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Call for Papers and Submission Guidelines

The Institute for Action Against Hate is soliciting submissions for the fifth volume of the interdisciplinary Journal of Hate Studies.

We are interested in articles from various disciplines that address the topic of "Hate and Communication." This may include ways in which hate is disseminated and implications of that dissemination. We are also interested in articles that explore solutions and strategies for addressing hate that is being and has been communicated, as well as the methods and content of communication that may combat the manifestation of hate. A special invitation is extended to scholars from disciplines such as history, psychology, philosophy, women's studies, cultural studies, anthropology, political science, economics, literature, rhetoric, and religious studies.

Submissions are due by October 1, 2006 and should be between 5000-10,000 words. Submissions should include one hard copy and an electronic copy in MS Word format. Please do not submit PDF files. Submissions should be presented in Chicago Manual of Style format and contain endnotes rather than footnotes.

Address submissions and questions to the Gonzaga University Institute for Action Against Hate, AD Box 43, 502 E. Boone Avenue, Spokane WA 99258-0043; email address: againsthate@gonzaga.edu; phone: (509) 323-3665.
Preface

Fire and Ice

Some say the world will end in fire,
Some say in ice.
From what I’ve tasted of desire
I hold with those who favor fire.
But if it had to perish twice,
I think I know enough of hate
To say that for destruction ice
Is also great
And would suffice.

—Robert Frost

Most would agree that the transgression of simply going about our own business and ignoring the plight of others pales in comparison to that of committing open acts of violence and hatred. In his poem “Fire and Ice,” Robert Frost invites us to ponder a paradox.

On a literal level, fire might represent earth’s long awaited Biblical prophecy of retribution by fire and brimstone. From a scientific point of view, the image of ice conjures up the coming of another ice age. However, it seems likely that Frost is alluding to the symbols for which these elements stand: in terms of fire, conflagration, rage, war, and world destruction; in terms of ice, human indifference to others’ suffering caused by AIDS, poverty, hunger, ignorance, insensitivity, and intolerance.

We at the Institute for Action Against Hate have accepted the responsibility of monitoring the nefarious effects of hate on a world ripe with possibilities for peace and harmony. Let us never forget the message of Frost’s simple yet revelatory poem, “Fire and Ice.”

The beginning of this preface can be credited to my sister, Jeannie Dobson, a teacher of writing and English. She has always gifted me with a literary perspective on my work and my life. It seems only fitting to start with poetry because for the first time, we include poetry in the journal, in the knowledge that the arts touch us, remind us of basic emotional truths, in ways that academic thinking cannot. Thus we have selected a portion of Michael Gurian’s “I Am a Jew” to introduce this issue about hatred and culture.

The concept of culture carries many meanings and interpretations.
Tiedt and Tiedt (1990) describe culture as "a complex, integrated system of beliefs and behavior that may be both rational and nonrational. Each one of us is born into a culture. Our beliefs derive from these ethnic and family backgrounds, but they continue to be shaped by all our experience after birth. For the most part, family attitudes, language, and other behaviors are internalized without questions" Levine (cited in Bennet, 1995) refers to "world view or the way a cultural group perceives its environment, including stereotypes, role perceptions, norms, attitudes, values, ideals, and perceived relationships between events and behaviors, and . . . material or concrete culture which includes objects and artifacts of a culture."

As we look at the concept of hate, we can see that historically, individuals or groups have been classified as "other." In that way, they can be seen as less than human, demonized, and marginalized. In many cases, the "others" are victims of genocide, as was witnessed in the Holocaust, and in more recent events in Rwanda, Liberia, and Yugoslavia. Although these acts clearly come to mind when we think of hate, we are less prepared to see our own contributions to world misery when we fail to stand up for what is right, or simply ignore the presence of hate. This edition of the journal addresses hate in culture and highlights current experiences that threaten our world.

How is hate disseminated? What draws people into its web? These questions are addressed by Georgie Ann Weatherby and Brian Scoggins in "A Content Analysis of Persuasion Techniques Used on White Supremacist Websites," an examination of the tactics used by racists on their websites to attract new recruits. Specifically, it examines the use of low-ball and foot-in-the-door techniques as they are used on four white supremacist websites. The authors conclude that these groups are moving toward the mainstream in their presentation in an effort to be perceived as acceptable and to draw people in. Furthermore, the authors suggest that it is essential that people be educated about these groups, the techniques they use to attract others, and the consequences of their actions.

We hear a great deal about human rights abuses, but seldom do we hear about them as they apply to lesbians. Susan Hawthorne brings this subject out of the shadows in "Ancient Hatred and Its Contemporary Misuses: The Torture of Lesbians," a raw and well-documented paper about the abuse of women that takes place in many countries simply because of their sexual orientation. She calls for greater attention to be paid to this horrific subject, as lesbians have received little mention in human-rights struggles, and includes visceral first-person accounts from victims to buttress her
argument. She suggests that the "play" torture involved in certain pornographic circles is disrespectful to those who have actually been tortured and that it desensitizes people to the horror and lack of control involved in similar real-life situations. According to the author, lesbians should be accorded status as political refugees, since their very existence is punishable by harsh measures in certain countries. Until more attention is paid to this minority group, Hawthorne suggests, its members will continue to undergo savage treatment—a dark reflection on our society as a whole.

In "White Nationalism Revisited: Demographic Dystopia and White Identity Politics," Steven Gardiner uses his own visit to a white nationalism conference to launch a discussion about and offer a definition of white nationalism as it currently manifests. Gardiner writes about the efforts of white nationalist groups to slow or stop the immigration of non-whites in their attempt to "preserve the white racial majority in the United States." Gardiner argues for the importance of debate about identity, specifically what it means to be an American, and the role and impact of immigration upon our national culture.

