that define situations. Through the process of playing the video game, players are shown steps necessary for completing tasks as well as the consequences of making different choices. For example, *1979: Black Friday* is described as a "choice-driven, narrative game" in which players take on the role of photojournalist Reza, who is based on the real-life of Michel Setboun. In the narrative, Reza returns to

Tehran in 1978 during the Iranian Revolution against the ruling of the Shah. The video game includes real-life photos from the revolution as well as audio speeches of the Ayatollah Khomeini. Throughout the game, players take photos and are given background about the real-life images. The players also encounter moral situations where they are tasked with making decisions about how to proceed. For example, in one part of the game, players choose to have Reza take part in a protest or take pictures. We learn that Reza is eventually thrown in prison and he is confronted with sharing information about participants in the Revolution or risking having his brother tortured. While this video game is not part of an educational campaign, the subject of the game itself is designed to not only educate players about the historical reality of the Iranian Revolution but also engage them in play that forces them to make difficult choices in dire situations. The game serves two functions, then, to educate about historical events and to engage players in moral decision-making in times of crisis.

In human rights games, decision-making became important for engaging players in simulations in which choices made in the game led to different outcomes. For example, *Endgame: Syria* is a news-game which includes simulations to explore real-world events. The game takes place over two weeks and the goal is to explore options open to Syrian rebels as they struggle for peace. As promotional materials state, “each choice the user makes has consequences—the types of military units you may deploy, the political paths you choose to tread”. Choices may impact the current situation as well as the final outcome.

In another example, *Wildfire* is designed to address the United Nations’ Millennium Development Goals (MDGs). Throughout the game, players are tasked with ending poverty, increasing gender equality, protecting the environment, and combatting illiteracy. Players make decisions about how to allocate their resources. In the process, they learn about how difficult these issues are. One interesting aspect of this game is that it includes a real-time twitter feed from the United Nations. Adding this element is designed to add some real-world context to the game.

Decision-making strategies were also used to teach about more general concepts such as greed. For example, *Neocolonialism* is a game that puts the player in a position of power, rather than disempowerment. The goal is to ruin the world for personal gain and thereby learn what neocolonialism means as well as what it does. As *Neocolonialism’s* promotional materials state, the game, “encourages players to exert political pressure and capital to gain an economic advantage over their rivals” (<http://www.games-forchange.org/game/neocolonialism/>). In each turn, players have the options to buy votes, negotiate with other leaders, and manipulate currency. During the game, players build factories, mines, and establish free trade agree-

ments, to acquire as much capital as possible. Similarly, *Sweatshop* is a game in which the goals are to make a factory successful through making clothes and exploiting labor. Throughout the game, players are faced with moral dilemmas, such as how to balance the needs of the workers with the task of making as much money as possible. According to promotional materials, the game is “littered with real facts about the fast fashion industry and aims to provoke teenagers into thinking about their fashion choices more carefully” (<http://www.gamesforchange.org/game/sweatshop/>). These games educate players about how capital can be attained through corruption, an abstract concept in traditional learning contexts made clear through playing characters, learning scripts, repetition, decision-making, and story.

Empathy

While all of the games were designed to increase players’ understanding of human rights issues, sixteen of the twenty-one games used empathy as a design strategy for engaging players in a process of perspective taking. One strategy for increasing empathy was to have players take on different roles to experience human rights situations. For example, *Inside the Haiti Earthquake* is an online simulation game in which users can experience what it was like after the Haitian earthquake in 2010. According to promotional materials, the game is designed to challenge players’ assumptions about relief work in the aftermath of disasters. In the game, players take on the role of aid worker, survivor, and journalist and navigate the aftermath of the disaster. Players are faced with different choices and in the game they are confronted with the consequences of these choices and must learn the scripts to make these choices. For example, when the player takes on the role of a survivor, the player has to make decisions about whether to sift through the rubble for other survivors or to head to the center of town to find relief. This game is an example of transmedia, because the video game is a companion to a documentary. One of the interesting approaches in this game is that it is promoted as a simulation—there are no scores and instead the goal is to experience what it is like to play these roles. In this way, one of the learning strategies is to increase empathy.

Another exemplar of empathy designed into video game play is *The Migrant Trail*, a simulation game about the life of migrants and border patrol agents on the U.S.-Mexico border. The game is part of a transmedia campaign called *The Undocumented*. The transmedia campaign includes a film and an interactive map that shows deaths from migrants crossing the border. In the game, players can choose to play as migrants or border patrol agents. When players choose to play as migrants, they purchase supplies for their journey and try to avoid border patrol agents who will kill them if they

are caught. When players choose to play as border patrol agents, they drive patrol cars looking for migrants. When they capture a migrant, they have to make decisions about how to ensure that migrants receive proper care. Here, the goal is to prevent deaths and injuries. One aspect of the game is that players gain insight into two sides of an issue. Through perspective-taking, emotions, and concern that these positions create, players learn a more complicated appreciation of the brutal conditions that migrants face, as well as the tough decisions border patrol agents must make.

In addition to taking on different roles, another strategy for increasing empathy was to incorporate real-life stories into the games. For example, *Against All Odds*, released in 2005, was developed by the United Nations Higher Commissioner on Refugees and the goal is to educate the public about what it is like to be a refugee. In the game, the player takes on the role of a refugee and progresses through twelve stages, from fleeing one's native country to adapting to a new life in a foreign country. Similar to other games analyzed, this game has educational companions, including information about the history of asylum and refugee testimonies. There is also a teacher's guide that provides direction on how to integrate the game and concepts into the classroom. In this process, the goal is for players to develop empathy for the plight of refugees, while also learning more about the history of asylum seekers.

Increasing empathy through using real-life stories was also a strategy in *Liyla and the Shadows of War*, which is about the invasion of Gaza and the challenges that are faced with those trying to survive. The game uses black and white animation to engage the players in the process of trying to survive amidst the war. The video game includes a companion website (<http://liyla.org/resources>) that offers resources and a facts page that shows the real-life photos on which the animation in the game was based. Additionally, *Syrian Journey* is a game that explores the experiences of Syrian refugees. The project includes a news game, in which the outcomes of the choices are based on real-life stories of Syrian refugees. The project also includes videos of survivor stories as a way to increase players' empathy.

Behavioral Change

Along with cognition and empathy, seven of the human rights video games included the additional strategy of behavioral change. This behavioral change came in the form of a call to action, such as sending letters to Congress or donating money to nonprofit organizations that work with human rights issues. In the following sections, we provide an overview of the games that aimed to change players' behaviors.

In the video game, *Darfur is Dying*, players can engage in real-world

actions, such as sending letters to Congress about the situation in Darfur. This game was released in 2006. In the game, players choose a member of a Darfuri family, such as a son, daughter, or parent that has been displaced by the war in Darfur. During the game, players are tasked with traveling from a refugee camp to collect water. In the process, players try to avoid being captured by the militia. If the player is captured, they risk dying. If they are able to avoid the militia, they bring the water back to the camp for watering crops and building huts. Once the water runs out, the player goes back to fetch more water. In the end, the goal is to provide water for the camp for seven days. Through the process of playing the game, players become aware of how dire the situation in Darfur is. Real-world action was embedded in the game, as players could send a letter to President Bush urging him to support the people in Darfur or urging Congress to pass legislation to support Darfurian refugees. In an interview with Susana Ruiz about the importance of the game, Neys and Jansz (2010) found that the goal was to increase access to information about Darfur through the medium of the game. Additionally, as they write, the game is “meant to serve as an entry into the crisis for an audience which would probably not use other resources to access the information” (p. 233). Thus, the goal of the game is to target an audience who may not otherwise be exposed to the situation in Darfur.

Half the Sky is a Facebook video game, released in 2013, that was part of a larger transmedia effort from Nikolas Kristoff and Sheila Wu. The media includes a PBS series on women’s rights issues, a book, and the video game. According to its promotional materials, the game is a “game-based adventure that aims to reach mainstream audiences to raise awareness and donations to empower women and girls around the world” (<http://www.gamesforchange.org/game/half-the-sky-movement-the-game/>). In the game, players “move through a series of quests and stories related to real-world challenges that women and girls face, with issue-specific solutions provided by seven non-profit organizations” including the United Nations Foundation and World Relief. Throughout the game, players can choose to donate real money toward specific issues women face globally, such as increasing access to education and clean water. The game is also intended to be viral, since players are encouraged to share the game with their social networks.

In *Homeland Guantánamos* players take on the role of an undercover journalist who is tasked with solving the mystery behind the death of a detainee, Boubcar Bah, who died while in custody. In the game, players go through a 3-D tour of the facilities. Throughout the game, players encounter real-life video stories of those who have been detained. The goal of the game is to uncover the details of Boubcar’s death. The companion website offers ways to take action, from sharing the website and games with others

to hosting a discussion with the community. The website includes videos of detainee stories, as well as a virtual memorial wall of detainees that have died. On this site, users can offer words of support. Finally, the site offers ways that users can donate money to help raise awareness about the human rights issues on Guantanamo.

ICED: I Can End Deportation is intended to teach players about the different plights that different categories of immigrants face. The object of the game is to become a citizen of the United States. According to the game description, “as an immigrant teen, you are avoiding ICE officers, choosing right from wrong and answering questions on immigration. But if you answer questions incorrectly, or make poor decisions, you will be detained with no respect for your human rights” (<http://www.icedgame.com/#0>). *ICED* includes a companion website (<http://www.icedgame.com/#4>) that includes ways for users to continue learning about human rights and immigration. Players are encouraged to become a member of a Facebook group, post a link to the game on their social media, learn about and sign the Universal Declaration of Human Rights, or write about *ICED* on one’s blog. The companion website also includes a PDF of curriculum that helps teachers teach students about human rights and immigration. The curriculum provides background information on immigration, has in-class lessons and homework assignments, and is aligned with New York State and New York City Social Studies and English Language Arts Standards.

Two of the seven games were designed to educate players on how to become producers of information. In *On the Ground Reporter: Darfur*, players take on the role of a reporter who is exploring the villages and campsites in Darfur to better understand the culture and people. The game uses real footage and the game is designed as an adventure game which engages the player in learning about some of the root causes of hostilities in Darfur. At the end of the game, players produce their own version of the story. *Ayiti: The Cost of Life* is a game published by Global Kids. The goal of the game is to manage a rural family of five in Haiti over four years. Throughout the game, players are tasked with allocating resources so that the family can survive. This game is part of Global Kids’ initiative to develop curriculum and train youth to create video games that are geared toward education other youth around the world. It includes a lesson plan: <http://www.olpglobalkids.org/pdfs/ayiti/GlobalKidsAyitiLessonPlansFull.pdf>. The objectives of the lesson plan include using an online game to better understand the socio-economic situation in Haiti and understand how poverty can be an obstacle to education; help players develop budgeting and resource allocation skills; and learn ways to advocate about confronting poverty in Haiti.

Finally, *Phone Story* is “an educational game about the dark side of

your favorite smart phone” (<http://phonestory.org/>). There are four games that educate about the ways in which materials are collected, labor is exploited, excessive e-waste is produced, and how consumerism propels this process. The revenue from the game is donated to non-profit organizations that work to stop the problems players come to know. Ironically (or predictably), the game was banned from the App Store. *Phone Story* includes an educational website that provides additional information about the impact of smartphone production and consumption. For example, the game has a section designed to raise awareness about Coltan, a rare mineral that is used in several electronic devices. Coltan is found in the Congo and there are reports that child labor is used to mine for the mineral. The goal of the game is to raise awareness about how consumers are complicit in the dark side of the smartphone.

DISCUSSION

Motivated by the educational and social justice opportunities of human rights video games as well as the lack of research on prosocial video games, we undertook an analysis to contribute to both scholarship and advocacy. Our analysis of the GFC human rights games reveals that these games educate players in the following ways. First, the games increase cognition through decision-making and problem solving. Like popular video games, to play the game is to learn the scripts, language, and moral stories inherent in global human rights issues. Second, these games often include the choice or the requirement to play different kinds of characters involved in survival, oppression, or other pressing global social issues. Through this perspective-taking, players’ empathy about human rights issues increase. Players of these GFC games also learn affective *responses* to these issues, which is important in light of social change and behavioral change.

In addition to cognition and empathy, seven of the games taught players how to participate in social change processes such as letter writing, donating money, and creating, thus educating for behavioral change. Many of these games are part of a transmedia package of educational materials from and for the educational community who work with and communicate with youth about human rights issues. We imagine that educators seeking 21st century educational methods incorporate these games into their lessons so that students watch documentaries, play games, play video games, and create social change solutions. While analyzing the curricular use of these games was outside the scope of this work, we recognize the potential for these games to be integrated into classrooms. Future research could look at implementation of these games for educational purposes. While it is unclear how widespread these games are, the fact that they are designed with an

educational lens suggests their potential to be integrated. Furthermore, these efforts offer communities of educators resources and tools based on sound theoretical learning models. Even though this is a small niche of games, we see the importance of work that this community of educators are doing. Through the design of the materials and the contemporary content of the games, this group of committed educators brings hope and inspiration and a progressive learning model to their students. In the process, they are lighting the way for the next generation of human rights activists.

Using the theoretical models of GLM and Playful Constructivism, our 21 games included cognition and affect as part of design and content of the games, which supports prosocial video games content as educational. These easily contribute to the use of the GLM model for game scholarship, specifically the interrelated internal states of, cognition, affect, and arousal. Our analysis does not include short versus long-term learning. We are especially cautious here because we suspect that players do not engage in as much repetition as they do playing popular mainstream video games, partly because of the production value (human rights video games are not as slick) and partly because educational contexts are limited, leisure less so. In terms of the way video games educate as can help players feel competent about the tasks they are asked to perform (Buckley & Anderson, 2006, p. 367), but are uncertain. The content of these human rights games may not support feelings of competence because these problems, while real, are massive and remote. While the Entertainment Software Association's Essential Facts reports the average age of gamers as 35, the likelihood is that educators have youth playing these human rights games. Twitter is not known as a youth platform. Those being educated do not make money enough to donate, often can't vote, nor do much letter writing to their congressional representatives. The players may learn the skills for activism but may not play to the level of competence for a variety of reasons. Playful constructivism was also a useful model to explain how video games educate because we assume players learn as they interact with the games and game goals, especially given the 21st century skill sets and expectations some teachers use. To that end, the games in our analysis that have the most educational potential are those that combine all three aspects of cognition, empathy, and behavior change in one game.

CONCLUSION

While the analysis presented here offered insight into how some human rights video games may help players to enter into new domains of learning about social justice, future research is needed to better understand if these strategies are effective. We analyzed the educational strategies of

the video games, but did not look at how actual players may respond to these strategies. Future research should include audience analysis to better understand if these educational strategies have the intended effect. Additionally, it would be helpful to interview the teachers who are integrating these materials into their classrooms. This analysis would be useful for understanding the different ways that these learning domains are activated in educational settings. Also, our sample size is limited to a small number of video games and future research could look at more examples within this genre. This analysis could help to discern what kinds of game designs are the most useful for teaching about human rights.

Despite these limitations, there is much to be learned about using the medium of video games to teach about human rights and social justice. Video games are appealing to a younger generation who may not have first-hand experience with issues such as war, poverty, or immigration. However, through entering different gameworlds, they are able to engage in these situations through a process of simulation. As playful constructivism suggests, video games allow players to learn through the challenges presented in the game, have the experience of failing in a risk-free environment, and develop knowledge and skills. Additionally, as the GLM model proposes, video games are participatory and they help develop players' skills through gaining attention and offering the steps necessary to adopt similar behaviors. It is plausible, then, that these games can have an impact in not only increasing players' empathy toward human rights issues, but also providing them with the necessary steps to work toward real social change.

NOTES

1. Our initial analysis of games were those housed on the Games for Change website. However, some of these games have since been moved to The Advocates for Human Rights (<http://www.theadvocatesforhumanrights.org/games>).