"To Charge or Not to Charge?—That Is the Question: The Pursuit of Strategic Advantage in Prosecutorial Decision-Making Surrounding Hate Crime" by Beverly McPhail and Valerie Jenness is about the various factors prosecutors must take into account as they decide whether to categorize and charge a criminal act as a hate crime. The authors conclude that many cases that could be charged as hate crimes are not, partly because the standards of categorization are strict, partly because these concepts remain somewhat ambiguous, and partly because of the additional burden of proof required of the prosecutor, as he or she must prove motivation as well as the actual event.

Barbara Perry has us take a close look at our use of language in "A Crime by Any Other Name: The Semantics of 'Hate.'" Dissatisfied with the term "hate crime," she looks at "the conceptual limitations of the term 'hate' as a descriptor of the forms of bigoted violence to which it refers." Because language shapes our perceptions and our interpretations, Perry argues that we must be careful to use it in a way that does not divorce bias-motivated violence from its cultural and political context. She also wants us to understand that "hate" refers here not to an individual psychological emotion, but to a sociological construct.

The third edition of this Journal contained an article by Ken Stern, based on a presentation he made at the International Conference to Estab-
lish a Field of Hate Studies held at Gonzaga University in March of 2003, called "Toward an Interdisciplinary Field of Hate Studies." Stern raised questions and offered suggestions about what such a field might look like, emphasizing the interdisciplinary aspect of such an undertaking. This article is followed up on in this year's Student Voices section. Jon Blitzer, a student at Columbia who interned at the American Jewish Committee, has written "Toward an Interdisciplinary Field of Hate Studies: Developing a Framework," in which he discusses the reasons for creating such an academic field, speculates about the purposes the discipline will serve, and reviews some of the strategies and content it might include. He notes that if a field of hate studies is to be generated and sustained, those involved must have a clearly defined framework in mind to give it shape. Blitzer argues that creating such a framework is worthwhile because "a unified, interdisciplinary field of hate studies may be the most direct and effective way for us as intellectuals to understand what hate and culture truly mean and why their pairing is so inevitable."

Finally, our book review section contains assessments of two books: Robert Kraft's review of Do Unto Others by Samuel P. Oliner, and Steven Baum's review of the Encyclopedia of Genocide and Crimes Against Humanity, edited by D.L. Shelton. Kraft notes that Oliner provides a complex yet straightforward examination of altruism, that state wherein we consider someone else's needs before our own. Kraft notes that the book discusses those elements that create an altruistic personality: empathy and a willingness to take action. The book divides altruism into eight categories and devotes a chapter to each kind. Ultimately, Kraft tells us, the book serves as a sort of beacon, showing us the way to the sort of goodness that makes us fully human and fully free.

Baum notes that that Encyclopedia of Genocide and Crimes Against Humanity is an important and a valuable contribution to the field. While he questions some omissions and a leaning toward a legalistic as opposed to a sociological stance, he concludes that it is nevertheless a valuable and well-written resource, one that scholars in the field will find interesting as well as informative.

The Institute for Action Against Hate is thankful to our authors for contributing to this issue on Hate and Culture. We are hopeful that readers will be informed by these writings and inspired to share their messages.

The Institute continues to work to establish an academic field of hate studies. The need for an academic discipline on hate studies has been presented at the Annual National Conference on Race and Ethnicity in
American Higher Education (NCORE) for three years in a row. The Institute has been accepted to present a workshop at the NCORE conference in Chicago in June of 2006. The title of the presentation is “From the Face of Hate to the Face of Hope: An Academic Approach to Addressing Hate.” Our intent is to formally continue the dialogue on developing the hate studies curriculum and to share course syllabi from current university courses addressing issues of hate. If you have a syllabus that relates to this topic, please send it to us. Information on our work can be obtained at our website, www.gonzaga.edu.againsthate.

As we continue to move toward a global community, full of diversity and difference, a united effort is required. The Institute for Action Against Hate, the Journal of Hate Studies, and the website for the Institute are venues for confronting hate, and ultimately, preventing it through education, research, and advocacy in collaboration with professionals of like mind. This is no small task in a world of competing cultures and ideologies, dwindling resources, and widespread poverty. It is the responsibility of educators, professionals, and people of good will everywhere to collaborate in the effort to combat hate with unyielding determination. We can never stop questioning acts of hatred, which are often initially expressed as discrimination toward, and stigmatizing of, marginalized peoples. Our work offers us challenge in moving toward community and inclusion for people in all cultures.

We are pleased to offer the fourth issue of the Journal of Hate Studies. As ever, it is our hope that you will find this edition of the Journal of Hate Studies an edifying and stimulating resource.

Jerri Shepard  
Director  
Institute for Action Against Hate

Joanie Eppinga  
Editor  
Journal of Hate Studies

REFERENCES

I Am a Jew

Michael Gurian

I am a Jew, 47 years old, of no special courage.
Every day I try to feel myself in the soil and the stem,
in the light of ancient books and of new words;
I try to sense the fingertip of G-d in the fragrance
of my children’s newly washed hair.
Every day, I try to sing with a spirit both measured and ecstatic,
find places to worship where I can feel the warmth
that first attracted me toward my birth.
Scorn the beasts that covet the blood on my door.
I am a Jew.

Have you seen the Jews? When a train rumbles by,
we see ghostly faces in the boxcars. When hounds roam the kingdom,
we know those white teeth grin because the animals have already fed;
I am a Jew already eaten. In seventh grade, in Laramie, Wyoming,
three boys grasped my big Jewish nose with pliers—
"Does it stretch? Does it grow?"
I still feel the flat file marks on my skin.

The Jews have forgiven the world, but do not know if the world has forgiven them.

This is a Jew.
A Content Analysis of Persuasion Techniques Used on White Supremacist Websites

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Gonzaga University

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I. INTRODUCTION

The Internet has made it possible for people to access just about any information they could possibly want. Conversely, it has given organizations a vehicle through which they can get their message out to a large audience. Hate groups have found the Internet particularly appealing, because they are able to get their uncensored message out to an unlimited number of people (ADL 2005). This is an issue that is not likely to go away. The Supreme Court has declared that the Internet is like a public square, and it is therefore unconstitutional for the government to censor websites (Reno et al. v. American Civil Liberties Union et al. 1997). Research into how hate groups use the Internet is necessary for several reasons. First, the Internet has the potential to reach more people than any other medium. Connected to that, there is no way to censor who views what, so it is unknown whom these groups are trying to target for membership. It is also important to learn what kinds of views these groups hold and what, if any, actions they are encouraging individuals to take. In addition, ongoing research is needed because both the Internet and the groups themselves are constantly changing.

The research dealing with hate websites is sparse. The few studies that have been conducted have been content analyses of dozens of different hate sites. The findings indicate a wide variation in the types of sites, but the samples are so broad that no real patterns have emerged (Gerstenfeld, Grant, and Chiang 2003).

This study will focus on the content and the use of persuasive techniques of four major white supremacist websites. Three of them are major groups connected to larger movements: the National Alliance connected to the Neo-Nazi movement, the Imperial Klans of America connected to the Ku Klux Klan, and the Aryan Nations connected to the Christian Identity movement. In addition, the study will be examining a large site named Stormfront that is not affiliated with any group.

This study will catalogue what parts of the site hate groups use for
attracting people, how their extremist views are disguised, what types of age, gender, and educational demographics they are appealing to, and what kinds of attempts they make to recruit potential members. Its primary focus is to examine the efforts that are made on the site to indoctrinate visitors into white supremacist beliefs. Since the views expressed on the sites are extremist, it is hypothesized that the compliance techniques of foot-in-the-door technique (when something small is requested first to make compliance more likely for a larger request) and low-ball technique (when only part of what a request entails is made known) will be used. This study will examine the extent to which these techniques are present on the sites.

II. Literature Review

The theories in which this study is grounded are compliance techniques that, if present on the website, would serve to make the site more appealing to potential members of mainstream society. Foot-in-the-door technique is a theory of social psychology that holds that a person will be more likely to accede to a request if he or she previously has agreed to a smaller, related request. Generally, gaining compliance with a request is the purpose of foot-in-the-door technique. It is not a new idea to use this technique to change people's perspectives. It is believed to be one of the basic tactics used in Korean brainwashing (Schein, Schneier, and Barker 1961). Furthermore, it is one of the techniques that Nazi propaganda minister Joseph Goebbels used in his attempts to spread the racism that was vital to Hitler's rise to power (Bruner 1941).

Low-ball technique is a technique wherein compliance is gained by not telling the person the whole story (Cialdini 1978). This method is often intertwined with foot-in-the-door technique. This is in fact how most propaganda works. The person or organization trying to persuade tells only part of the story. Low-ball technique includes the site's explanations and a defense of the viewpoints expressed on it. In telling only one side, the websites are more likely to sound reasonable and appealing to others. When people do not know both sides or the whole story, they are much more likely to comply, and compliance will change their self-perception (Cialdini 1978).

Freedman and Fraser (1966) did pioneering work with foot-in-the-door technique. Their study included two experiments in which they compared the likelihood of people's complying with a large request if they were first asked to comply with a smaller request and if they were not. They found that only 22% of people who were asked only the large request agreed to it, whereas 53% of the people who agreed to the initial small request agreed to the large request (Freedman and Fraser 1966). When the researchers con-
trolled for the variable of familiarity with the experimenter, they found it to be insignificant, which indicates that people do not comply because they feel as if they know the person making the request. When they looked at the factor of merely agreeing to the request and not actually following through, they found that it was only slightly less of an indication of compliance. This means that just the act of agreeing to the request is a significant part of the effect (Freedman and Fraser 1966).

This study was very significant in that it uncovered some of the basic principles concerning how and why foot-in-the-door technique works. The basic idea was that once someone has agreed to any action, no matter how small, he tends to feel more involved than he did before (Freedman and Fraser 1966, 201), which leads to a change in self-perception and attitude (Bem 1967). This is very relevant to the present study, because this is the kind of self-perception change that is hypothesized to take place when the foot-in-the-door technique is used on websites.

Bem (1967) found that cognitive dissonance is a necessary element when changing one’s self-perception, if the changed perception conflicts with the person’s original beliefs. Cognitive dissonance occurs when a person holds two views that are in conflict with one another. The way a person deals with this dissonance will vary, but regardless of that, it causes a person anxiety, and therefore he or she will want to resolve it (Bem 1967). When trying to appeal to potential members, these groups will structure their websites to make them appear more likeable and less extreme (McDonald 1999); this would be an example of low-ball technique. A change in self-perception comes about more easily if a person does not have set beliefs about something. In this case, cognitive dissonance may not occur and a change in beliefs could come as soon as some propaganda gets its foot in the door (Freedman and Frazer 1966; Burger 1999).

The people that are most likely to be susceptible to this technique are those with low self-esteem or values that, while mainstream, remain closer to those of extremists. Bramel (1962) found that when something is in conflict with a person’s self-perception, it causes more arousal and subsequently is viewed as bad. However, the opposite is true as well: the more closely an idea matches a person’s self-perception, the more likely it is to be viewed as not as bad (Bramel 1962). Thus hate groups seeking to recruit people from the mainstream are likely to have greater success if they are welcoming, and downplay or disguise their actual beliefs, as McDonald (1999) has already observed. This is why foot-in-the-door and low-ball techniques are expected to be prevalent.