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APPENDIX 1. HUMAN RIGHTS VIDEO GAMES

Title	Year	Theme
1979 Revolution: Black Friday	2016	Moral Choices in Time of Crisis
Against All Odds	2005	Refugees
Ayiti: The Cost of Life	2006	Children, Poverty, Education
Darfur is Dying	2006	Refugees
Half the Sky Movement: The Game	2013	Women's rights
Homeland Guantamos	2008	Prisoners of war
ICED – I Can End Deportation	2008	Immigration
Inside the Haiti Earthquake	2010	Disaster & Relief
Endgame: Syria	2012	War
Liyla and the Shadows of War	2016	Children & War
Mars Generation One: Argubot Academy	2014	Critical thinking and persuasion
Neocolonialism	2013	Politics
Never Alone (Kisima Ingitchuna)	2014	Atmosphere/Environment
On the Ground Reporter: Darfur	2010	War, Investigation, Communication
Parable of the Polygons	2014	Moral Choices
Phone Story	2011	Social/Politics, Video Games
Syrian Journey	2015	Refugees
Sweatshop	2011	Ethics, child & cheap labor
That's Your Right	2014	Human Rights
The Migrant Trail	2014	Migrants & Border Patrol
Wildfire	2010	United Nations Millennium Development Goals

Flashpoint: The Church and Law Enforcement in Poor Black and White Communities

Rev. Samuel K. Atchison

ABSTRACT

This paper seeks to “connect-the-dots,” linking recent police shootings of African Americans, including several in suburban communities, with emerging research linking the migration to the suburbs of poor, mostly black and Latino urban dwellers with “suburban poverty” and crime. Also discussed are the increase in poverty, crime and incarceration among whites in rural communities. Contrary to popular belief, poor white communities contain the fastest growing segment of the U.S. prison population. Poor whites are also the victims of police violence more often than blacks. As one civil rights leader has written, “While African-Americans are at disproportionate risk from the structural and human biases of our criminal justice system, we should not forget that working and poor people of all races suffer from police excessive use of force. Police kill more whites than blacks.” (Jackson, 2015, para. 11)

In an age of draconian and (in the opinion of many) hate-filled reversals in criminal justice and immigration policy, due in large measure to these demographic shifts, the power and moral witness of the church are sorely needed to assist the poor, both black and white. This assistance must go beyond the “outreach ministries” typically seen in churches. Rather, as society’s principal moral voice, the church must see and understand the demographic and cultural changes happening around it, effectively seeing through a moral lens the changes law enforcement often finds threatening. And, within the context of providing pastoral care to the wealthy and the poor, the black and the white, the law enforcer and the ostensible law breaker, assist in brokering relationships that are beneficial to the individuals, families and communities it serves.

Keywords: suburban poverty, clergy-police partnerships, police-community relations

INTRODUCTION

In the wake of a rash of police shootings around the country in recent years, in which literally dozens of black citizens were killed, leading in some cases to violent confrontations between police and community (and

also giving rise to the aptly named Black Lives Matter movement), there developed a keen interest in establishing rapprochement between what amounted to warring factions in such cities. For example, in Ferguson, MO, as well as cities such as Baltimore, Seattle, and Cleveland, the U.S. Justice Department, under President Barack Obama, negotiated federal consent decrees to, among other provisions, stipulate strict guidelines governing police behavior with a view toward curbing abuses.

There was also a renewed interest in some communities in establishing partnerships between clergy (and, by extension, their congregations) and law enforcement agencies. Such collaborations between clergy and police were used to great effect in a number of cities in the 1990s and 2000s, and were often responsible for helping to increase police legitimacy and lower racial tensions on the one hand, while simultaneously helping to reduce youth-related violent crime, increase community safety awareness, and facilitate civic and inter-agency cooperation (Brunson et al., 2013; Trulear, 2000).

The clergy-police partnerships were particularly important because they addressed two core assumptions at play in poor, minority communities:

1. The perception that “the police officer is not your friend”; and
2. The notion that, based on their moral authority and – in particular – the services they provide through their ministries, clergy have credibility where the police do not (Brunson, et al, 2013).

With the election of Donald J. Trump as President in 2016, however, things began to change. In particular, the new Attorney General, Jeff Sessions, ordered a sweeping review of all Justice Department activities—including Obama-era consent decrees—under the aegis of ensuring that such activities “effectively promote a peaceful and lawful society, where the civil rights of all persons are valued and protected” (Sessions, 2017, p.1). At the same time, DOJ sought a 90-day delay (subsequently denied by a federal judge) in enacting a consent decree negotiated with the Baltimore Police Department. The proposed delay “came just days before a hearing. . .to solicit public comment on the agreement, which was reached in principle by the city and the Justice Department in the waning days of the Obama Administration” (Stolberg & Litchblau, 2017, para. 3). In addition, the FBI’s Counterterrorism Division issued a controversial Intelligence Assessment which stated that what it term termed “Black Identity Extremists” were likely motivated to attack law enforcement officers in response to the officer-involved shootings of black citizens (FBI, 2017).

The sweeping nature of these and other actions targeting minority and

immigrant communities have caused many to question whether there is indeed justice in the justice system. In so doing, it has widened, largely along racial lines, the rift between many who identify themselves as Christians, but who take opposing positions as to the morality of the Justice Department's decisions.

This researcher has recently completed a study examining the role of the church in police/community relations, including a discussion of the migratory patterns that are often used to justify these policy changes. Also explored are the "lenses" through which such demographic shifts are viewed by different stakeholders, and their implications for civil society.

CHANGING DEMOGRAPHICS

Racial tensions arising in recent years in Ferguson, MO and other communities in the wake of a rash of police shootings around the country – leading in some cases to violent confrontations between police and community – underscore the challenges facing many towns following a nearly two-decades-long migration of the urban poor to the suburbs. While there is substantial evidence that law enforcement agencies often engage in abusive and even deadly practices, the problem isn't as simple as it appears. Demographic shifts are occurring as a result of a variety of migratory movements around the country. These movements are having a significant effect on the racial and ethnic makeup and economies of local communities. Interviews with clergy, police and other officials indicate that, depending on the lenses through which such changes are viewed, their effects can be seen as either positive or negative.

Research has documented the migration of millions of poor inner-city residents to inner-ring suburbs, a development researchers have termed "suburban poverty" (Galster, 2003; Kneebone & Berube, 2013). According to the Brookings Institution (Berube et al., 2010), the largest poor population in the United States now lives in the suburbs. A breakdown of this demographic shift reveals that among the millions of people migrating the country, the following are included:

- The relocation of Hispanics/Latinos from Mexico and Central and South America, including members of so-called transnational gangs, including *Mara Salvatrucha (known as MS-13)* and *18th Street*. (Center for Immigration Studies, 2008)
- The migration of local youth gangs from large urban centers to their surrounding suburbs. Fifty percent of suburban counties report gang presence and/or activity within their jurisdictions. As

with the transnational gangs, members of local youth gangs generally relocate with their families, usually in pursuit of greater employment opportunities, lower housing prices, and higher performing public schools (National Gang Center, n.d.).

- More than 600,000 newly-released former prisoners annually reenter society from state and federal institutions around the country. Most returnees live in their communities of origin with a family member or intimate partner, while others end up either homeless or in temporary housing (Urban Institute, 2001). If employment and needed social services are not available, most returning citizens resort to the same criminal activities that led to their incarceration in the first place.
- An estimated 700,000 to 1.6 million homeless children are served by school districts around the country. Some of the largest caseloads are in the suburbs. Jefferson County, CO, for example, reports having twice as many homeless children as the nearby Denver public school district. According to one homeless advocate, “Suburban homelessness is among the most invisible because it doesn’t fit our stereotypes” (Deem, 2009, para. 3).

Taken together, poor urban transplants constitute a critical mass of society which, when living together in sufficient numbers, often reflect the same dysfunctional and even criminal behaviors often ascribed to inner city neighborhoods. Citing Galster’s research, Elizabeth Kneebone and Natalie Holmes argue that “the negative effects of concentrated poverty—like its influence on crime, school dropout rates, and the duration of poverty—actually begin to emerge once a neighborhood’s poverty rate exceeds 20 percent, and grow rapidly before leveling off around the 40 percent threshold” (Kneebone & Holmes, 2016, para. 23). Moreover, poor suburban communities generally lack the governmental infrastructure necessary to address the financial and social service needs of the community. According to Kneebone, “Like Ferguson, many of these changing suburban communities are home to out-of-step power structures, where the leadership class, including the police force, does not reflect the demographic changes that have reshaped these places” (Kneebone, 2014, para. 9). As a result, they also lack the ability to contextualize and interpret the cultural and other changes occurring within them.

This is because, as researcher Eric Hehman has noted, “The context in which police officers work is significantly associated with disproportionate use of lethal force.” (Hehman et al., 2017, p. 1). Stymied by the lack of

data on lethal force by police, Hehman and his colleagues sought to develop a predictive model of lethal force integrating and correlating a broad range of measures and information on bias from more than 2 million people. Though they were unwilling to draw conclusions from their findings, and cited a need for further research, they nonetheless found that the implicit biases and stereotypes that whites have toward blacks is the greatest predictor of lethal force by police. Moreover:

Though the implicit prejudice of Whites is sufficient to significantly predict disproportionate lethal force, the strongest predictor of lethal force was the regional implicit stereotypical association between Blacks and weapons (Hehman et al., 2017, p. 5).

That is, notwithstanding the real correlation between increased poverty and rising crime, the very perception in the minds of Whites that African Americans were associated with carrying weapons is the strongest predictor of the use of lethal force by the police. Hehman and his colleagues cautioned that their research “cannot describe effects associated with racially biased individuals.” Rather, the results show that “that racially biased contexts are related to disproportionate lethal force” (Hehman et al., 2017, p. 5).

SEEING THROUGH DIFFERENT LENSES

Analysis by this researcher has identified at least two (2) different societal lenses through which this demographic shift is viewed. On one hand, as reflected in law enforcement surveys (e.g., the U.S. Justice Department’s National Youth Gang Survey; the FBI’s National Gang Report), local police departments and other law enforcement agencies tend to see the newcomers as a threat to public safety – including police safety – and responsible for losses in property value, tax revenue and an overall reduction in the communities’ quality of life. One response to this, as suggested by the Justice Department’s investigative report on the Ferguson Police Department, has been to increase municipal revenues by racially profiling minorities, leading to illegal traffic stops and other forms of “unconstitutional policing” (DOJ, 2015a, p. 2). Conversely, religious congregations often see poor urban transplants through the prisms of morality, compassion, and redemption. For example, national faith-based programs such as Amachi, which provides mentors for the children of incarcerated adults; and Healing Communities, which trains congregations to serve the needs of their members who have been affected by crime and incarceration, are research-based and designed to serve as extensions of congregational minis-

try (Goode, Lewis & Trulear, 2011). Moreover, research by Trulear, Byron Johnson and others has demonstrated the importance of the faith community in developing strategies that help in reducing crime; facilitate lower recidivism rates; and help to stabilize local neighborhoods (Johnson, 2008 & 2011; Trulear, 2000). In addition, there is also evidence to suggest that crime reduction partnership strategies between clergy and police may have the benefit of increasing what is broadly termed “police legitimacy” in minority communities and reducing the number of citizen complaints alleging police abuse in those communities (Brunson, Braga, Hureau & Pegram, 2013).

MIGRATION, POVERTY, AND POLICE-COMMUNITY TENSIONS

Black Migration to the Suburbs

According to political scientist Tamelyn Tucker-Worgs (2016), the mass migration of African Americans to the suburbs began much the same way as that of whites – with the middle-class. In a study titled “Black Megachurches and the Paradox of Black Progress,” she writes:

Black mega-churches are . . . the result of an extensive Black migration – the 1980s and 1990s suburbanization of much of Black America. During the 1980s and 1990s the African American population declined in urban areas but increased in suburbia. In fact during this time period the African American suburban population doubled from 6 million to 12 million. . . . Black suburban migration is not only a geographical shift, but also reflects a ‘class migration’ – an expanded Black middle class that is clearly the result of the opening of society. . . . It is the result of the gains of the civil rights movement and is a manifestation of class upward mobility (Tucker-Worges, 2016, p. 190).

Yet, as my own study of the literature shows:

[T]his ‘class migration’ to the suburbs of the black middle class was followed a few years later by the migration of, among others, the black urban poor to many of the same suburban communities . . . Ironically, this relocation of a critical mass of both the poor and the middle class positioned black megachurches to leverage the diverse education and professional skills of their congregants and create innovative social service programs, many of which received public funds through the [Bush administration’s] faith-based initiative” (Atchison, 2017, pp. 2-3).

Still, notwithstanding the education and social service innovations of these congregations, research indicates that poverty in these communities

outstripped the efforts of service providers, leading to the “negative effects of concentrated poverty” that Galster (2003) and Kneebone & Holmes (2016) have documented.

Officer-Involved Homicides and Police-Community Tensions

Between 2014 and 2016, a series of officer-involved homicides of African Americans in such disparate places as Ferguson, MO; Staten Island, NY; Baltimore, MD; Baton Rouge, LA; Minneapolis, MN; Cleveland, OH; Chicago, IL; Charlotte, NC; Tulsa, OK; and North Charleston, SC led to demonstrations by angry citizens in each of those communities, some of them violent. While the circumstances leading to each incident were different, certain commonalities existed. For example, in each community where the deaths occurred there was a history of racial tension between local police and citizens of color, particularly African Americans. In particular, a series of Obama-era Justice Department reports on policing in Cleveland, Ferguson, Chicago and Baltimore found that racial profiling, illegal traffic stops, police intimidation and brutality were common occurrences (Department of Justice [DOJ], 2014; DOJ, 2015; DOJ, 2016; DOJ, 2017).

Several of the police-involved deaths occurred in communities that had undergone significant population shifts in recent years. For example, Ferguson, MO, a St. Louis suburb where 18 year-old Michael Brown was shot in August 2014, had undergone a dramatic racial, ethnic and economic change. As Kneebone (2014) notes, in 1990 nearly three out of four (73.8 percent) of Ferguson residents identified themselves as White, while one in four (25.1 percent) were Black. By 2000, the proportion of African Americans had more than doubled, to 52.4 percent, while the percentage of Whites had been reduced to 44.7 percent. The trend continued in the 2010 Census: 67.4 percent Black to 29.3 percent White. Those identifying as Hispanic or Latino of any race comprised 1.2 percent of the community (American Fact Finder, 2018). Equally as dramatic, there was a significant increase in the municipality’s poverty rate. As Brookings’ Kneebone noted in a blogpost the week after Brown’s death, “At the start of the 2000s, the five census tracts that fall within Ferguson’s border registered poverty rates ranging between 4 and 16 percent. However, by 2008-2012 almost all of Ferguson’s neighborhoods had poverty rates at or above the 20 percent threshold at which the negative effects of concentrated poverty begin to emerge” (Kneebone, 2014, para. 6).

A similar demographic shift occurred in the Minneapolis/St. Paul area where Philando Castile died, and which was once one of the most fully-integrated metropolitan areas in the country. Castile was actually shot in Falcon Heights, a suburb that “has seen its share of nonwhite residents grow

from 4 percent in 1980 to 22 percent in 2010. Neighboring Saint Anthony, on the other hand, the town where the police officer who shot him worked, is less than 5 percent nonwhite” (Covert, 2016, para. 14). At the same time, increasing re-segregation became associated with increasing poverty: By 2012, “19 percent of poor black Twin Cities residents lived in high poverty neighborhoods” (Covert, 2016, para. 9)

Baton Rouge, the Louisiana state capital where Alton Sterling died, is actually a consolidated city/parish – linking Baton Rouge with East Baton Rouge Parish, and surrounding three other incorporated cities – which is presided over by a mayor/president. Based on 2010 Census Bureau data, “the racial makeup of the city was 54 percent Black or African American, 39.4 percent White, 0.1 percent Native American/Alaskan Native, 3.3 percent Asian, and 1.3 percent from two or more races. Hispanic or Latino were 3.3 percent of the population” (American Fact Finder, 2018). Moreover, according to a Louisiana-based analytics and polling firm:

If we were to look at the demographic breakdown, we would see that in the 2000 Census, the racial breakdown of East Baton Rouge Parish was 56-40% white/black (2% were Asian, and 2% were Hispanic). The 2010 Census, however, showed that East Baton Rouge became a “majority minority” parish, as its white population dropped below 50%, and the black population increased to 45%. What this means in absolute numbers is that the white population decreased by 17K as its black population increased 34K. This demographic change was brought about both by Hurricane Katrina and continuing suburban migration to Livingston, Ascension, and (recently) West Baton Rouge Parishes (JMC, 2011, Population growth/demographic changes section, para. 2).