There are three other major compliance techniques as well: door-in-the-face, pique, and that’s-not-all techniques. Door-in-the-face technique is demonstrated when someone initially is asked to perform a large request,
and then is asked to perform a smaller one. Pique technique refers to arousing someone's interest with something unusual. In that 's-not-all technique, a rather large request is made, followed by the offering of incentives for following the request (Taylor, Peplau, and Sears 2003). These techniques are not considered in this study, for the reason that they would not be effective in changing people's beliefs. This is so because in this situation, extremists are striving to make their viewpoint look appealing to those in the mainstream. These other techniques, if used, would further polarize the group from the mainstream, making its members seem more extreme or outlandish, which would not cause people to sympathize or associate with them; consequently, they would not change anyone's self-perception.

The Internet has become an excellent medium for recruitment. However, recruitment was not the main goal of these groups at first. Even today, there are many other ways in which white supremacist sites use the Internet. The history of white supremacist groups on the Internet began in 1983 when George Dietz put up a computer bulletin board system named Liberty Bell. The West Virginian Neo-Nazi used it to post various white supremacist information such as holocaust denial, racist, and anti-Semitic material (Levin 2002).

A year later, the Aryan Nations and White Aryan Resistance set up bulletin boards of their own in an attempt to help connect right-wing extremists from all over. Included in the content of the postings on the Aryan Nations site were listings of various Jewish headquarters, with messages attached encouraging surfers to take action against them (Levin 2002).

The White Aryan Resistance was even more focused on inciting violence; however, their activities caught up with them when they were held liable for the death of an Ethiopian immigrant at the hands of two skinheads for the amount of $12.5 million (Levin 2002). Already by 1985, hate groups online were being monitored by watchdog groups such as the Anti-Defamation League.

By the early 1990s, bulletin boards were being replaced by discussion boards. These allowed more people the opportunity to contribute their own extremist views. By this time, the Internet was also being used by hate groups to encourage their strategy of leaderless resistance (Levin 2002). The goal was to have people take matters into their own hands, operating in underground cells unaffiliated with any particular group. William Pierce's 1978 novel, the Turner Diaries, is a model of this tactic. In the book, the main character starts a race war by bombing the FBI building (this was the model Timothy McVeigh used in his attack on the Federal Building in Oklahoma City). Other groups have promoted RAHOWA (or racial holy
war) on their sites and generally encouraged leaderless resistance (Levin 2002).

The Internet offers groups the opportunity to reach unprecedented numbers of people with these ideas. It further allows groups to implicitly encourage leaderless resistance, glorifying real-life terrorists such as Robert Mathews, Gordon Kahl, and David Tate. It allows lone wolves the ability to keep up on events, stay informed about the group, and get ideas while protecting the group from liability (ADL 2005).

Now that the Internet is more widely used and accessible, groups use it for many of the same purposes, but have expanded its role to include more intricate methods of recruiting. Groups are able to appeal to a wide range of age groups and people with different ideologies by allowing them easy access to what interests them.

There are hundreds of racist websites, all of which have different objectives and means by which they attempt to arrive at those objectives. This was confirmed by the most recent content analysis done by Gerstenfeld, Grant, and Chiang (2003), who looked at 157 racist websites. They found that recruitment appeared to be a main objective for many sites that were making attempts to reach more impressionable surfers. These attempts occasionally included kids’ pages, but much more commonly were links to multimedia, merchandise, racist music, and video games (Gerstenfeld, Grant, and Chiang 2003).

The Internet allows hate groups to control their image in terms of how they wish to appear to the public. Groups are able to appear much more respectable, and nearly all are choosing to take this route. Among the sites included in this analysis, overt support of violence (even by violent groups) was seen infrequently, and claims that groups were unbiased, not racist, and not hate groups were made fairly often. Indeed, a great many sites were lacking in overt bigotry, especially on the home page (Gerstenfeld, Grant, and Chiang 2003, 41).

An ostensibly non-offensive and objective site is one of the things that is effective in preparing to use foot-in-the-door and low-ball technique. The first step is to make the site friendlier and apparently closer to people’s mainstream views. Doing so will make the ideas presented more likely to be considered, as they are perceived as being closer to people’s self-perception.

Another way hate groups take advantage of the Internet is by linking up with one another in networks. This allows smaller groups to take advantage of a large group’s popularity by being linked to its site. In addition, sharing information between groups has become much easier (Gerstenfeld, Grant, and Chiang 2003).
Burris, Smith, and Strahm (2000) looked extensively at the white supremacist network through the Internet. They were looking for connections between the white supremacists and groups or people on the fringes of the mainstream. For example, they looked for ties to right-wing Republicans like Pat Buchanan, and right-wing Christians such as Jerry Falwell, Pat Robertson, and the Christian Coalition. They further looked for ties to militias which, while extremist, tend to be more paramilitary, and focus more on gun ownership and resistance to governmental encroachment. The other relevant aspects they examined were the attempts made to unify the movement as a whole, and how hate groups attempt to recruit members through the way they structure their sites (Burris, Smith, and Strahm 2000).

In their findings, Burris et al. (2000) identified the most central sites in the white supremacist movement as being the ones that had the most links leading to them. Those sites were Stormfront, one of the oldest and the largest white supremacist sites on the Internet; Zundelsite, a Holocaust denial site; Resistance Records, a white power music production company; and the National Alliance, a Neo-Nazi group that owns Resistance Records.

This brings up one of the problems with the study. The researchers divide the white supremacist movement into subgroups. As a result, they make overgeneralizations, such as saying that Stormfront is a Klan site (Burris et al. 2000). Stormfront was started by a Klan member but is not a site that is representative of the KKK. In addition, in creating the subgroups, the researchers divide up different branches of certain groups. The most notable is treating the music arm of the National Alliance, Resistance Records, as a separate group representing skinheads. The study stated that the only affiliation was a web link, whereas in reality Resistance Records is a music label that is owned by the National Alliance.

The other findings they produced were that there were almost no links to the Christian right, or right-wing Republicans. More surprisingly, though, there were “almost no links in either direction between white supremacist sites and militia sites” (Burris, Smith, and Strahm 2000, 229). Furthermore, they found that white supremacists is a decentralized movement. They argue that supremacists do not share enough unifying ideals to start a centralized movement. One of the interesting ways the Internet is used for recruitment is through soft-core sites that are fronts for other more extreme sites (Burris, Smith, and Strahm 2000). This would be an example of the theory of foot-in-the-door and low-ball techniques.

It can be speculated that the lack of connection between hate groups and those on the edge of the mainstream results from the desire of the latter to remain reputable. Having ties to hate groups would have serious repercussions on perceptions of their legitimacy. However, the supporters of these groups would likely be the ones who experience less cognitive disso-
nance when presented with the hate group’s compliance techniques on the site, because they already have similar beliefs on some issues.

McDonald (1999) has done the study most closely related to the present one. In her analysis of websites she found that foot-in-the-door technique was commonly used. “A review of hate groups on the Web reveals a variety of foot-in-the-door techniques used to gain the attention of browsers. [There are] warnings, disclaimers, objectives/purposes, social approaches, and more sophisticated counter-argument strategies” (p. 150). On the thirty sites examined, she found that stating the site’s objective was the most common use of foot-in-the-door technique, with 37% of the sites using it. Behind that, 25% used the counter-argument strategy, in which the site defended its position (McDonald 1999).

This article was very useful in determining how to formulate the hypothesis, both in terms of what to look for and what to exclude. One of the things done differently in this study is that warnings and disclaimers will not be included, as both make a site appear more extreme. There is the possibility that having a warning at the entrance to a website would be a way of using the pique technique, but that is not applicable when trying to change a person’s self-perception in the necessary manner. The counter-argument strategy and the objectives, providing that they are stated in a neutral or favorable way, would be what the present study considers low-ball technique. Groups want to recruit members to make their group stronger and more powerful.

Blazak (2001) found that skinheads go to great lengths to try to recruit disenfranchised kids, who will be drawn to their guise of sticking up for the little guy. The most common method of recruitment among these white supremacists is distribution of flyers (Blazak 2001). This form of recruitment is much more active, because youth are able to congregate with whom they choose more often than are adults, which facilitates persuasion.

The importance of Blazak’s (2001) article is that it shows what types of people are recruited by hate groups. This is likened to the people hate groups are trying to convert online. These are people who are disenfranchised from the mainstream culture and who have low self-esteem. The low self-esteem or similar values can be caused by anomic. Anomic comes from the society and can result in the formation of subcultures. These subcultures arise in response to the frustration resulting from the members’ inability to reach a certain cultural status (Cohen 1955; Cloward and Ohlin 1960). In this case, people would feel as if they were disenfranchised from mainstream culture for a variety of reasons; an example would be feeling threatened by affirmative action. People who feel frustrated, alone, or oppressed can develop a hostile attitude toward what they deem to be the root of their frustration (Cohen 1955). It is thought that the sites will direct
their propaganda to play into subculture theory, because subculture theory can explain why hate groups persist.

The purpose of this study is not to see why people join hate groups; rather, it is to see how the sites try to recruit them. Thus, it is important to formulate a background for the possible reasons people would join, since their motivation could be used as a tool by those setting up these websites. This study will not be examining the extent to which sites try to use subculture theory; it will only be looking to see if it is at all present on the sites.

What has not been done before, and what this study provides, is an in-depth examination of specific sites. It is necessary to look at white supremacist on a micro scale because there are great variations within the movement, as previous studies have shown. Thus, to categorize the movement on a broad scale would be to miss details of specific groups or sites that may be important. This study’s examination of the four websites provides detailed documentation of what is on the sites, which distinguishes it from previous studies. This study sheds light on how individual groups are using the Internet. This matters because examining the groups on an individual level serves to shed light on specific tactics used by groups, and further research can pinpoint the methods that are effective in recruitment.

III. Data and Methods

The goal of this study is to look at how white supremacist groups try to bolster membership by using the Internet.

A white supremacist website will be defined as a website on the Internet that is dedicated to the advancement of the white race in a manner which places whites above all other people.

It is believed that these websites will use primarily foot-in-the-door technique to appeal to people. This study will examine groups that are representative of larger movements of the Neo-Nazis, Christian Identity, and the Ku Klux Klan, and one site that is unaffiliated with any specific group. The groups that were chosen are the most well known and largest groups within the movements.

For the purposes of this study, white supremacist groups were assessed in terms of categories, as has been done in previous studies. However, we believe that the characteristics chosen to define these groups through this method of categorization might be misleading. The categorization is nevertheless useful when choosing groups because it helps to identify groups or websites that represent different factions of the movement. In this case groups were chosen because they were the one of the largest groups within a particular movement. This effort differs from previous studies in that the sites that are chosen are the home sites of particular groups, not sites that
are dedicated to one area, such as a record publishing site. This is an important difference because the study is looking at the group itself and not only at one part of it. This is a study of how groups use the Internet rather than a study of websites. The obvious exception is the website of Stormfront; this site was included because it was the largest white supremacist Internet site, and could serve as a gateway to entry to the white supremacist movement.