Eric Garner died on Staten Island, the only one of New York City’s five boroughs that has a non-Hispanic White majority. However, that majority has diminished, from 77 percent in 1990 to 72.9 percent by 2010. Though Blacks constitute a relatively small minority (roughly 10 percent), the number of nonwhite Hispanics and Latinos grew from 12.1 percent in 2000 to 17.3 percent in 2010 (American Fact Finder, 2018). Poverty on Staten Island rose 63 percent between 2008 and 2014, reaching a high of 15 percent before coming down to 13.2 percent in 2016 (NYC Coalition Against Hunger, 2015; U.S. Census Bureau, 2016).

ATTEMPTING TO HEAL THE BREACH

Federal Action

In the wake of angry public confrontations between police and community in response to the aforementioned incidents, the need for an authori-

tative third party to broker peace in those communities was deemed paramount. Thus, in Ferguson, as well as cities such as Baltimore, Seattle, and Cleveland, the U.S. Justice Department, under President Barack Obama, negotiated federal consent decrees to, among other provisions, stipulate strict guidelines governing police behavior with a view toward curbing abuses. President Obama also convened The President's Task Force on 21st Century Policing as "part of the Administration's efforts to strengthen community policing and strengthen trust among law enforcement officers and the communities they serve" (The White House, Office of the Press Secretary, 2014, para. 1). Comprised of 11 members from a broad array of law enforcement, education, service and advocacy groups, the mission of the task force was to examine ways of fostering strong, collaborative relationships between local law enforcement and the communities they protect and to make recommendations to the President on ways policing practices can promote effective crime reduction while building public trust. Charged with reporting its findings to the President within 90 days, the Task Force held a series of seven "listening sessions" and heard the testimonies of more than 100 witnesses in Washington, DC; Phoenix, AZ; and Cincinnati, OH. The end result of the group's efforts, the "Final Report of the President's Task Force on 21st Century Policing" (DOJ, 2015b), was research-based, with recommendations organized around six (6) "pillars" on which the group agreed that policing should be based: Building Legitimacy and Trust; Policy and Oversight; Technology and Social Media; Community Policing and Crime Reduction; Training and Education; and Officer Wellness and Safety.

Local Community Efforts

At the same time that the Task Force was fulfilling its mandate, there was also a renewed interest in some communities in establishing partnerships between clergy (and, by extension, their congregations) and law enforcement agencies. Such collaborations between clergy and police were used to great effect in a number of cities in the 1990s and 2000s, and were often responsible for helping to increase police legitimacy and lower racial tensions on the one hand, while simultaneously helping to reduce youth-related violent crime, increase community safety awareness, and facilitate civic and inter-agency cooperation (Brunson et al., 2013).

The best known example of a successful clergy-police collaboration was part of a project known as "Operation Ceasefire" (Braga et al., 2001; Braga & Weisburd, 2012; Leland, 1998). Developed and implemented first in the Dorchester section of Boston in the 1990s by a team of social scientists led by criminologist David Kennedy, Ceasefire was successful in

helping to reduce the number of gang-related and other youth homicides by nearly two-thirds, while reducing homicides citywide by 30 percent. Utilizing a strategy known as “focused deterrence,” police and a diverse group of community stakeholders – including clergy and lay leaders from local congregations, social service organizations, nonprofits and businesses – targeted gang members who were deemed the most troublesome to the community and raised the stakes associated with continued criminality by threatening them with arrest and imprisonment, while simultaneously providing incentives (educational opportunities, job training and placement, etc.) to provide alternatives to crime (Braga & Weisburd, 2012).

A key stakeholder in Operation Ceasefire was the Boston TenPoint Coalition (BTPC), “an ecumenical group of Christian clergy and lay leaders working to mobilize the Christian community around issues affecting black and Latino youth” (National Gang Center, n.d.). In an effort to gain trust with local youth BTPC made several commitments, including:

- To adopt youth gangs;
- To develop economic alternatives to the drug culture;
- To create partnerships between congregations and community health centers; and
- To create bridges between urban and suburban churches

Many factors were important to the operation of Operation Ceasefire, among them:

- The Dorchester community decided that it would no longer accept the violence.
- BTPC was already engaged on the front lines, interacting and dialoguing with young drug dealers and gang members. As a result, they had credibility with local youth.
- Moreover, as faith leaders, they likewise had the trust of the community.
- As a result, the clergy were equal partners with the police because they were in a position of strength: “We realized that preachers have tremendous credibility as leaders in the community and that having them working with us out in the streets would have a powerful impact. For their part, the clergy saw cops doing their best to

get inner-city kids into summer camps and to get them mentors. We both knew that what children need is an alternative to crime.” (Evans, 1998)

As my own research revealed, Evans’s opinion is underscored by officials in High Point, North Carolina, where several members of the faith community are part of a police-community partnership that is considered a national model. For nearly 20 years, the High Point Community Against Violence (HPCAV), a nonprofit organization that is led by a clergyman and includes a broad array of business leaders and service providers, has partnered with an array of police, prosecutors and researchers to reduce violence in the city. The result has been a 67 percent decrease in violent crime since 1998, even as the city’s increasingly diverse population has swollen by 44 percent over the same period. Implementing and adapting Kennedy’s “focused deterrence” strategy, HPCAV assists “in confronting offenders who are involved in violent crime, offering offenders help in turning their lives in a positive direction and supporting the prosecution process if the offenders re-offend and return to crime and violence” (HPCAV, n.d., para.1). Among the unique features of the High Point program is that the “focused deterrence” strategy was expanded beyond violence reduction, first to attempt to eliminate the city’s overt drug markets (known as the Drug Market Intervention Program), and then to address the often hidden issue of domestic violence (known as the Domestic Violence Initiative). The benefits of this strategy have been legion, with both programs proving enormously successful (HPCAV, n.d., NNSC, n.d.). The coalition has won numerous grant awards and meritorious citations, while simultaneously encouraging and facilitating the replication of what has become known as the “High Point model” in cities and towns across the country. As with Boston, one of the keys to the success of the partnership is the increase in “legitimacy” enjoyed by the police department as a result of working with HPCAV members – including a number of clergy (and by extension, their congregations), both black and white. According to Rev. Jim Summey, executive director of HPCAV, community stakeholders and police have worked together “intentionally” over a sustained period – 20 years – to affect the changes made in the community (Atchison, 2016).

Paradigm Shift: The “Hillbilly Elegy” Dynamic

Interestingly, successful models of cooperation between police and communities of color were being developed at the exact moment that the black vs. white gap on a range of measures, including drug arrests and incarceration, decreased dramatically. Citing data from the Bureau of Jus-

tice Statistics (BJS), The Marshall Project reported that, “From 2000 to 2009, the black imprisonment rate for drug offenses fell by 16 percent. For white people, it climbed by nearly 27 percent” (Hager, 2017, para. 16). While the report provided no definitive explanation for this phenomenon, experts believe it’s directly related to the decline of the crack epidemic—which primarily affected urban minority communities—and the dramatic increase in opioid use, which disproportionately affects rural white communities. Moreover,

Between 2000 and 2015, the imprisonment rate of black men dropped by more than 24 percent. At the same time, the white male rate increased slightly. . . Among women, the trend is even more dramatic. From 2000 to 2015, the black female imprisonment rate dropped by nearly 50 percent; during the same period, the white female rate shot upward by 53 percent. As the nonprofit Sentencing Project has pointed out, the racial disparity between black and white women’s incarceration was once 6 to 1. Now it’s 2 to 1 (Hager, 2017, para. 4-5).

The increase in white female incarceration is skewed largely in the direction of poor white women. According to Keith Humphreys, a professor of psychiatry and mental health policy at Stanford:

This stunning change in the racial makeup of the female inmate population mirrors and may well be at least partially caused by changes on other indicators of economic and physical well-being. Over recent decades, life expectancy among women without a college education has increased for blacks but decreased for whites. Problems with alcohol — the drug most closely linked to arrests, violence and incarceration — are up among white women but down among black women. White women have also been disproportionately affected by the methamphetamine and prescription opioid epidemics, both of which raise the risk of contact with the criminal justice system (Humphreys, 2017, para. 5).

Another factor to consider is that criminal justice reforms — as reflected in sentencing practices such as reductions in mandatory minimum sentences in some jurisdictions, as well as the creation of drug courts and other alternatives to incarceration — have been unequally applied, with their most frequent application seen in urban communities.

In big cities such as Los Angeles and Brooklyn, new prison admissions have plummeted thanks largely to sentencing and other criminal justice reforms. But in counties with fewer than 100,000 residents, the incarceration rate was going up even as crime went down. In fact, people from rural areas are 50 percent more likely to be sent to prison than city dwellers (Smith, 2017, para. 20).

The net effect is what could be termed the “Hillbilly Elegy” dynamic: White men and women from rural communities constitute the fastest-growing segment of the U.S. prison population (Caniglia, 2013; Yurkanin, 2017). Mirroring author J.D. Vance’s memoir of growing up poor and white in rural Ohio, and underscoring the despair he describes of his Appalachian migrant compatriots in rust- and farm-belt states, researchers Ann Case and Angus Deaton offer what they describe as a “preliminary but plausible account of what is happening” vis-à-vis the decline in the physical, mental and emotional health of poor whites, often leading to incarceration and death:

[A]ccording to this, deaths of despair come from a long-standing process of cumulative disadvantage for those with less than a college degree. The story is rooted in the labor market, but involves many aspects of life, including health in childhood, marriage, childrearing, and religion. Although we do not see the supply of opioids as the fundamental factor, the prescription of opioids for chronic pain added fuel to the flames, making the epidemic much worse than it otherwise would have been. If our overall account is correct, the epidemic will not be easily or quickly reversed by policy, nor can those in mid-life today be expected to do as well after age 65 as do the current elderly.

This does not mean that nothing can be done. Controlling opioids is an obvious priority, as is trying to counter the negative effects of a poor labor market on marriage, perhaps through better safety nets for mothers with children (Case & Deaton, 2017, pp. 3-4).

In the wake of the success of the Black Lives Matter movement, police shootings of whites generally do not garner national headlines. Nor do they appear to garner much research and analysis as a subset of police violence. Nevertheless, while blacks—and in particular, black men—are at disproportionate risk of being shot by police—in terms of pure numbers whites are killed more often than Blacks. Studies done in 2015 and 2016 by *The Washington Post* (Lowery, 2016) and *The Guardian* (n.d.) indicate that approximately half of the people shot and killed by police were white. For example, according to *The Guardian*, 1093 people were killed by police in 2016. Of these 574 (52.5 percent) were white (*The Guardian*, n.d.). A further examination of the data suggests that “[t]he system has a class bias as well as a race bias.” (Jackson, 2015, para. 13). A 2015 study by journalist and research fellow Zaid Jilani found that of 441 police killings that occurred in the first 5 months of that year, 95 percent occurred in neighborhoods where the median family income was less than \$100,000. The median family income of all those examined was \$52,907. “Just over five percent of the killings were in neighborhoods with over \$100,000 median

family income” (Jilani, 2015, para. 7). The correlation linking police violence with lower income victims impacts even some whites, according to Rev. Jesse Jackson, founder of Rainbow/Push, a civil rights organization. “Not surprisingly,” he writes, “lower-income whites are more likely to say police abuse of authority is on the rise than middle- or upper-income whites” (Jackson, 2015, para. 14). The Cato Institute supports this assertion:

Households making less than \$30,000 a year are also about 11-14 points more likely than those making more than \$60,000 a year to believe that police too easily resort to lethal force (52% vs. 38%) and that police use harsh tactics (36% vs. 25%). Whites are primarily driving this shift by age and income. (Ekins, 2016, para. 135).

Ironically, the community partnerships that have provided models of cooperation and collaboration in a number of disadvantaged urban neighborhoods seem to be missing in many parts of rural America. In the minds of some observers, the problem lies squarely with the church. For example, in an interview with *The Christian Post*, an online Christian newspaper, pastor and religion scholar Kevin Shrum argued that many rural churches have not kept pace with the changes that have occurred in their communities (Smith, 2016).

I think there is a challenge in churches abandoning transitional neighborhoods. A transitional neighborhood can mean either a transition up or a transition down. . [Churches need to] come to terms with the actual reality of their neighborhood. A lot of times in churches, we get into a cocoon. We are not even aware of what is going in our community (para. 7).

In addition, writes evangelical scholar Anthony Bradley in *World* magazine,

While the city church planting emphasis emerged as a needed corrective to the suburban focus of evangelicals in the 1980s and '90s, today's 'missional' efforts tend to neither encourage future leaders nor raise money to reach the white underclass, people from Rustbelt towns, and working-class white populations in metropolitan areas. Why? Because those people don't live in urban centers, and there won't be much 'multiplication' due to low population density. These communities, however, are the very communities where we get America's white police officers, construction workers, truck drivers, mechanics, teachers, and active voters (Bradley, 2016, para. 8).

Among the effects of this “abandonment” by the church: among white,

working class individuals, fewer than one in four (23 percent) attends church on even a monthly basis (Pappas, 2011).

In sum, then, poor rural whites are struggling with many of the same issues traditionally associated with poor urban and suburban blacks: inadequate education, high unemployment, drug and alcohol dependency, dysfunctional families, rising crime, and incarceration. The fact is that while the public face of poverty, drug addiction and crime may be black, the reality is increasingly white. In addition, both the criminal justice system and even the church often appear unsympathetic to this reality. Among other things, this presents a challenge to the Christian church, which often appears morally and theologically divided along racial lines.

[There] is the need for many in the suburbs to rethink their congregation's mission, vision and role. This may require soul searching on the part of church leaders as they begin to reassess such issues as crime, punishment and poverty within the theological framework of sin and redemption. It may also cause a reexamination of the church's role in . . . civil society, particularly as it relates to advocacy on behalf of those whom Jesus referred to as 'the least of these' (Atchison, 2014, para. 6).

Moreover, given the above research on the faith community's value in both serving the poor and keeping the peace, "it would seem prudent to include the religious community in various partnership strategies to prevent crime" (Johnson, 2008, pg. 10). Nevertheless, the fact is that relatively few houses of worship engage in congregationally-based strategies designed to facilitate community stability and reconciliation (Atchison, 2017). My own research found Greensboro, North Carolina to be a case in point.

GREENSBORO: A MICROCOSM OF AMERICA

In October 2015, amid longstanding allegations by local citizens of police abuse, the *New York Times* published a report alleging racial profiling of African Americans through traffic stops conducted by the Greensboro Police Department (LaFraniere and Lehren, 2015). Specifically, according to the report, police "used their discretion to search black drivers or their cars more than twice as often as white motorists – even though they found drugs and weapons significantly more often when the driver was white." In addition, "they were more likely to use force if the driver was black, even when they did not encounter physical resistance" (LaFraniere and Lehren, 2015, para. 9-10).

The report amplified existing fears that Greensboro would erupt in violence in the wake of long-simmering tensions over what has become known as the "Greensboro massacre" on November 3, 1979. Code-named

“GREENKIL” in a subsequent FBI investigation, the basic facts are that five people were killed and nine others injured after members of the Ku Klux Klan and the American Nazi Party opened fire on members of the Communist Workers Party during a CWP-led march through a predominantly black housing project, protesting working conditions at a local textile plant.

A key point of contention over the years has been the allegation – persistent to this day among many in the city’s African American community – that Greensboro police colluded with the Klan by failing to provide protection for the marchers. To be sure, the police presence during the march was woefully insufficient despite existing tensions between the communists and the Klan. Yet, despite the presence of videotaped evidence of the subsequent carnage because of live news media coverage of the march, juries in two subsequent criminal cases – one state and one federal – found the defendants not guilty. Moreover, a \$48 million civil suit filed in federal court against members of the Klan and Nazis, the police department, and two federal law enforcement agencies awarded only token damages: “less than \$400,000 for the death of one of the five slain demonstrators and the injuries of two of the ten wounded plaintiffs. They found five Klan-Nazis, a police informant and two police officers liable” (Wheaton, 2009, p. 4).

For more than a generation, efforts by survivors and their next-of-kin to get the police and the city to accept responsibility for the shootings and issue an apology proved fruitless. In 2009, for example, the Greensboro City Council issued a statement of regret about the shootings that fell short of an apology.