The National Alliance is the largest Neo-Nazi group in the U.S., despite the death of its leader and founder, William Pierce, in 2002. The West Virginia-based group was founded in the 1970s and since then has grown a great deal, thanks to Pierce. Erich Gliebe took over as the head of the NA after Pierce’s death. The group uses several mediums in addition to the Internet, including radio, flyers, video games, magazines, and newsletters (ADL 2005) (Since this study was done the National Alliance has struggled with a great deal of internal turmoil. They have now split into two groups, with some of the members belonging to the National Vanguard. Erich Gliebe is no longer the leader of the NA; that job was taken over by Shaun Walker. Gliebe is currently the head of Resistance Records [ADL 2006]). One of the main focuses of the National Alliance is recruiting: “To attract new followers, NA leaders and members have used billboards, hung organizational banners in prominent locations, rented booths at gun shows, posted their propaganda materials on public property and distributed NA literature in suburban neighborhoods and on college campuses” (ADL 2005). In addition, the National Alliance owns Resistance Records, a label for white power music meant to attract younger people. It also publishes Pierce’s books, the *Turner Diaries* and another book called *Hunter*, which details a race war. These measures have influenced a number of terrorist acts and hate crimes. All of these efforts toward recruitment are intended to get NA members’ foot in the door so that they can attract a greater number of people. The National Alliance takes a much less direct approach when it comes to letting people know they are out there. Thus we surmise that the group is more concerned with recruitment and indoctrination than they are with spreading a hateful message.

The Aryan Nations was chosen for this study because, while it has ties to Neo-Nazis, it is one of the largest and most visible representations of the Christian Identity movement. The Christian Identity Church is based on the presupposition that Aryans are God’s chosen people and Jews are the offspring of Satan. The Aryan Nations was established in the mid-1970s by Richard Butler, and since then it has grown under his leadership. At the time of Butler’s death in 2004, the group was bankrupt as a result of a Southern Poverty Law Center lawsuit against it; currently the group is run by August Kreis, who has led it into disarray (SPLC 2005). The mediums for recruitment used by this group are Internet websites, posters, videos,
chat rooms, conferences, and online bulletin boards (ADL 2005). Its members can also be linked to numerous hate crimes and terrorist acts that have occurred since the 1970s.

The Ku Klux Klan is a group that is fragmented into many various factions. In general, its members all share the same beliefs and ideologies. Their basic goal since the group’s genesis in 1866 has been to lash out at minority groups who they feel are responsible for any change in lifestyle or hardship they experience (ADL 2005). Today their focus appears (at least to the outside observer) to be inward, on such things as taking pride in their heritage. They have also made an effort to clean up their image in order to mainstream the organization (ADL 2005). This study will examine the Imperial Klans of America, chosen because they are the largest single group within the KKK. The mediums they use to reach people are leaflets, mass mailings, the Internet, and rallies. All of these rely on compliance techniques; however, this study is concerned only with those used on the Internet. Most of these techniques would not be effective in changing a person’s self-perception, and therefore are not effective methods of recruitment. They are used simply to let the public know that the Klan is out there.

Stormfront.org is the largest white supremacist site on the Internet. Don Black is the founder and operator of the website. It has numerous links to sites all across the world (ADL 2005). It can most accurately be described as a forum, but what makes Stormfront unique is that it is very inclusive of all other white supremacist sites. It was chosen for the very fact that it is by far the largest white supremacist site on the Internet.

The reason for not including skinheads in this study is that they are primarily focused on recruiting on a micro level, as was evident in Blazak’s (2001) study, rather than on the macro level like the other groups. As a consequence, their sites are not as easily found as those of the other groups. Also, they have no intention or motivation to try to recruit anyone but other youth. They therefore will not use the methods of recruitment other groups use on their sites.

Content analysis will be used to determine the extent of foot-in-the-door techniques used on the websites. A content analysis is a systematic analysis of a form of communication (Champion 2000). This content analysis will consist of searching the sites and identifying instances in which foot-in-the-door technique and low-ball technique have been used. In this study, foot-in-the-door technique will be somewhat modified from its social psychological definition. Rather than meaning asking people to perform a task or overtly comply with something, it will refer to aspects of the site that hide or “dumb down” the group’s true message. That is why it is intertwined with low-ball technique. The principle remains the same, however, because dumbing down a message to make it seem less extreme is like
making the initial small request. If a person agrees to something that is less extreme, he will be more likely to then accept something that is more extreme as a result of familiarity. In the same way, a person will be more likely to comply with a larger request if he has already agreed to a smaller request.

The criteria for foot-in-the-door and low-ball techniques will be broadly defined in terms of whether they are used to make site's message appear less extreme. The criteria will include links to sites such as the League of the South or Holocaust denial sites that appear scholarly, but in reality can be a first step toward indoctrinating people with extremist beliefs. These links will be counted because they concur with the message of the group, but they have people with Ph.D.s backing the assertions up. Related to that, any attempt to clean up a group's reputation, whether it has a .org address or a plea to be understood, will be considered foot-in-the-door or low-ball technique.

Persuasive techniques will also be considered to be used if the site has pages explaining the group's beliefs and backing them up. Another criterion is that in order to be counted, an element has to be a permanent part of the site; therefore postings by members will not be counted. However, the forum topics as a heading will be counted, as long as they would potentially appeal to members of mainstream society. Parts of the website that are meant for a specific segment of the population, such as women or children, will also be included. Each instance of foot-in-the-door and low-ball technique used will be coded as "1." Then the results will be tallied to determine on which of the sites it is most prevalent. It is impossible to judge what would be more persuasive to people, so different values will not be attached to certain uses of a technique. In addition to looking at ways in which sites try to recruit people, this study will try to identify overtly racist and offensive parts of the sites. It is necessary to examine what is offensive because offensive parts will negate attempts to recruit people from the mainstream. A ratio between the persuasive techniques and offensive parts will give a good general idea of the overall welcoming feel of the site and the group's dedication to recruitment on the Internet (Champion 2000).

It is believed that all of the sites will have some instances of foot-in-the-door and low-ball techniques. This will be partly due to the broad operational definition of the techniques. It will also be due to the fact that the Internet is a valuable resource to use in recruiting, and that groups would want to take advantage of that. It is further thought that, because the sites are part of the white supremacist movement, which by definition is offensive and racist, all of the sites will have some parts that are overtly offensive and racist.