Thus, in the opinion of many, the 2015 *New York Times* article further complicated an already delicate situation. It also added a heightened sense of urgency to an array of initiatives that had already been developed by police, clergy and citizens groups to reduce racial tensions in the city. The two most prominent groups were the Community/City Working Group (CCWG) – which featured the city’s mayor, several leading clergy, and representatives of several citizen’s organizations – and a police task force charged with the responsibility of facilitating improved relations through dialogue with community residents.

It was within this charged atmosphere that this researcher entered, however unwittingly, into the fray. Originally titled “Ministry to the Poor in Changing Times” and proposed in 2014 as an examination of urban and suburban ministries in the region surrounding my former hometown of Trenton, New Jersey, the geographical focus and methodological framework of the project changed when this researcher and his family relocated for personal reasons to Greensboro, North Carolina in late June 2015. Leveraging my position as the president of a small ecumenical ministry, the

original project envisioned the use of an equally ecumenical focus group, including the heads of several religious judicatories, to assist in the development and widespread distribution to urban and suburban pastors of a survey questionnaire examining their congregations' ministry in the wake of changing demographics.

With the change in venue from New Jersey to North Carolina, however, the aforementioned approach was not viable. Simply put, I didn't know anyone except for a few family members. Nevertheless, leveraging my experience as a former Religion News Service columnist, I reached out to Nancy McLaughlin, the religion writer of the local Greensboro *News & Record*. Ms. McLaughlin graciously responded by sending me a list of five prominent local clergy, two of whom, Rev. Julie Peebles, who served on the CCWG, and Rev. Odell Cleveland, Administrative Pastor of Mt. Zion Baptist Church, were crucial to my research. Rev. Cleveland, in particular, was indispensable in introducing me to many key people, as well the culture of Greensboro (McLaughlin, 2015, August 4, Personal Communication).

As a result, during the course of the current project, I met with representatives of CCWG and the police task force, interviewing and even establishing relationships with local clergy and police officials. Also included in formal interviews and informal discussions were other community stakeholders, including staff and board members of the Community Foundation of Greater Greensboro (CFGG); and the executive director of FaithAction International House (FaithAction), a faith-based organization that works with documented and undocumented immigrants.

Demographics

With a population currently in excess of 290,000, Greensboro is emblematic of what the Brookings Institution has called "Metropolitan America." (Berube, et al, 2010)

- The city's population has grown by an average of approximately 20 percent during each of the last three U.S. Census periods.
- Per the 2010 Census, Greensboro's population is 48.4% White and 40.6% Black. (American Fact Finder, 2018)
- Research also indicates that the city and surrounding Triad region (Greensboro - High Point - Winston-Salem) is home to an increasing number of immigrants – many of them undocumented – from a variety of Asian and Latin American countries.

- According to the Guilford County Schools (GCS), which includes Greensboro and High Point in its catchment area:
 - 104 world languages and dialects are spoken among the county's students
 - 67 percent of GCS students live below the poverty line
 - Overall, roughly 20 percent of Greensboro residents live below the poverty line; the figure is 18.1% countywide. (Guilford County Schools, 2015)
- Significantly, nearly half (approx. 48%) of Guilford County residents claim a formal religious affiliation (down from 65% in 2000), with more than 90 percent of these identifying with a Christian denomination. (City-data.com, 2012)
- There are more than 40 active gangs in Guilford County. ("Gangs in North Carolina," 2018)
- Located on a major interstate corridor (I-40, I-73, I-74 and I-85), Greensboro is a significant thoroughfare for drug and gun trafficking, according to interviews with police. (Atchison, 2016)
- Greensboro's violent crime rate for 2015 was more than 55% higher than the national average. (CityRating, n.d.)

Moreover, Greensboro is a city of contrasts: Its history is steeped in racial tension, but its population is becoming increasingly diverse. The city's police-community relations are stymied by mistrust, but it boasts an ethnically sensitive clergy-police partnership that could be considered a model for the nation.

As I sat in on meetings – with clergy groups, with the police task force, with members of the CCWG – and engaged in individual discussions with police officers, pastors and lay people alike it became abundantly clear that the events of 1979 still hung over the city. Indeed, "1979" was almost a buzz word; to mention it was to be on common ground with the person with whom I was speaking. Yet I discovered, as Elizabeth Wheaton has noted, that each side was locked in its own version of events:

It is as though we were looking through a kaleidoscope and the events fell into one pattern when looking through the CWP's perspective, another through that of the Klan and Nazis, and yet another through that of the police and federal agents. Each pattern has its own logic, but when they are superimposed, the image becomes a jumble of contradictions and

conflict. One can only see that there are no heroes in this story; there are many, many fools (Wheaton, 2009, pg. 4).

Given the long shadow cast by Greenkil, the resultant lack of trust between the GPD and the city's Black community, and the city's rapidly changing demographics, what became apparent to this researcher was the need to identify local congregations/faith-based organizations that brokered relationships between at-risk people of color and the Greensboro Police Department, thus providing a model to reduce community tensions. This objective was informed by the aforementioned literature, as well as this researcher's many years of experience as a Christian pastor whose ministry has been at the intersection of religious faith and criminal justice.

The FaithAction ID Initiative proved to be such a model. A partnership between FaithAction and the GPD, the ID Initiative provides verifiable identification to any resident (perhaps especially new immigrants with limited or no status, as well as those recently returning from prison, homeless and low-income individuals) that may have limited access to government issued forms of ID. The cards can be used as a tool by law enforcement, as well as some health and social service agencies, to better identify, serve, and protect their neighbors in need, reducing the need to jail someone or turn someone away from receiving a crucial service for simply not having reliable identification. By the spring of 2019, the ID Initiative had issued more than 20,000 ID cards "in partnership with law enforcement, health agencies, faith communities [and] congregations, and alongside our FaithAction ID Network partners . . . to individuals representing over 60 different nations, and over 100 cities throughout North and South Carolina, Virginia, Florida and Ohio . . ." (FaithAction, n.d., para. 4).

Among the replicable features of the FaithAction ID Initiative: It establishes a non-hostile, even amiable dialogue between the law enforcement and (largely undocumented) immigrant communities while humanizing the police and the city's bureaucracy in the eyes of racial, ethnic and linguistic minorities. For example, in one session a tall, tow-headed, bilingual, Scandinavian officer coordinated the session with self-deprecating humor and grace. He was joined by several bilingual, Hispanic officers whose presence and participation put the clients even more at ease. The presence of service providers – including staff from the city's Human Relations Commission – was another welcoming feature, helping new arrivals to more easily navigate the city's bureaucratic morass. With the advent of the Trump Administration, however, changes in federal policy threatening the status and security of immigrants – particularly those who are undocumented – have threatened to destabilize this partnership. Federal law enforcement officers, identifying themselves only as "police" in their

efforts to gain entry into immigrant homes, have arrested and detained some, chilling relations between local residents and the GPD. Officials from both FaithAction and the GPD agree that while local police remain committed to the partnership, forces beyond their control may ultimately render their efforts null and void.

For now, however, the ID Initiative – which is spearheaded by FaithAction, funded in part by local congregations, and features monthly orientation seminars that are hosted by a local church and run by bilingual police officers – is a vehicle by which the faith community (1) serves as a liaison between the police and the mostly Hispanic immigrant community; and (2) brokers healthy relations between at-risk persons (e.g., undocumented immigrants) and the police.

Curiously, however, the lessons of this model partnership are not reflected in the Greensboro Police Department's strained relationship with the African American community. As the Rev. David Fraccaro, FaithAction's executive director told this researcher in 2016, when it comes to the larger discussion of police/community tensions, "We're often not on the radar, some don't even know the program and its impact exists."

Another fact to consider is that, in Greensboro and around the country, there is a dichotomy between how Blacks are viewed on the one hand, and how Hispanics, Asians and other minorities are regarded on the other. For example, according to the "State of the Latino Family" survey: Sixty-eight percent of Latinos "worry authorities will use excessive force against Latinos; only 26 percent believe they treat Latinos fairly most of the time; 18 percent have Latino friends or family who were victims of police brutality; and 59 percent said there are things they would change about their local police" (W.K. Kellogg Foundation, 2014, para. 11).

Yet, "[w]hen it comes to Latinos — American media still only thinks of them as immigrants. They can't think of them as victims of police brutality or anything else but immigrants" (Planas, 2015, para. 11). Moreover, according to a 2014 report published by Columbia University's Center for the Study of Ethnicity and Race, "Stories about Latinos constitute less than 1% of news media coverage, and the majority of these stories feature Latinos as lawbreakers" (Negron-Mutaner, 2014, pg. 3). Similarly, according to a blog on the website of the Asian American Legal Defense and Education Fund (AALDEF), many Asian Americans and Pacific Islanders feel left out of the national conversation on racial and ethnic equality (Guillermo, 2015, para. 2).

In sum, at a time when many are shouting that "Latino/Hispanic Lives Matter" and "Asian American/Pacific Islander Lives Matter," the fact, as attorney Raul Reyes wrote in a 2015 CNN.com op-ed, is that "our country is used to thinking of police brutality in terms of a black versus white narra-

tive, which leaves Latinos [and other minority groups] out” (Reyes, 2015, para. 10).

All of which begs the question: If white-versus-black racism remains the dominant narrative in discussions of police abuse, why haven’t the city’s religious and law enforcement communities developed a broad collaborative approach to address the GPD’s strained relationship with the black community? One possible answer: Perhaps because it *is* the dominant narrative. Perhaps the FaithAction-GPD partnership works because, notwithstanding the presence of crime and violence in the Hispanic/Latino community, the issues there can be framed in terms of immigration and law enforcement, and not race. Indeed, to date, despite changes in federal policy regarding the interdiction and deportation of undocumented immigrants, the FaithAction-GPD partnership has continued to hold together in large part because the local police value the hard-won relationship they’ve developed with the local immigrant community.

Yet, discussions with people in both High Point – a city which borders Greensboro and has a similarly evolving demographic profile – and Greensboro indicate that the events of the “Greenkil” incident in 1979 continue to cast a long shadow over police-community relations in Greensboro. While the Greensboro City Council finally issued a formal, public apology in late 2017 – nearly 40 years after the original incident – trust and rapprochement between police and the black community remain tenuous at best.

As a result, while the Greensboro Police Department has implemented some elements of the High Point crime reduction model – significantly reducing its overall crime rating, according to statistics—the continuing tensions between the GPD and the city’s African American community – including some of its most influential clergy – have prevented the rapprochement necessary to implement the entire strategy. As a consequence, according to HPCAV executive director Rev. Jim Summey, failure to implement the entire model means that “you don’t get the same results” (Summey, 2016, October 20, Personal communication).

A particular concern is the issue of “police legitimacy,” which is a key to High Point’s success and a blight on Greensboro’s outcomes. According to the National Institute of Justice, “The public’s perceptions about the lawfulness and legitimacy of law enforcement are an important criterion for judging policing in a democratic society. Lawfulness means that police comply with constitutional, statutory and professional norms. Legitimacy is linked to the public’s belief about the police and its willingness to recognize police authority.” (NIJ, 2016, para. 2)

Specifically, according to former Pittsburgh police chief Cameron McLay, “Police must work with the active engagement of community residents, to become partners in creating safe neighborhoods. Without the

engagement of those living in the impacted areas, perceptions of predatory motivations for police actions can result, further diminishing trust between police and those receiving police service. At a time when crime is a near 20 year low point, studies have shown little if any increases in public trust, and dramatic differences in beliefs about police between white and non-white respondents.” (McLay, 2017, para. 14)

Therein lies the challenge for the police and the black community in Greensboro. Longitudinal analyses of the crime data for Greensboro (over 14 years) and High Point (over 15 years) show that while vastly different in size (Greensboro’s population is nearly three times that of High Point), each city reflects an overall downward trend in crime and their crime indexes are similar (CityRating.com, n.d.; City-data.com, n.d.).

Yet the levels of trust between police and community in the two cities are vastly different. In High Point, the relationship between HPD and HPCAV is formal, intentional, long-term and strategic. Police officers and private citizens tour crime-ridden neighborhoods distributing and soliciting information regarding recent crimes, while actively engaging with community residents about their concerns. Within the citizens group, community needs and services are mapped and a broad range of community stakeholders – including business and civic leaders, service providers and educational institutions – work collaboratively and with the police department to address specific needs. Within the police department, the culture has evolved to the point where the partnership with HPCAV is seen as necessary to effective law enforcement in the city. In the 20 years since the partnership began, several police chiefs have come and gone but each has been committed to maintaining the partnership. Still, the partnership has its challenges. Among them is a need for “new blood” within HPCAV to maintain its viability. The pace and grind of the work are grueling; the core leaders, now in their 60s, have remained in place since the beginning; and a number of clergy, in particular, are no longer active. Nevertheless, the effectiveness of the partnership model is undeniable.

In Greensboro, however, police and black community leaders generally work along separate tracks. For its part, the GPD has recently expanded its community engagement efforts through a project known as the Safer Cities Initiative, which targets neighborhood crime “hot spots” in an effort to remove guns and drugs from the streets. Community involvement is encouraged through resident participation in one of four working groups, covering employment, youth, housing and gangs. The police department “oversees the working groups, and helps connect them to other City resources or stakeholders to get the groups resources they may need” (GPD, n.d., para. 4)

Among community leaders perhaps the most ambitious undertaking

has been the creation, in 2017, of City Help of the Triad, a project of the multi-racial, multiethnic Triad Pastors Partnership. A vision of TPP founder Rev. Reginald Holiday, City Help of the Triad aims to “meet the immediate needs of communities in three distinct areas: Education, Economic Development and [C]ommunity Engagement” (City Help, n.d., para. 1). Among its accomplishments during its brief existence has been the development of an Adopt-A-School initiative, linking local churches with area schools. Additional plans include programs promoting economic development, community engagement and outreach, and educational and vocational support. Encouragingly, TPP has developed relationships with individual police officers, both white and black, who have walked and prayed with them in prayer marches through neighborhoods where homicides have been committed. The officers, some of whom are people of faith themselves, have sent a clear message of reconciliation and hope to those neighborhoods as they joined hand-in-hand with church leaders of all races.

As yet, however, no formal partnership has been established and no memorandum of understanding written to link the GPD with TPP, City Help or any other African American religious group. This is important because a formal agreement would itemize the responsibilities of each partner—and on a level playing field—within a mutually agreed upon framework identifying the partnership’s goals and objectives. As with the relational dynamics seen in the collaborations in Boston and High Point, such a partnership would be based on mutual accountability, thus affording an opportunity to build trust. In Greensboro, however, trust remains at a premium. Indeed, several of the city’s black clergy were linked, either directly or indirectly, with a “truth and reconciliation” effort that sought to hold the GPD and the city accountable for the Greensboro Massacre (Wheaton, 2009). Thus does the specter of “1979” remain.

Nor is Greensboro an isolated case. The fact is that many communities around the country have histories that are rife with tension between police and the communities’ poorest citizens, many (though not all) of whom are black. As with Greensboro, these histories are linked to incidents – flashpoints – that cast long shadows, effectively freezing (as in amber) those hostilities in a single moment of time, such as “1979.” Thus, as new challenges arise – changing demographics, an economic downturn, a rise in crime – community stakeholders can be hamstrung in their ability to respond effectively because they are stuck in the enmity of the past. For example, one colleague who works for the North Carolina Network for Safe Communities and brokers working relationships between police, clergy and other community stakeholders on a broad range of social service and criminal justice issues, told me that in some locations he has labored for months – even years – to break the impasse between police and community.

RECOMMENDATIONS

To break this impasse, the faith community needs to reframe its approach to ministry to include:

- 1) An understanding of changing demographics and the impact of those demographics on the issues of race, ethnicity, poverty and crime; and
- 2) A clear delineation of the lenses through which various stakeholders – especially law enforcement and the faith community – see those changes.

To be sure, the faith community, in particular, is not monolithic in terms of its perspectives and values. However, at a minimum, faith leaders need to be aware of the changes occurring in the communities they serve. They should also be aware that with increasingly diverse demographics the issue of racism is a much broader issue than in the past, and must necessarily be incorporated into a larger economic, social, political, and cultural discussion that should be reflected, first, in their understanding of theology (e.g., “What does a God of grace and justice require of us?”), and second, in the development of community-serving ministries that address the changing needs of the neighborhoods they serve.

At the same time, faith leaders must serve as “moral brokers” in the process of community reconciliation. As pastors they often serve as spiritual leaders to a broad range of community stakeholders within their own congregations, and in some cases, to those outside the congregation as well. Thus, in the aggregate the local clergy should be the logical facilitators of community dialogue.

However, such dialogue needs to go beyond the issues of diversity and inclusion, *per se*, to a discussion of changing demographics and their implications for individual communities, including: changes to local culture, economics, perceptions and stereotypes, and public safety concerns.

For example, one of the outgrowths of my research has been the development of a curricular framework to facilitate discussion with, and stimulate dialogue among, local community leaders. Though still in the development stage, the curriculum uses real-life examples to illustrate challenges facing law enforcement, church and community, while simultaneously examining data that undermine common stereotypes. While certainly not a solution, the framework provides an approach to clarify local issues and facilitate discussion with a view toward developing sustained relation-

ships between stakeholders committed to working together intentionally to address community concerns.

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Curbing Hatred: The Ethnic Diehards' Agitations and 2015 Presidential Election Campaign in Nigeria

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ABSTRACT

Nigeria witnessed bouts of hate speeches during the buildup to the March 28, 2015 Presidential election. Politicians and their allies made use of acerbic words, half-truths and outright lies during their electioneering campaigns. The election was regarded as a 'do-or-die' affair by the politicians. Their activities were alarming and apprehensions were rife about the success of the election and peaceful transition of power. Hence, the two major contestants, Goodluck Jonathan and Muhammadu Buhari along with nine party leaders signed the 'Abuja Accord' on January 14, 2015.

Furthermore, the country experienced a season of acerbic comments, issuance of quit notices and calls for secessions by ethnic jingoists. These activities heated up the polity and caused panic among the citizens of the country. On June 6, 2017, the Arewa Youth Consultative Forum comprising of 19 Northern states of Nigeria issued a 90-day ultimatum to South-Eastern residents in the North to vacate the region before October 1, 2017.

This article explores the use of hate speech in electioneering campaign drawing from secondary data i.e. newspaper excerpts; and through the lens of ethics using relevant Communication Practice Codes, Nigerian Press Council Code, Nigerian Broadcasting Code, 2012 and relevant sections of Electoral Act 2010. It also examines the issue of the ethnic diehards' agitations and quit notice and its implications for national peace, security and justice. The argument and submission of this paper highlights ways of curbing hatred, advancing of peace, acceptance, tolerance and justice.

Keywords: Hate Speech, Presidential election, Ethnic diehards, Peace.

INTRODUCTION

Nigeria is a multi-ethnic society. There are over 250 ethnic groups in the country. These groups have diverse cultural orientation, languages, belief system and demands. Most times, ethnic jingoists are caught in the web of championing ethnic-specific agenda at the detriment of national unity. Taking ethnic jingoism into the political arena, politicians and supporters engage in throwing tantrums, acerbic comments and casting aspersions on personalities in order to gain popularity. The idea behind the use of hate speech is to instil fear, erupt emotions and cause divisions, thereby making it clear that an ethnic war is on-going. Ikeanyibe (2018) defines hate speech as a “speech that provokes insults or promotes hatred of groups on the basis of race, religion, ethnicity or national origin. Its interpretation is often problematic because of the constitutional rights to freedom of expression as enshrined in constitutions of various countries” (p. 119).

Noriega and Iribarren highlight four types of hate speech. These include: false facts, flawed argumentation, divisive language, and dehumanizing metaphors (as cited in Muluka, 2016). According to the European Network Against Racism (ENAR) (2014), provides five groups of hate speech. These include: speech that attacks the dignity of groups or individuals, speech that manifests explicit incitement to hatred, prejudice or discrimination, implicit incitement to hatred, prejudice or discrimination, derogatory, demeaning or insulting language and attempt to incite groups or individuals against one another.

Defining Hate Speech

Some argue that hate speech is difficult to define. Citing Jordan Peterson, a Canadian professor of psychology in Jason & Jason (2016), rather than canvas against hate speech, free speech should be promoted. However, the Criminal Justice Act of 2003 defines hate speech as any speech, gesture or conduct, writing, or display which is forbidden because it may incite violence or prejudicial action against or by a protected individual or group, or because it disparages or intimidates a protected individual or group. This law may identify a protected individual or a protected group by certain characteristics. For the European Union (EU) Charter of Fundamental Rights (2009) refers to speech as “the incitement and encouragement of hatred, discrimination or hostility towards an individual that is motivated by prejudice against that person because of a particular characteristic, for example, their sexual orientation or gender identity” (para. 1). Also, the American Bar Association defines hate speech “as a speech that offends, threatens, or insults groups, based on race, colour, religion, national origin,

sexual orientation, disability, or other traits.” This definition was adopted because it is in line with our scope of study.

Joel (2013) furthers the discussion by writing:

hate speech is manifested more in stereotyping and abusive denotation of mannerisms of other ethnic groups, particularly Northerners. While it can be argued that there exists stereotypes about every ethnic group, the vitriol and violence that pervades its manifestations between Northern and Southern Nigeria is unequalled (p. 3).

While Adelakun (2017, p. 31) defines hate speech as “any speech that is used to demean persons based on their identifiers such as race, gender, sexuality, ethnicity, and predispose them to acts of violence.” In the same vein, the Committee of Ministers of the Council of Europe defines hate speech as:

covering all forms of expression which spread, incite, promote or justify racial hatred, xenophobia, anti-Semitism or other forms of hatred based on intolerance, including: intolerance expressed by aggressive nationalism and ethnocentrism, discrimination and hostility against minorities, migrants and people of immigrant origin. (Council of Europe, 2017, p.10)

Gagliardone, Gal, Alves, and Martinez (2015) note that “at critical times, such as during elections, the concept of hate speech may be prone to manipulation: accusations of fomenting hate speech may be traded among political opponents or used by those in power to curb dissent and criticism.”

In a bid to forestall further use of hate speech, the Vice-President of Nigeria, Prof. Yemi Osinbajo while speaking at the National Economic Council security retreat in August 2017 declared hate speech as “intolerable” and an act of terrorism.

Intimidation of a population by words or speech, an act of terrorism and will no longer be tolerated by the President Muhammadu Buhari administration. As I have said, we have drawn a line against hate speech, it will not be tolerated, it will be taken as an act of terrorism and all of the consequences will follow. In the strongest possible terms, hate speeches that promote violence against an individual or a group, especially when such speeches come from people of your own faith, tribe or group. (Osinbajo)

In Jimoh and Opara (2018), a new bill sponsored by the spokesman of the Senate, Senator Aliyu Abdullahi in the Nigerian Senate is seeking the establishment of an Independent National Commission for Hate Speeches.

In addition, the bill notes that anyone convicted of hate speech shall die by hanging in Nigeria.

A person who uses, publishes, presents, produces, plays, provides, distributes and/or directs the performance of any material, written and/or visual, which is threatening, abusive or insulting or involves the use of threatening, abusive or insulting words or behaviour, commits an offence, if such person intends thereby to stir up ethnic hatred, or having regard to all the circumstances, ethnic hatred is likely to be stirred up against any person or person from such an ethnic group in Nigeria.

In the political landscape of Nigeria, hate speech is deployed to prepare the ground for acrimonious political contestation in the build up to many general elections. In this way, it fuels centrifugal tendencies especially widening the line between the predominantly Northern Muslims and the Southern Christians as well as between the different ethnic groups in Nigeria (as cited in Ikeanyibe, 2018). This approach has been adopted by politicians as an easy way of whipping up the sentiments of voters. In May 2010, the then president, Umaru Musa Yar'Adua from the North died after three years in power. After his death, the then Vice-president, Goodluck Jonathan, a Southerner, became acting president. On September 15, 2010, Jonathan declared his intention to run for the post of the president in the 2011 general elections. The campaign for the elections began with politicians traversing the country and seeking for the votes of citizens. Through the rostrums at campaign venues, the social media platforms and traditional media, the use of hate speech resurfaced at the 2011 general elections in Nigeria. During the preparations for the 2011 elections, the North was pitched against the South due to what some northerners considered as a lost chance for the presidency. (Ikeanyibe et al., 2018). This was also the case in 2015. Ogwezzy-Ndisika (2015) highlights that the 2015 general election in the country was a “show unguarded, offensive, uncouth, uncultured and absolutely damning inexcusable statements emanating from the two major parties” (p. 1).

In October 2018, the ruling party, All Progressives Congress released a song titled: “Atiku is a thief” to demean the presidential candidate of the opposition party, Peoples Democratic Party, Alhaji Atiku Abubakar. In a swift response, Citing Wale (2018), the spokesperson of Atiku, Segun Sowunmi notes: “On our part we have signed up to running an issue based campaign and if it is not too hard for the Muhammadu Buhari administration and the APC to understand, we call on them to do the same. There is greater value in doing so. Nigeria is the most populous black nation on earth and we owe it to ourselves and the black race to be above board. We are trying to present our idea on how the country should be led and not

interested in anything else. And by so doing, set Nigeria and its people on the path of working again” (p. 30). As the nation prepares for the 2019 general elections, it is hoped that hate speech does not ruin the electioneering process.

THEORETICAL FRAMEWORK

Ogwezzy et al., (2016) note that the subject of hate speech and the role the media play can be related to media ethics which has been on from the 20th century. The authors draw from the submissions in *Four Theories of the Press* by Wilbur Schramm, Fred Siebert, and Theodore Peterson written in 1963. One of the theories relevant to this study is the social responsibility theory. It has its roots in mid-twentieth century society and revolves around ethics in the media, but has always existed as an ideal. In Folarin (1998), McQuail (2013), Baran and Davis (2012) and Anaeto et al. (2008) the theory (social responsibility) notes specific functions of the media. This includes: “. . . the political system by making information, discussion and consideration of public affairs generally accessible; to inform the public to enable it to take self-determined action [and] to serve the economic system; for instance by bringing together buyers and sellers through the medium of advertising” (Folarin, 1998, p.31).

McQuail (2013) argues that the media irrespective of its owners has an ethical obligation to the society without any discrimination on the basis of *sex* (emphasis ours) orientation and they should discharge their duties in a truthful, fair and objective manner in order to make it relevant to all members of the wider society. This theory brings to fore that the need for the media to be responsible in performing its functions as stated by Harold Lasswell’s 1948 article titled: “The Structure and Function of Communication in Society”. These functions include: surveillance of the environment, correlation of parts of society, cultural transmission and entertainment.

To further this conversation on hate speech, this paper explores the use of hate speech in electioneering campaign from secondary data i.e. newspaper excerpts; and through the lens of ethics using relevant Communication Practice Codes as frameworks. In addition, drawing from the Nigerian Press Council Code, Nigerian Broadcasting Code, 2012 and relevant sections of Electoral Act 2010, this paper submits that there is need for the media to be socially responsible.

Hate Speech: The Nigerian Trajectory

Acerbic remarks go a long way in altering unity, peace and tranquillity of a group. These remarks are said in order to elicit a kind of reactions. In

Nigeria, the chronicling resultant effect of hate speeches dates back to the second republic, precisely 1979 to 1983. The second republic was as a result of the handover of power from the military to the civilians. The Shehu Shagari-led presidency was after ensuring the return to normalcy. According to Orie (2017), the political arena of the Second Republic, 1979 to 1983 was highly charged as a result of hate speeches, thereby balkanising the nation. Those hate speeches which were freely published in the newspapers and the electronic media equally splited (sic) several families, students in the higher institutions and market women. Then, Nigerian Newspapers were awash with hate speeches.

One can recall the daily column maintained by a columnist of Nigerian Tribune, other columnists of the same paper and news reports which carried scathing comments on the person of President Shehu Shagari of the National Party of Nigeria. Those comments were not directed to his administration's policies, but to his person. He was even referred to as an illiterate on the pages of Tribune and Daily Sketch. The Hausa/ Fulani politicians were not spared by these disparaging comments in the South West Newspapers including politicians from this region. Late Chief M. K. O. Abiola was equally harangued by these papers for not belonging to Unity Party of Nigeria, UPN. The New Nigeria Editors and their columnists equally responded with derogatory comments directed towards Chief Obafemi Awolowo in the nastiest manner. The Maigani column of Sunday New Nigeria and Candido column of same paper used all the period fighting the leader of the UPN and his Yoruba race. Indeed, it was a descent into hate which Nigeria politicians and their followers regaled themselves. The Satellite Newspaper established by a governor of the Southern East was also deeply involved in the publication of hate speeches. No one, particularly the political leaders attempted to caution or halt the vituperation against eminent Nigerians and politicians. It will be recalled that certain newspaper men were unable to continue with their jobs because of the intense polity raising form hate speeches spewed through the media. Some newspaper editors lost their jobs because they could not join the madness. Those who retained their jobs were reassigned to "*Siberia*." Siberia here refers to a place of redundancy and idleness.

Since the beginning of the fourth republic in 1999, there has been use of acerbic words, half-truths and outright lies by politicians during the electioneering period. As the nation prepared for the 2007 elections, the then president, Olusegun Obasanjo while campaigning declared: "this election is a do or die affair for me and the PDP. This election is a matter of life and death for the PDP and Nigeria." This statement "depicts his perception of politics and electoral competition as a continuation of warfare by some other means. It is also in consonance with the Machiavellian principle of

politics as a power game. By likening politics to warfare, as well as power game, Obasanjo tends naturally to see political opposition groups not as worthy competitors, but as enemies to be crushed. That view of politics therefore is a zero sum one where the winner must necessarily take all; the values of fairness, competition and moderation are discountenanced and the rules of the game have little or no relevance.” (Tenuche, 2009).

Prior to the election in 2011, the political arena was tense. Many Northern politicians vehemently kicked against the candidacy of Jonathan. “Following the insistence of former President Goodluck Jonathan to contest the 2011 Presidential Election against the zoning arrangement of the party, some politicians of Hausa/Fulani extraction with megalomaniac inclinations decided to use every available means to ensure the return of political power to the Northern region. These politicians who operated under the aegis of the Northern Political Leadership Forum (NPLF) made use of different strategies, including hate campaigns, to undermine the candidature of Mr. Jonathan. It was under this platform that politicians like Alhaji Lawal Kaita, Alhaji Adamu Ciroma, Alhaji Atiku Abubakar, General Ibrahim Babangida, Dr. Burkola Saraki, Junaid Mohammed, and General Aliyu Mohammed Gusau, among others, made various provocative, incendiary, calumnious and hate speeches against the aspiration and candidature of Mr. Jonathan. Similarly, other Northern politicians outside this forum like Shehu Sani (former civil rights activist) and Mr. Muhammadu Buhari (frontline opposition politician and first runners up during the 2003, 2007 and 2011 Presidential Elections) also contributed to the enmeshment of the political atmosphere with hate speech. For instance, Alhaji Lawal Kaita stated that the North was determined to make the country ungovernable for President Jonathan or any other Southerner who found his way to the seat of power on the platform of the PDP against the principle of the party’s zoning policy” (*Tribune*, 13 October, 2010).

Before 2015 general elections, the activities of the two major parties - People’s Democratic Party (PDP) and All Progressive Congress (APC) were engaged in verbal and non-verbal attacks. It was observed that the two parties gave hate speeches during the electioneering process. In our personal observation, 2015 political campaigns in Nigeria appear to be the most challenging in the history of political campaigns. Through the print medium, adverts which spewed hate speeches were placed at strategic positions and sponsored by members of the two major parties: APC and PDP.

There are numerous examples of hate speeches spewed by the supporters and politicians of the two major political parties (see tables in Appendix A). Table 1 highlights the hate speeches as published in major newspapers in the build-up to the elections. In one of the examples, a pro-PDP group was quoted to have said: ‘No matter how many pretty robes you wear once

a tyrant always a tyrant' in a bid to puncture the candidacy of APC's Muhammadu Buhari. The statement refers to Buhari being a tyrant from his days as a military leader and will always remain as one. Table 2 highlights few examples of the documentaries and campaign statements aired on major television stations to in order to devalue the candidacy of the candidates. For Table 3, hate speeches made during different campaign rallies are highlighted. In one of the examples, Patience Jonathan, the wife of the then president was quoted to have said: 'Stone Any One Who Supports Change' during a campaign rally in Calabar, Cross River State. The statement incited the people to oppose anyone who supported the opposition and its candidate, Muhammadu Buhari. 'Change' refers to the promise mantra used by the opposition during their campaigns.