It is hypothesized that the National Alliance will have the largest ratio
of foot-in-the-door and low-ball technique to overtly racist portions. This is because this group is known to target a more educated and middle class demographic (ADL 2005), who would not respond as well to offensive material. Behind the National Alliance will be Stormfront. This is hypothesized because they are a site for all types of people within the white supremacist movement; therefore they will be less likely to have overtly offensive material against a certain type of people. Rather, they will likely have unifying themes, such as their motto: “White Pride World Wide.”

Next will be the Imperial Klans of America. This is because the Klan has a history of terror and violence. Despite its attempts to soften its image, terrorization was the reason the group was founded. Last is expected to be the Aryan Nations. They are anticipated to have fewer persuasive techniques and more overtly offensive parts than the other groups, because the Christian Identity theology is itself overtly offensive and racist. That is not to say that all white supremacist beliefs are not offensive and racist. It is rather to say that because their theology states that the Jews are the offspring of Satan, it will be hard to disguise their organization as mainstream. Finally, we hypothesize that all sites will use subculture theory in their propaganda to some extent, because the trend of late has been to focus on creating solidarity among whites (ADL 2005).

**Summary and Conclusions**

The findings of this study were for the most part what was expected. The sites appear to be used largely as recruiting tools. There were many examples of foot-in-the-door technique and low-ball technique. Stormfront had the most instances of the techniques with 154; next was the National Alliance with 76; then came the Imperial Klans of America with 72; and last was the Aryan Nations with 40 instances. When contrasted with examples of overtly racist or offensive parts of the site, it was found that the overwhelming majority of the content for three of the sites paints their parent group in a positive light. Stormfront had only 2 examples of overtly racist or offensive material, the Imperial Klans of America 3, and the National Alliance 0. What was unexpected was the open virulence of the Aryan Nations, who had 20 overtly racist and offensive portions on their site. The quantity of racist and offensive portions of the site is important to note because even a few instances of a site’s overtly stating its message have a strong impact on the viewer. Such directness serves to negate many of the efforts of the sites to appear mainstream and reasonable.

There are many differences and similarities that were found between the sites. The National Alliance separated itself from the other sites by its complete lack of overtly offensive areas on its website. That is not to say
that there is nothing offensive about the message of the site; however, to a person with little or no knowledge of white supremacism looking at the site, it might not immediately appear offensive and racist. The site lacked any racial epithets; instead, it explained why the group holds its beliefs and cites evidence to support those beliefs. The absence of overt hostility makes it impossible to place the site in a ratio. It appears to be appealing most to a better-educated, middle-class demographic. Evidence for this assertion can be gleaned from a section in which the group profiles those involved in the National Alliance. In the profile section two middle-class housewives explain why they wanted to join. The National Alliance owns a rather extensive publishing company, Vanguard books. There are 600 books available through the site, many of which appear to be unaffiliated with the white supremacy movement. Both of these are examples of foot-in-the-door technique, but the member profile is also an example of subculture theory being used. It is interesting that two women are profiled. The choice of female profiles shows whom the group is trying to target: people who would not normally be associated with an extremist group. Another telling fact was that there was no link to the group’s music label, Resistance Records. The absence of the link has changed since December of 2003 (Scoggins 2003). The missing link is further evidence that the group is targeting exclusively an older, more educated generation. The same is true of their radio show, which appeals to people who would have the time and desire to listen to such things during the day. It is clear from this study that the National Alliance is the group in the study that is most heavily focused on trying to appear mainstream.

The Imperial Klans of America and Stormfront have very similar approaches when it comes to attracting people. As was stated earlier, the overtly racist and offensive parts of the site have a huge impact. So even though there is a large discrepancy between the ratios, it does not appear that great when visiting the sites. Stormfront has a ratio of 77:1, the IKA a ratio of 24:1. Stormfront covers all of the demographics. It has discussion forums for teens and for women, as well as an entire kids’ site.

Among the more notable parts of the site is the section for the scholarship essay competition. An essay is a small request, yet the power to change someone’s self-perception through getting him to agree to write one is a huge step in indoctrinating young minds. Using this same principle, the kids’ page attached to the site suggests that any students having to do a report on Martin Luther King would do well to use the resource of martinlutherking.org. This is a site that appears legitimate, but makes Martin Luther King out to be a villain and hate-monger. It is also noteworthy that the kids’ page has a large collection of writings explaining the history of the white race. Stormfront makes great use of low-ball technique. The site goes
to extreme lengths to explain the group’s views and the problems caused by minorities. This low-ball technique accounts for 111 of the 154 instances of efforts to recruit used on this site.

Stormfront has a variety of areas that are dedicated to all age groups and genders. Furthermore, there are discussion forums for all sorts of different interests. There are forums for health and fitness, homemaking, business, poetry, theology, and personal ads, just to name a few. It is a very inclusive site with respect to white supremacists.

It was somewhat surprising that a site unaffiliated with any particular groups would have so much of its content tailored to prospective members. This suggests that Don Black, the site’s creator, is more concerned with changing people’s beliefs than with having them take any sort of action, such as joining a particular group or committing a certain act. This orientation is similar to that of the IKA.

The Imperial Klans of America have made a distinct effort to separate themselves from their menacing past. This was evident from the disclaimer on the site, which stated that the group does not condone any acts of violence whatsoever. This claim is ironic because historically the Klans are the oldest and most violent group. The reason for the disclaimer is to protect the group from legal liability if a person was to commit a hate crime based on the information on their site. The disclaimer also serves a secondary purpose: to give the impression that the IKA is nonviolent. Like Stormfront, they have a broad discussion forum, though it is somewhat smaller. They have a selection of specific forums to choose from, such as homemaking, Bible studies, education and home schooling, and unreviewed history, to name a few. These categories are evidence that they are trying to appeal to women as well. This site had no specific section for young kids, but promoted Nordic Fest, a White Power music festival that would appeal to teens in general.