Meanwhile, Table 4 highlights examples of statements made on billboards placed at strategic places in the country. A billboard placed at a Orita –Olaiya Junction Osogbo Osun State read thus: 'Vote good governance not Goodluck'. The billboard which was sponsored by a pro-APC group enjoined citizens of the area to vote for 'good governance'. In addition, the billboard asked citizens not to vote the president whose first name is 'Goodluck'. Apparently, the billboard insinuated that the government in power had delivered bad governance. Tables 5 and 6 highlights few examples of hate speeches made online.

Hate Speech and the Ethnic Dimensions

In 2017, Nigeria experienced a season of acerbic comments, issuance of quit notices and calls for secessions by ethnic jingoists. These activities heated up the polity and caused panic among the citizens of the country. On June 6, 2017, the Arewa Youth Consultative Forum comprising of 19 Northern states of Nigeria issued a 90-day ultimatum to South-Eastern residents in the North to vacate the region before October 1, 2017. Part of the quit notice reads: "the North, a critical player in the Nigerian project, hereby declares that it will no longer be disposed to coexisting with the Igbo and shall take definite steps to end the partnership by pulling out of the current federal arrangement. This conclusion is necessitated by the realization that it since ceased to be comfortable or safe to continue sharing the same country with the ungrateful, uncultured Igbo who have exhibited reckless disrespect for other federating units and stained the integrity of the entire nation with their insatiable criminal obsessions. The North hereby openly calls on the authorities and other national and international stakeholders to acknowledge this declaration by taking steps to facilitate the final dissolution of this hopeless union that has never been convenient to any one of the parties."

The group promised to forcefully evict them if they fail to obey their ultimatum. This was in response to the sit-at-home protest held by pro-Biafra groups in the South Eastern part of the country: Independent Peoples of Biafra (IPOB) and Movement for the Actualization of the Sovereign State of Biafra (MASSOB). The protest was organized to remember the Biafra secessionist war that took place in 1967. The war lasted for three years and saw the loss of three million people. The Biafra secessionist under the leadership of Chukwuemeka Odumegwu Ojukwu declared an unconditional cease-fire. As a result, the then head of state, General Yakubu Gowon accepted the cease-fire and made an infamous statement: 'no victor and no vanquished.' Despite the cease-fire, the Biafra secessionists under its British-Nigerian leader, Nnamdi Kanu are agitating for a separation from Nigeria. The Kanu-led secessionist group continue to heat up the polity with caustic comments through the London-based *Radio Biafra*. Also, followers of the group incite the public through their comments on social media networks. There are several videos online showing Kanu being regaled by followers with different titles. The titles include: 'His Excellency,' 'The Supreme Leader,' 'Offo Nri' and 'Greatest Biafra Warrior.' Some of the videos posted online showed followers prostrating before Kanu while he walked round his house.

Despite the efforts of IPOB to secede, there are dissenting voices within the group. According to the co-founder of the group and former President General of Ohanaeze, a recognized group of Eastern Nigeria, Dr Dozie Ikedife, the method adopted by the group was inappropriate. Ikedife who was part of the war in 1967 notes that he is not in support of any other brand of Biafra agitation that would involve physical engagements, assault or insults and preaching ethnic hatred. "I know many people across Igboland and beyond are yearning for Biafra. But the Biafra agitation I support is a peaceful one. A Biafra founded through a referendum or legislative process and backed by law and not violence." In a similar vein, a strong-worded statement distancing themselves from the Kanu-led agitation for secession was issued by the five South-Eastern states' governors in June 2017. The communiqué reads: "Ndigbo are in support of a united Nigeria where peace, love, fairness, justice, equity and equality of opportunity are paramount regardless of creed, ethnicity, gender or political affiliation."

On the part of the Federal Government, ethnic jingoists have been warned to desist from crossing the 'national red lines. This was contained in President Muhammadu Buhari's presidential broadcast on August 21, 2017. Part of the speech reads: "In the course of my stay in the United Kingdom, I have been kept in daily touch with events at home. Nigerians are robust and lively in discussing their affairs, but I was distressed to notice that some of the comments, especially in the social media have crossed our national red

lines by daring to question our collective existence as a nation. This is a step too far. In 2003 after I joined partisan politics, the late Chief Emeka Ojukwu came and stayed as my guest in my hometown Daura. Over two days we discussed in great depth till late into the night and analysed the problems of Nigeria. We both came to the conclusion that the country must remain one and united. Nigeria's unity is settled and not negotiable. We shall not allow irresponsible elements to start trouble and when things get bad they run away and saddle others with the responsibility of bringing back order, if necessary with their blood. Every Nigerian has the right to live and pursue his business anywhere in Nigeria without let or hindrance. I believe the very vast majority of Nigerians share this view. This is not to deny that there are legitimate concerns. Every group has a grievance. But the beauty and attraction of a federation is that it allows different groups to air their grievances and work out a mode of co-existence." Also, the government launched military operations in the Eastern part of the country. This was in a bid to quell the tension created by the agitators. In September 2017, the leader of the group was declared missing by his community in Abia state as a result of the military operations. However, on October 19, 2018, there were videos and pictures shared on popular social networking website, Twitter and Radio Biafra about Kanu's appearance in Israel.

Insights from Media Ethics

Ibarra-Collado et al., define ethics as 'the "relationship between individual morality and organisationally prescribed principles assumed to guide personal actions" (as cited in Omojola, 2014, p. 386). Journalists are expected to uphold moral standards while discharging their duties in the society. This section examines the relevant laws that guide the practice of journalism in Nigeria. These laws include: *Electoral Act*, 2010; Nigerian Press Council's Code of Ethics; the *Nigerian Broadcasting Code*, 2012; and *The Nigerian Code of Advertising Practice*, 2005.

Sections 99 and 100 of Electoral Act (2010) stipulates the conduct of the media during electioneering process. In section 100(2), the "state apparatus including the media shall not be employed to the advantage or disadvantage of any political party or candidate at any election." While section 100(3) simply states that, "media time shall be allocated equally among the political parties at similar hours of the day." In order to ensure equality in coverage of candidates and political parties, section 100(4) stipulates that "at any public electronic media, equal airtime shall be allotted to all political parties or candidates during prime times at similar hours each day, subject to the payment of appropriate fees."

On the one hand, according to Eze (2010), the Electoral Act of 2010

stipulates how the media should act. However, this remains far from the truth in reality. In 2007, the then ruling party, Peoples Democratic Party was the most covered party by the media. This was the same in 2011 and 2015 presidential elections. However, 2015 was slightly different. Two major parties were largely covered by the media. In Abubakre & Oyewo (2015) and Amakoh (2015), the Peoples Democratic Party and All Progressives Congress candidates received the most coverage by the media. It remains to be seen how the media will cover the 2019 presidential elections. As at October 25, 2018, the Independent National Electoral Commission announced the submission of 70 interest forms from political parties for the position of the President. So far, the candidacy of the incumbent president, Muhammadu Buhari of All Progressives Congress and former Vice President and candidate of the opposition party, Peoples Democratic Party, Atiku Abubakar has received the most coverage in both traditional and online media.

The Nigerian Press Council's Code of Ethics stipulates the ethical standards for every journalist. It emphasizes the importance of factual, accurate, balanced and fair reporting as well as promoting the universal principles of human rights, democracy, justice, equity and peace. Essentially, the Nigerian Press Council Code of ethics for journalists promotes fair, accurate, unbiased and factual report of an event, which for the purpose of this paper is election.

In Section 5.2 of the 2012 *Nigerian Broadcasting Code* is centered on Political Broadcasts. Section 5.2.3 stipulates that "all broadcasters shall carry out their civic responsibility of transmitting all aspects of political enlightenment." While, Section 5.2.4 states that "partisan political broadcast shall be only those in which parties seek to explain their views and policies". The section is on the transmission of partisan materials such as party manifestoes and all forms of election promises by candidates and their political parties, which is partisan political broadcast. Furthermore, Section 5.2.8 states that: "In adherence to the principle of pluralism, equal air time shall be provided to all political parties or views, with particular regard to amount of time and belt during electioneering campaign periods."; Section 5.2.14, provides that "A broadcaster shall not use any vote obtained at different polling stations or exit polls, to project or speculate on the chances of the candidates"; Section 5.2.16, provides that: "In the interest of fairness and balance, any form of commercialization of political news is not allowed." and Section 5.3.4, stipulates "In the coverage of live political campaigns/rallies, the broadcaster shall be held responsible for the content of the broadcast." Therefore, live coverage should align with the broadcast ethos. It further states that each political advertisement shall be issue-ori-

ented only and devoid of abusive statements or reference, distorted or unsubstantiated claim or misrepresentation.

On advertising, the Electoral Act 2010, Section 95 (1) states that “A political campaign or slogan shall not be tainted with abusive language directly or indirectly likely to injure religious, ethnic, tribal or sectional feelings”. While Section 95 (2) states that, “Abusive, intemperate, slanderous or base language or insinuations or innuendoes designed or likely to provoke violent reaction or emotions shall not be employed or used in political campaigns.” Furthermore, Section 2.3 of *The Nigerian Code of Advertising Practice* (2005) is on the essence of good advertising. It states that “all advertisements in Nigeria shall: be legal, decent, honest, truthful and respectful and mindful of Nigeria’s culture; be prepared with a high sense of social responsibility and avoid misinformation or disinformation. . . conform to the principles of fair competition generally accepted in business, and of fair comment expected in free human communication”.

Again, Arogundade (2014) states that “The performance of campaign platform and public forum role of the Nigerian media during elections requires deference to the right of parties and candidates in elections to equitable media access especially as envisaged by legislative and institutional frameworks and other relevant instruments including the Electoral Act 2010 (as amended), the Nigerian Broadcasting Code (as revised) and the Nigeria Press Organisation Code of Ethics for Nigerian Journalists [The Nigerian Code of Advertising Practice (2005)]. It also requires giving opportunity to all represented groups or political parties to express their views. So, looking at the professional codes and the provisions of the 2010 Electoral Act, it is very clear that the law and codes have given all participants irrespective of their party affiliation and groups’ equal right to sell themselves through the media to the electorates. Despite these, some sections of the press have been accused of unethical practices; and giving little or no opportunity to the under-represented groups, which for this paper has been the cause of the active role the media has played in the nexus of all the activities that has occurred.

Election Campaign, Hate Speech and the Media Regulatory Instruments

Onyacho (2008) posits that “one strategy critical to electoral victory of candidates, apart from political party size and influence, as well as the odds that sometimes play themselves out in political calculations is the ability of the candidate or his party to articulate sellable ideas and programmes”. These ideas and programmes which must be packaged to meet the needs of the electorates are often delivered in form of news, feature, cartoon, advertisements, speeches, political rallies, events (indoor and outdoor) campaign,

live coverage of events (i.e. mass media messages) amongst others are often delivered through different media of mass communication. These mass media messages are usually planned, and presented in a coordinated manner (campaign) to win the support of the electorates. Sadly some of the messages have been criticised as unedifying. They have been assessed as offensive, derogatory of tribe, religion, etc. Professional ethics abhor this because of the attendant consequences.

According to Arogundade (2014), hate speech and other forms of incitement could lead to violence and threaten the democratic fabric of a society. Hence, the social obligations of the media during elections therefore include the prevention of hate speech. As such, journalists are expected to make use of temperate language in reporting ethnic related issues, electoral processes; and presenters of live programmes should refrain from airing pejorative comment. Therefore, on ethical grounds, it is the responsibility of media organisations to reject any material intended for publication or airing by parties, candidates and other interests that contains hateful or inciting words and messages; refrain from publishing or airing abusive editorial comments or opinions that denigrate individuals or groups on account of disability, race, ethnicity, tribe, gender or belief; meticulously monitor the content of its social media platforms to stop the spread of hate and inciting messages; and prior to a recorded or a live political debate, request participants to endorse a no-hate speech memorandum of understanding (MoU) committing them not to use words or gestures that disparage others on account of disability, race, ethnicity, tribe, gender or belief.

Despite these and the peace pact by GEJ and GMB in the countdown to the 2015 general elections, in the course of the campaign, some people with misguided enthusiasm carried out some acts that are anything but civil. The personal attacks were not limited to sardonic jabs, the psychological war was also deployed in media advertisements, social media spaces and, in extreme cases, inter-personal discussions.

Since election is the process of determining or electing representatives, and it is a process that involves pre-election, during elections (i.e. voting, collation of results, announcement of results) post-election (after the results have been announced, swearing in ceremonies, assumption of duties, etc); let us consider some samples of hate speeches along these periods.

Pre-election: “Any Igbo who votes for APC is a bastard and an enemy of Biafra” – Governor Willie Obiano; and Post-election: “Please, don’t neglect the Igbos. Give us ministerial positions” – Governor Willie Obiano (Source *APC News Alert*). Also, shortly before the governorship and state assembly elections, the Oba of Lagos, Rilwan Akiolu in his palace made an unedifying comment on his wish for the “settlers” to respect his political wish and support a candidate of his choice to secure the governorship seat,

failing which, according to his reported statement, any violator would end up in the lagoon. The comment which went viral, raised dust and generated bad blood, especially among the Igbo community in Lagos State and across the nation. The unfortunate words, said to some notable Igbo residents who were the Oba's guests, were considered weighty enough to be a threat to the peaceful coexistence of two of the country's major ethnic groups (*The Guardian*, 2015). Although, there were claims by the palace that there was a gap between Akiolu's delivery and what was transmitted, the message which went viral almost disrupted peace in the State.

In another development, APC publicity secretary in Ekiti state, Taiwo Olatubosun in a statement released on Tuesday, March 10, 2015 says "[Fayose is an] unconscionable character who ought to hide his head in shame over his sundry activities that marked him out as a tragedy on the question of integrity." This is derogatory and disparages the personae of Ayodele Fayose, a sitting governor. Furthermore, Lai Mohammed of APC also accused President Goodluck Jonathan of plot to rig Lagos State Election without evidence. This accusation is in bad taste as it was a mere anecdotal assertion.

On the part of PDP, Patience Jonathan while campaigning for her husband in Calabar, Cross River State, told the supporters of the PDP to stone anyone canvassing for change in the State. In addition, President Goodluck Jonathan during a rally in Enugu said that the All Progressives Congress candidate, Gen. Muhammadu Buhari (rtd), cannot remember his own mobile phone number; while, Fani-Kayode in a media briefing alleged that the APC flag bearer was receiving funding from terrorist groups including the Boko Haram and ISIS. These were carried live by the State media, Nigerian Television Authority (NTA). These contravene Section 5.3.4, of the Nigerian Broadcasting Code, which stipulates "In the coverage of live political campaigns/rallies, the broadcaster shall be held responsible for the content of the broadcast." So, it is the social obligations of NTA to prevent such hate speeches from being aired. Again, it is the responsibility of NTA prior to the live coverage, to request the client to endorse a no-hate speech memorandum of understanding (MoU) committing them not to use words or gestures that disparage others because live coverage is no more than an extended news report. As such, live coverage should air messages that are decent and uphold professional broadcast ethos, which abhors hate speech, obscene and vulgar language.

In addition, Governor Ayo Fayose also called Buhari "a diaper-wearing old man surrounded and being funded by notoriously corrupt people cannot fight corruption." The governor made the comments on Thursday, March 11, 2015 in a statement released by his media aide Lere Olayinka in response to GMB promise to fight corruption? This was in bad taste and

mere blackmail and misrepresentation of facts because the stand on GMB on corruption is unquestionable. So, carrying this without balancing the story with Buhari's antecedents on the fight against corruption is unethical. Furthermore, samples of some advertisements also revealed hate speech. For instance, "NIGERIANS BE WARNED! NIGERIA" . . . "I have set before thee LIFE & DEATH. Therefore, choose LIFE that both thee and thy seed may LIVE". The visuals that were used for this advert are that of Late Heads of State, Generals Muritala Mohammed and Sani Abacha; and late President Umaru Musa Yar'adua. Beside, these visuals was the photograph of General Muhammadu Buhari (GMB) with a question mark on the photograph and "AGE 72" written beside GMB's photograph. The copy further read "will you allow history to repeat itself? Enough of state burials. Nigerians VOTE WISELY. VOTE GOODLUCK JOHNATHAN. NORTHERN PRESIDENCY SHOULD WAIT TILL 2019". This message which appeared on the cover page of *The Punch* of Monday January 9, 2015 was sponsored by Governor Ayodele Fayose, a member of PDP. This advert suggests that GMB will soon die in office if elected, which is inciting and abusive. Furthermore, it plays up ethnic politics, which denigrates a tribe. The advert is provocative as it is practically wishing death on General Muhammad Buhari (rtd), the presidential candidate of the All Progressives Congress (APC).

These sampled adverts contravenes Section 95 (1) of the Electoral Act (2010), which states that "A political campaign or slogan shall not be tainted with abusive language directly or indirectly likely to injure religious, ethnic, tribal or sectional feelings"; and Section 95 (2), which states that "Abusive, intemperate, slanderous or base language or insinuations or innuendoes designed or likely to provoke violent reaction or emotions should not be employed or used in political campaigns." Essentially, the adverts are not decent, honest, truthful and respectful; and do not conform to the principles of fair competition generally expected in free human communication.

SUMMARY, CONCLUSION AND RECOMMENDATIONS

The laws guiding the practice of journalism in Nigeria -Nigerian Press Council's Code of Ethics; and the *Nigerian Broadcasting Code* (2012), and advertising practice- The Nigerian Code of Advertising Practice (2005) and Electoral Act, 2010 all states clearly how the media should operate. Failure to do so would result to contravening the stipulated laws. However, the media coverage during the 2015 presidential elections failed to live up to the standard. The campaign was a campaign of calumny against candidates through the various media platforms. From the observed samples in this

paper, politicians made unguarded, offensive, uncouth, and uncultured statements during the electioneering period.

This paper recommends that the media organizations must uphold the sanity of the media. There must be professional checks of campaign materials sent to media organizations. In a situation where such materials fail to meet the standard, media organizations must refuse to accept. There must be a drive to ensure politicians stick to issues while campaigning rather than resort to name calling and campaign of calumny. In addition, all political parties must be given equal airtime and space in the media. The media must refrain from focusing on few candidates thereby denying other candidates the equal opportunity to sell their candidacy to the public.

The media has a role to play in ensuring hatred is curbed. Ethnic jingoists use the established media organizations social media networks to push their agenda. This must be stopped. There should be prompt removal of hate comments made under stories posted on the website of the organization, live streams of broadcasts on YouTube or tweets on their Twitter feed. Also, there should be a regulation of discussions within these platforms. In this wise, the media can also promote peace and unity through regular public service announcements, regular live Twitter sessions and Facebook Live Chats on how Nigerians can live together in peace. We recommend that further studies can be explored focusing specifically on influence of hate speech on religious and ethnic crisis in the middle belt of Nigeria.

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APPENDIX A: TABLES

TABLE 1: PRINT: APC AND PDP

Date	Newspaper	Caption	Sponsor
Friday January 30, 2015	The Punch Newspaper	'No matter how many pretty robes you wear once a tyrant always a tyrant.'	The People for Change, a pro-PDP group.
Tuesday, February, 10, 2015	Vanguard	'Do elder statesmen speak like this?'	Concerned Nigerians, a pro-PDP group
Thursday, March 5, 2015	The Guardian	'See who is talking about Corruption'	New Nigeria group, a pro-PDP group
Saturday, March 14, 2015	Punch Newspaper	'11 reasons why all Nigerians must send Jonathan out of Aso rock Villa'- Femi Fani Kayode	National Volunteers for change 2015, a pro-APC group.
Sunday, March 15, 2015	ThisDay	'Na only you waka come production-Jonah and the Gang	New Nigeria initiative, a pro-APC group
Saturday, March, 21, 2015	Saturday Tribune	Never again-FRSC: Nigerian Roads second worst in the World.	Coalition for Change, a pro-APC group

TABLE 2: TELEVISION: APC AND PDP

Source	Hate Element	Speaker	Place
AIT	The Real Buhari	PDP Documentary	Ogun
Channels TV	General Buhari is too old	Fayose	Lagos
Channels TV	I saw evil, monster in the APC	Fani Kayode	Lagos

TABLE 3: CAMPAIGNS RALLIES: APC AND PDP

Source	Hate Element	Speaker	Place
Channels TV	'Stone Any One Who Supports Change'	Patience Jonathan	Calabar
Channels TV	'Buhari's Brain Is Dead'	Patience Jonathan	Kogi
Live Streaming By Lateef Raji	'BRF Bold Inexperience'	Babatunde Raji Fashola	Gbagada
Citizen TV	'Student-We Will Push Jonathan In The Water'	APC	

TABLE 4: BILLBOARD: APC AND PDP

Source	Hate Element	Speaker	Place
Vanguard	'Vote good governance not Goodluck'	APC South West Presidential Campaign Committee	Orita –Olaiya Junction Osogbo Osun State
	Hate element	Speaker	Place
	'Vote a democrat not dictator'	PDP Presidential Campaign Committee Osun State	Orita-Olaiya Junction Osogbo Osun State

TABLE 5: LITTLE MEDIA POSTERS: APC AND PDP

Source	Hate Statement	Speaker	Place
Online Media	'Because Stealing Is Not Corruption'	APC	Leventis
	'Facts Speak For Themselves'	APC	Iwaya Road

TABLE 6: ONLINE MEDIA: APC AND PDP

Source	Hate statement	Speaker	Place
FacebookTwitter	'Creative Liars'	Ambode Facebook Page	Lagos
	'Tax Evader'	Sunday Dare	Lagos
	'Heavy Weight Mis-Match'	Dele Momodu	
Vanguard	'Vote good governance not Goodluck'	APC South West Presidential Campaign Committee	Orita –Olaiya Junction Osogbo Osun State
	'Vote a democrat not dictator'	PDP Presidential Campaign Committee Osun State	Orita-Olaiya Junction Osogbo Osun State

Engaging with the Media in a Pre and Post Brexit World: Racism, Xenophobia and Regulation: A United Kingdom Perspective

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ABSTRACT

This paper engages with the perception that the UK media was instrumental in promoting racism and xenophobia in the period before the UK EU referendum. Furthermore, that this promotion led to actual hate crimes within the UK: How and why this occurred are central research issues. However, a further question is why no prosecution took place of either individuals within the media, or media companies themselves, promoting such rhetoric. Primary data analysis consisted of surveying newspaper content, online or otherwise, and particularly the tabloid press, but also EU reports, legislation, including Article 10 and 10.2 European Convention on Human Rights (Freedom of Expression), and European Court of Human Rights cases. Academic literature on Racism and Xenophobia, and their encouragement was utilised. The conclusions revealed weaknesses in the perception, identification and prosecution of ‘hate speech’ and racist and xenophobic material. Moreover, that prosecution has also proven problematic because of competing notions of ‘Freedom of Expression’ for individuals and organisations. However, regarding the media, the internal procedures, lack of adherence to ethical standards and lack of compulsory external regulation, further enabled such content. The effect cannot be conclusively determined, although spikes in recorded hate crimes coincided with virulent media content.

Key Words: Media, Racism, Intolerance, EU, UK. Regulation, Perception.

INTRODUCTION

In the UK, various opinion polls have been conducted since the 2016 EU referendum. (European Commission Against Racism and Intolerance, 2016). These have produced “evidence” of many population viewpoints which appear to entail dehumanising or demonising others. The 2016 European Commission against Racism and Intolerance (ECRI) report on the United Kingdom noted considerable intolerant political discourse in the

United Kingdom, particularly regarding immigration, a high number of violent racist incidents, a sharp rise in anti-Muslim violence, as well as record levels of anti-Semitic incidents. In that regard, according to Christian Ahlund the Chair of ECRI, (as cited in Euractiv.com, 2016, October 4) “The Brexit referendum seems to have led to a further rise in ‘anti-foreigner’ sentiment . . .”

Furthermore, the European Commission against Racism and Intolerance (ECRI) stated that:

. . . the ECRI considers that hate speech in some traditional media continues to be a serious problem, notably as concerns tabloid newspapers. According to NGOs, the media play a prominent role in encouraging prejudice against Roma, Gypsies and Travellers, as well as other vulnerable groups. The European Roma and Travellers Forum has expressed concern that some media regularly disseminate biased or ill-founded information about these communities and that they distort and exaggerate facts and reinforce stereotypes. (European Commission Against Racism and Intolerance, 2016, p. 9)

This article will analyse the role of the UK media, and in particular the tabloid press, to determine its potential role in promoting xenophobia and racism in the years 2013-2016. It will consider how the oft repeated claims to Freedom of Expression have complicated the regulation of xenophobia within the UK. Moreover, the article will suggest how the media could address these issues more appropriately in the future, as the final deadline for Brexit is on the horizon (October 2019), with the potential for increased xenophobia, racism and violent incidents. It concludes that the absence of ‘perception’ of racism, xenophobia and hate crimes, or proof of this, limits any desired effect. The need for a community of practice, academics, practitioners, the public, to raise awareness, challenge racism and promote ethical behaviour continues.

Xenophobia is defined herein as literally ‘fear of the stranger’, but more usually the term is taken to mean ‘hatred of strangers’ (Smelser & Baltes, 2001) According to Boehnke, (as cited in NGO Working Group on Migration and Xenophobia, 2001, p.2), Xenophobia can be understood as “an attitudinal orientation of hostility against non-natives in a given population.” This paper will argue that the press contributed to this hostility, and that this is indicative of existing prejudices: neither are currently being sufficiently acknowledged nor controlled. Indeed, the author argues that perception of an “undesirable other,” but also a *lack of perception of such representations as potentially “hate crimes”*, whether the legislation exists or not, should be the essential foci of research and education.

As the 2001 Declaration on Racism stated:

(xenophobia) . . . is growing out of the existence of essentialist symbolic and normative systems that legitimate processes of integration or exclusion. Thus, xenophobic behaviour is based on existing racist, ethnic, religious, cultural, or national prejudice. Xenophobia can be defined as the “attitudes, prejudices and behaviour that reject, exclude and often vilify persons, based on the perception that they are outsiders or foreigners to the community, society or national identity”. (Declaration on Racism, 2001)

As the Declaration also noted, xenophobia and racism often overlap, but are distinct phenomena:

Whereas racism usually entails distinction based on physical characteristic differences, such as skin colour, hair type, facial features, etc., xenophobia implies behaviour based on the idea that the other is foreign to or originates from outside the community or nation. (ILO, IOM, OHCHR, 2001)

For many, the Brexit vote was seen as a response to perceived uncontrolled immigration, and included refugees, heightened ‘nationalism’, and for some, xenophobia and racism.

BREXIT

Brexit is more formally known as the United Kingdom European Union membership referendum, but also the EU referendum and the Brexit referendum: the result will lead to British exit from the EU. This referendum took place on 23 June 2016 in the United Kingdom (UK) and Gibraltar. Its aim was to gauge support for the country either remaining a member of, or leaving, the European Union (EU). The referendum resulted in 51.9% of voters voting in favour of leaving the EU (UK votes to LEAVE the EU. n.d.). The United Kingdom government initiated the official EU withdrawal process on 29 March 2017; with the complete withdrawal process originally scheduled for 29 March 2019, changed to 31st October 2019. At the time of writing this article it is unclear when the withdrawal will actually take place.

Xenophobia and Racism in the Press.

Migration and immigration were crucial issues in the UK in the years before and up to Brexit, and for some influenced their vote. Below analyses how such migration was reported and reveals significant differences in the tabloid and broadsheet press. Indeed, in 2014 The Migration Observatory of

the University of Oxford revealed similar findings in their research on Bulgarians and Romanians in the British National Press for the period December 2012 - 1 December 2013. (The Migration Observatory, 2014). Whilst both types of newspapers were concerned with travel, the broadsheets used the following verbs: “come, arrive, move, travel, head.”

Tabloids, however, utilised metaphors related to scale, and often in animalistic forms: flood, flock (The Migration Observatory, 2014). This difference is important, since the latter is not only “naturalistic” but also emphasises number and particularly the perception of being “overwhelmed”: any lack of specific content denigrating potential immigrant groups is not indicative of the effect the media may have. The lack of specificity did, however, limit the potential for prosecution. That such rhetoric is not automatically prosecuted is indicative of the *lack of perception* of the potential impact of language, whether written or spoken. Criticism is made, but no prosecutions result.

Indeed, even politicians used this animalistic and apocalyptic language. In 2015 the then Prime Minister, David Cameron had called the Calais migrants “a swarm” in an interview (David Cameron criticised over migrant ‘swarm’ language, 2015). The UN Special Representative for International Migration subsequently accused British politicians of adopting a “xenophobic response” to the migrants’ crisis and said that the language had been “grossly excessive”. (David Cameron criticised over migrant ‘swarm’ language, 2015) Other political parties were similarly critical: The Scottish Nationalist Party said the PM’s language risked “inflaming what is already a tense situation”, while Liberal Democrat leader Tim Farron said it risked “dehumanising some of the world’s most desperate people”. (David Cameron criticised over migrant ‘swarm’ language, 2015) Green Party deputy leader Shahrar Ali said: “People will be disgusted at Cameron’s Calais comments and he should retract them immediately” (David Cameron criticised over migrant ‘swarm’ language, 2015). As argued above, the perception that immigrants and migrants would overwhelm the state, exhibiting a simultaneous non-human identity, proliferated within the press, and appeared bolstered by politicians’ statements.

Newspapers, particularly the tabloids, had been consistently highlighting immigrant numbers for some years up to 2016, with interest “spiking” at times of potential widening of access to the UK and up to Brexit. Academics have charted simultaneous spikes in hate crimes (Devine 2018). Whilst the press contained elements of “truth,” or “fact” regarding empirical evidence, the language used, and the lack of context created a climate of fear for many. The existence of “fact” is a requirement of legislation in states such as Belgium and Ireland, (Article 5 Belgium’s Code, Irish Code

of Practice), but similar legislation in the rest of the UK would not necessarily make prosecution more effective.

Indeed, the press did utilise facts, for example, that from 1st January 2014 Bulgarian and Romanian citizens were free to live and work in the UK after the expiration of controls that had been in place since 2007. However, such facts were accompanied by alarmist rhetoric in various newspapers in the preceding period. In January 2013, for example, The Telegraph gave the headline “250,000 Bulgarians and Romanians ‘head to UK’”, with the text not making clear that this was an estimated five-year figure, and with no discussion of the likelihood of these groups making the journey. (The Telegraph, 2013)

Sir Andrew Green, the Chairman of Migration Watch stated that “It is likely to be on a scale that will have significant consequences for housing and public services. . . it will also add further to the competition which young British workers already face” (Johnson, 2013, January 17). Public memory may have seen similarities between the extension to Bulgarians and Romanians and the earlier situation when Poland and other Eastern European countries gained the same rights in 2004. As a result of the latter, “more than one million people arrived in (the UK in) one of the biggest waves of immigration seen in this country.” (Johnson, 2013, January 17) Government ministers, seeing potential similarities and fears, utilised The Telegraph to reassure readers that the 2004 situation would not be repeated. However, they were subsequently criticised for being unable to provide “reassuring figures” (Dominiczak, 2013). The tabloid press created its own panic by stating numbers who would be entitled to come, not always making it clear that not all would choose to take advantage of this.

The Mail Online stated “Up to 70,000 Romanian and Bulgarian migrants ‘will come to Britain’ when controls on EU migrants expire, and that ‘figures could soar if the nearly 1million Romanians already in other EU countries also come” (Webb, 2013). Whilst the language was not animalistic, it was accompanied by a visual image suggestive of a destitute alternative cultural group, with the caption highlighting their poverty and that Britain would thus be a desirable prospect. (Webb, 2013)

The Telegraph used a photograph of the then Prime Minister David Cameron, looking troubled but resolute at such pronouncements. In May 2013 the Daily Express had stated:

Up to 29 million citizens of the two countries will have the right to come to Britain to live when controls barring them from entering the country without a job are dropped at the end of the year. The curbs were introduced to prevent a repeat of the immigration chaos when Poland, Latvia and other former eastern bloc countries joined the EU in 2004. The Gov-

ernment has repeatedly refused to give any estimate of the numbers expected to arrive here. But experts predict that up to 250,000 could come to Britain over the next five years. (Daily Express, 2013)

By October, the same newspaper headlined with: “Britain is full and fed up: Today join our Daily Express crusade to stop new flood of Romanian and Bulgarian migrants” (Daily Express, 2013). Many urged the PM to “defy Brussels”, suggesting this would give greater control to the UK over its own borders. Arguably, most British citizens recognised and accepted that being part of the European Union entailed accepting new migrants.

However, some politicians, most notably Nigel Farage of the British Nationalist Party utilised imagery suggestive of Nazi propaganda in his campaigns. (Media Mole 2016) Many writers in the press appear to have similarly taken advantage of the fragile social and economic situation. Some had historically been inflammatory on a wide variety of issues, beyond race. Katie Hopkins’ for example, had long been a source of extremist views on class, and race. There is no denying that her article in *The Sun*, a tabloid newspaper, likening refugees to cockroaches, was potentially highly inflammatory, and subsequently criticised by the UN High Commissioner for Human Rights (Plunkett, 2016, July 28; Stone, 2015). To many her words were perceived as offensive, but not necessarily inciting violence or genocide to which she claimed to be unaware.

Whether Hopkins was aware of the 1994 Rwandan genocide, and simultaneous and prior incitement using the term cockroaches is debatable, but does not lessen the offensiveness. Whilst her effect on the public cannot be automatically determined, (Katz 1957), such imagery has historically been seen as influential, and has led to criminal conviction of perpetrators, for example, Mugesera and the 1994 massacre of Tutsis in Rwanda, due to the result (Smith, 2003). Prosecution of those involved in hate speech, or even genocide has, however, historically proven difficult, not solely due to legislation or material facts. Indeed, previous work by this author has considered the legal difficulty of proving a causal link between words and actions, and even the influence of the actors, particularly in severe cases of incitement (Eastwood, McGuire, & Salter, 2013).

Mugesera’s lawyer had argued in early 2012 that his trial for the Rwanda massacre was unfair because no complete recording of the speech existed (and thus full context was missing). Decades earlier, the Nuremberg trials of Schmitt, Streicher and Fritzsche revealed that the former two were perceived as the creative source and initiators of anti-Semitic propaganda. However, Fritzsche was held to be a mere conduit for the hate speech of others, thus lessening his ‘crime’. I conclude that

it is arguable that the explanation for the discrepancies and divergent outcomes in these three cases was related less to the application of settled legal doctrine to material facts, than to the selective interpretation of the facts themselves, driven in part by the subjective impression created by these three individuals (Eastwood, et al., 2013, p.123).

In more contemporary context, and with regard to the Hopkins cockroach article, and potential prosecution, Matt Tee of the Independent Press Standards Organisation used *The Guardian* newspaper to cite the legal arguments for non-prosecution. He argued that migrants could not be viewed as victims of discrimination even when they were compared to cockroaches. His claims focused upon specific linguistic interpretation of "legal complainant". He stated the comments were also not covered by the editors' code, and he was unclear whether Hopkins comments could indeed be prosecuted as an incitement to racial hatred. Tee commented,

Migrants as such are not a group that can be discriminated against . . . And actually in our terms for it to be discrimination, the complainant would have had to show that an individual or a group of individuals were discriminated against by that phrase . . . I felt that the phrase was in very bad taste but bad taste is not something that is covered by the editors' code. (as cited in Plunkett, 2016, July 28)

Regarding incitement to racial hatred Tee further added that:

There were suggestions with the Katie Hopkins piece that it was an incitement to racial hatred. That's a legal matter. I don't think the commissioner of the Metropolitan police has taken any action over that. . . . In terms of the editors' code, there wasn't anything that could lead to a successful complaint against that column. (as cited in Plunkett, 2016, July 28)

The Society of Black Lawyers did report Hopkins to the Metropolitan Police, claiming that her words were offensive and xenophobic. Arguably, her comments met the legal threshold for the Public Order Act 1986, Part 111, s18, inciting racial hatred: they could be seen as threatening, abusive or insulting and either intended to stir up racial hatred, or make it likely that racial hatred will be stirred up. However, any prosecution would need to balance this threshold against the rights of people to "robustly exchange views, even when these may cause offence". (Plunkett, 2016, July 28)

Miss Hopkins was interviewed, but later wrote in a tabloid online newspaper, *The Mailonline*: "During my interview under caution, I delivered a long Hopkins rant about the importance of free speech and how I stood by every word I said and wrote" (as cited in Duell, 2015, November

23). Proving Hopkins' intent might have proven problematic, and it is significant that she drew upon the concept of "free speech". Potentially how influential her words might be in "making it likely that racial hatred would be stirred up" was presumably determined as unlikely, since the Crown Prosecution Service decided not to prosecute. Moreover, it is not an offence if the person is not aware that the material might be threatening, abusive or insulting.

Hopkins was presumably deemed insufficiently influential, or there were fears that prosecution would merely "fan her flames" and perhaps make her a martyr to free speech, or not in the public interest, or difficult to prove. She was however, sacked from *The Sun* newspaper following the furore over the comments. No major politicians were so treated, potentially raising the issue of gender discrimination, or the ease with which writers like Hopkins could be dismissed. Why her column was used by *The Sun* is a moot point, but her controversialist writing had been her "selling point" throughout her media career.

As suggested by the above, and according to the 2016 EU report, UK reporting on immigration, terrorism and the refugee crisis was conflated. Prejudicial comments from well-known political figures were stated to

Have an impact on the public and legitimise intolerance . . . (and) can only contribute further to the already high levels of hostility towards certain vulnerable groups, (European Commission Against Racism and Intolerance, 2016, para 38, p.18)

The report argued that such perceived influence could be countered by the establishment of a press regulator, (European Commission Against Racism and Intolerance, 2016, p.10) as per the recommendations set out in the Leveson Report (Leveson, 2012). As noted, however, immigrants and refugees were not necessarily covered by press regulation of "discrimination." Determining serious liability for incitement similarly seems to have proven difficult when comments are made in the public press. The UK currently has two competing supervisory bodies for the press, deemed to be insufficient by the EU report. Below will discuss the difficulties encountered during and following the Leveson Inquiry.

Regulating Derogatory or Inflammatory Content

In the absence of recognition of discrimination, or outright criminal incitement in the press, the question of how to regulate inaccuracies and prevent potential harm was a continuing issue after the publication of the Leveson Report (Leveson, 2012). The Leveson inquiry was a judicial public

inquiry into the culture, practices and ethics of the British press. This was instigated following the News International phone hacking scandal, and was chaired by Lord Justice Leveson, appointed in July 2011. As noted above the EU report of 2016 had called for press regulation, as per this Leveson report. The latter had recommended a new regulatory body to replace the Press Complaints Commission, and self-regulation (ECRI, 2016).

The National Union of Journalists issued a statement calling for journalists to “. . . operate within our recognised code of ethics” (Stanistreet, 2012, p. 7). In March 2013 the UK government announced a regulatory framework to be set up in a Royal Charter, but not by Statute. The new regulator would be able to order front page corrections. However, press participation would be crucial.

An important departure from the previous press complaints commission is the post- Leveson acceptance of a “conscience clause for journalists,” and the acceptance of third party responses to content in the press (Stanistreet, 2012, p. 7). Previously the latter could be refused if persons had not been specifically identified. However, the National Union of Journalists already has a Code of Conduct, s9 of which states that a journalist must not produce material, “likely to lead to hatred or discrimination on the grounds of a person’s age, gender, race, colour, creed, legal status or sexual orientation.” (Ethic Net. n.d). The current Independent Press Standards Organisation (IPSO) Code of Practice states that the press “must avoid prejudicial or pejorative reference to an individual’s, race, colour, religion, sex, gender identity, sexual orientation or to any physical or mental illness or disability.” (IPSO, December 2018, s12)

As the Katie Hopkins case above illustrates, this conscience code has not necessarily led to any actual significant change. It appears that labelling columns such as Hopkins as “opinion” is one method newspapers use to avoid breaching this code, and criminal sanction. As Tee, (cited in Plunkett, 2016, July 28) stated:

I think it is important that columnists, particularly where it is very clear that this is a personal opinion, a column, in Katie Hopkins terms or . . . whoever, people who cause mass offence, it is very clear there is a picture at the top of the column, it is very clearly a column, which is their view, their opinion.

According to an Article 19 report (Article 19, 2018, 1st March), the main difficulty with regulation of the press is that the UK has no written constitution, and English criminal law has no governing instrument such as a penal code. The report stated: the criminal restrictions upon “hate speech” and the media thus reflect the UK’s piecemeal legal structure. . .’

(Article 19, 2018, March 1st, p.4). However, I argue that it is the perception of hate crime, or the lack of this perception, that creates the difficulty, irrespective of whether legislation exists or not.

Whilst the police and the Crown Prosecution Service are equipped (subject to funding constraints) and do prosecute individuals engaging in hate speech: the report found that

the criminal law has not been used against a media outlet for many years, and never for engaging in ‘hate speech’ in relation to any person or group of persons on the basis of a protected characteristic” . . . There is no mechanism by which the very powerful British print media may be held to account for the disparagement of a group of persons on the basis of a protected characteristic (Article 19, 2018, March 1st, p.4).

Arguably, this lack is due to misperception of the purpose of existing legislation, and misrecognition of acts as meeting the threshold for prosecution, even voluntary codes of ethics have not conquered this lack of identification.

Media Self-Regulation and Hate Speech

Indeed, another potential difficulty for regulation of the press in the UK is that the print media is self-regulated, either by one of the two independent regulators - the Independent Monitor of the Press (IMPRESS) or the Independent Press Standards Organisation (IPSO) - or by the media itself (e.g. Financial Times and The Guardian). However, there is no need for these regulators to ensure that minorities are represented, and potentially this limits the perception of offence, or racism, or xenophobic content. No figures are available to indicate that minorities are included in any key posts. Moreover, IMPRESS does not regulate any national newspaper, as the latter have refused to join IMPRESS, citing a perceived lack of independence (Article 19, 2018, March 1st, p.39). Another issue is that some involved in IMPRESS have previously been the object of press investigation for other alleged indiscretions, potentially suggesting a conflict of interest in media regulation.

Moreover, as the Article 19 report confirms, and the above commentary on the Katie Hopkins article, codes of conduct are limited in what they cover. IMPRESS’s Standards Code, for example, includes provisions about accuracy and non-discrimination, and one provision specifically dealing with hate speech, but only to the extent that it constitutes “incitement to hatred.” (Article 19, 2018, 1st March, p.39). The IPSO’s Editors’ Code of Practice (the ECP) does not contain any provision specifically dealing with

hate speech, but does include provisions about accuracy and non-discrimination (Article 19, 2018, p.39, s12 IPSO code of Practice 2018).

As the examples above have illustrated, proving that even these standards have been breached has proven problematic.

It is often argued that in an increasingly competitive media environment: . . . many media employers have sacrificed reporting standards in pursuit of commercial objectives, overriding ethical values with journalism that is populist, sensational and biased (OECD, 2010).

Equally, it is argued that legitimate discussion of immigration and potential effect should not automatically be prevented or portrayed as right wing. It is the language used and the intent that is potentially problematic when considering prosecution.

Academic, human rights, and legal articles on discrimination and the rise of hate crime legislation often cite historic tensions, particular the World War Two genocides, if considering mainland Europe (European Network of Legal Experts in the Non-Discrimination field, 2011). However, it is clear that immigration in whatever period can create new tensions, since member states of the EU expect freedom of movement, and access to resources, for their peoples. In 2003 Matthew Randall wrote that:

Irrespective of party, leading politicians repeatedly highlight issues of exclusion — fears of “invasion”, alleged “threats” and actual prejudices — ensuring a very negative image of immigrants despite their statistically small impact on society. . . . Concerns over crime, disease, terrorism, detention and surveillance are consistently pushed well to the fore. This lack of balance can be attributed to a number of factors, including the existence of a covert racist ideology and the political expediency of “the race card” — factors that repeatedly compromise the welfare of refugees and immigrants. (Randall, 2003 December 8).

The European Convention on Human Rights and Xenophobia and Racism

Currently, the European Convention on Human Rights does not specifically address the freedom of the media. However, it does allow the freedoms under article 10 to be limited. Considering hate speech, there is the possibility of regulation through the European Court of Human Rights (ECtHR). The ECtHR does not give carte blanche freedom of speech, and excludes hate speech from protection by means of two approaches provided for by the European Convention on Human Rights: a) by applying Article 17 (Prohibition of abuse of rights) where the comments in question amount to hate speech and negate the fundamental values of the Convention, or b)

by applying the limitations provided for in the second paragraph of Article 10 and Article 11. However, the contexts and purposes of the media and of the speech are seen as crucial.

The reasoning behind limitation of Art 10 is illustrated in *Witzsch v Germany*, where it was stated that comments made in private letters could constitute “Abuse of freedom of expression (that) is incompatible with democracy and human rights and infringes the rights of others. (*Witzsch v Germany*, 2005, p. 8)

Conversely, the European Court of Human Rights in *Jersild v Denmark* (1994, Sep 23) emphasised the vital role of the press and audio visual media as “public watchdog”. (*Jersild v Denmark* 1994, Sep 23, para 31. In this case, where the racist extremist views of members of the Greenjackets were aired on a TV programme, the case concerned whether the conviction of the journalist ‘for having aided and abetted the dissemination of racist remarks violated his right to freedom of expression within the meaning of Article 10 of the [ECHR].’ *Jersild v Denmark*, 1994, Sep 23, para. 25) The ECtHR considered the programme, manner, contents, context, and purpose as crucial. It was stated that: “. . .the object of the programme was to address aspects of the problem, (racism) by identifying certain racist individuals and by portraying their mentality and social background. . . .” (*Jersild v Denmark*, 1994, Sep 23, para 33) The Court emphasised that the item was broadcast as part of a serious Danish news programme, intended for a well-informed audience, and that there were some features that counterbalanced the extremist views expressed:

although the specific remarks made by the Greenjackets, read out of context, were highly offensive, the way in which they were presented and the objective pursued by the applicant were, in the circumstances, sufficient to outweigh the effect, if any, on the reputation or rights of others. (*Jersild v Denmark*, 1994, Sep 23, para. 25)

The court stated that: “News reporting based on interviews, whether edited or not, constitutes one of the most important means whereby the press is able to play its vital role of “public watchdog”. (*Jersild v Denmark*, 1994, Sep 23, para 31) There were, however, seven dissenting judges to the decision that Article 10 rights had been violated. For a further two judges the defendant failed to react against racist remarks and should therefore receive no compensation.

It is likely that post Brexit the CJEU will continue to have an influence on UK domestic law. This is because section 6(2) of the EU (Withdrawal) Act 2018 states courts/ tribunals “may have regard to anything done on or after exit day by the European Court, another EU entity or the EU so far as

it is relevant to any matter before the court or tribunal.” (EU (Withdrawal) Act 2018 s 6.2). Second, the fundamental rights enshrined in the Charter of Fundamental Rights are unlikely to disappear. Although Section 5(4) of the Act states that the Charter will no longer be part of domestic law, paragraph 106 of the Explanatory Notes says “those underlying rights and principles will also be converted into UK law”. Arguably, this means lawyers will still be able to use case law in which these general principles were referred to, if interpreted as relevant (EU (Withdrawal) Act 2018: Young, 2018).

CONCLUSION

Whatever legislation exists to promote social cohesion, including the hate crime bias laws that are often included within this, these compete with alternative imagery and rhetoric, and popular interpretations. (Dixon & Gadd, 2006). Whether such disparities could be dealt with by regulation of the press as suggested by the Leveson inquiry, the EU report, self-regulation or the CJEU is problematic: the recent examples given above, suggest some difficulties. Indeed, I argue that the failure to perceive some acts as hate crimes remains the “elephant in the room”, limiting the potential to prevent racism and xenophobia, and curb the influence of the press. Thus there is a continued need for a community of practice, including academics and practitioners, to promote ethical journalism and awareness of the existence and reason for ‘hate crime’ legislation and human rights.

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