In keeping with tradition, their primary enemies were blacks. They have a very long section entitled “Black Hate Crimes Against Whites,” in which they explain how the crime statistics people see are skewed toward favoring blacks. The different points made here accounted for 19 different examples of the efforts to recruit. Nothing was overtly racist; rather, it was made to look well-researched and scholarly. As one example, on the part entitled “Martin Luther King, The Truth,” which tells about the torture of whites in South Africa at the hands of blacks, there is a toll-free hotline at the bottom of the page. Its mere presence made the group appear to be a reputable organization.

While much of the site was professionally done and much of the work appeared scholarly, there were some blatantly racist and offensive images. There were pictures up from a recent cross “lighting” the group had held.
There were also advertisements for Nordic Fest, the annual White Power music festival sponsored by the IKA. By far the most offensive material on the site was the printable flyers. These flyers could not possibly be intended for anything other than shock value and for threatening minorities. It is clearly this group’s goal to have people distribute the flyers in order to harass the groups depicted in them. Often they depicted minorities in a dehumanizing fashion, as ready to prey on whites.

The Aryan Nations was the black sheep of the sites studied, with a ratio of 2:1. Half of their 40 instances of foot-in-the-door or low-ball technique were different writings explaining the national socialist movement. The rest were simple things like links to contact them and the implication of a nonprofit .org URL. There were very few efforts to appeal to a broader range of people. It should be noted that several of the links that would likely have led to parts of the site that could have been coded as attempts to recruit did not work. The faulty links are most likely a result of the internal disarray that plagues the group. Consequently they are probably not devoting much time or effort to the upkeep of the website.

What made this site stand out were the graphics and ominous messages all over it. Probably the most ominous were the cries that there must be a holy war against the Jews. The Jews were the main target of most of the propaganda on the site. It was evident from all of this that the main purpose of the site was not to recruit people from the mainstream of society.

The site is largely dedicated to the group’s new message that a racial holy war is necessary. It preaches that the world’s problems will not be solved until such a war takes place. The group even goes so far as to suggest that there should be a union between Islamic terrorists and the Aryan Nations because both are fighting a Jihad. This is by far the most extreme of the sites. The message is not disguised or understated in any way. The site stops just short of advocating specific actions against specific people or groups. There were also no sections of the site that were tailored to kids or women specifically, as there were on the other sites. It can be deduced from the site that the Aryan Nations is not trying to recruit disenfranchised members of society, or any other people who have right-wing yet mainstream values. If there is any point to this site, it is to push those already involved with the movement even further. This was a goal of the other sites as well, but the others were much more welcoming to new people. All of the offensive parts of the website serve to negate any instances of low-ball and foot-in-the-door technique that could be effective recruiting tools.

Finally, all of the sites tailored their propaganda to fit with the way subculture theory works. They all gave reasons for the necessity of whites being united and taking a stand against minorities. This is not surprising though. It is the reason that these types of groups persist today. It is a reality
that people will respond to this kind of deviance in the foreseeable future. How many actually do will be dependent on how effective the groups are at recruiting.

The social psychological theories do a good job of explaining how the sites function. Both were used extensively on all of the sites. One of the possible drawbacks of this study is that both theories are rather one-dimensional. This study did not uncover anything that might indicate more complicated persuasion tactics at work. The only way to test such tactics would be to determine whether they paralleled a persuasion technique exactly, and none of the sites exhibited anything that would fit a different technique. Simpler techniques can be molded to different contexts as long as the same principles are at work. This question is most pertinent to the Aryan Nations. There is the possibility that this group might be relying on a less obvious technique, such as desensitization. However, desensitization is not linked to a change in self-perception. This possibility also has to be weighed against the fact that these groups are generally not organized well enough to come up with something like that.

The conclusions of this study are that recruitment from the mainstream of society using the Internet appears to be a main goal of three of the four sites. That recruitment relies almost completely on foot-in-the-door and low-ball techniques tailored to fit with subculture theory. There is a clear effort by three of the sites to try to appear more mainstream.

What became evident in this study is that breaking groups up into larger movements is somewhat antiquated. The Aryan Nations, who were supposed to be representing the Christian Identity Movement, had a large section of literature on the National Socialist movement. It was even larger than that of the group representing the Neo-Nazis. The IKA had a larger section on Christian Identity literature than did the Aryan Nations. The sites also do not appear to be competing for members, in that they are not taking members away from other sites. It seems that they would have no problem with people being members of more than one site; however, it is unclear how many people might have multiple memberships. Some of the sites are linked directly, but all are linked through lists of other sites. This fact would seem to contradict Burris, Smith, and Strahm (2000), who noted that the movement was relatively decentralized. What needs to be taken into consideration here is that the Burris, Smith, and Strahm (2000) study examined a lot more sites. In addition, the sites in this current study are larger and therefore more likely to have links. The other reason for the conclusion that these organizations are not competing for members is that there were no instances of the websites criticizing each other.

This study can lead to several follow-up studies; the most obvious would take a look at which of the sites is most effective in recruiting.
Another study could examine how people would rate the sites in terms of persuasiveness. It could also include a longitudinal study that examines groups and site membership over a period of time. Also important would be a comparison of white supremacist sites with other deviant sites that attempt to alter self-perception. Another consideration is the fact that the evidence collected in the studies of white supremacist groups on the Internet can become outdated and obsolete very quickly, due to both the transitory nature of the Internet and the instability of the white supremacist movement. The white supremacist movement is very volatile; lawsuits, deaths of leaders, and internal feuding lead to frequent changes within the movement as a whole. One last unanswered question concerns the intentions of the Aryan Nations. The motivation behind their shift is unclear at this time; however, they are moving in a direction opposite of that chosen by most of the hate websites. It will be interesting to see what happens in the coming months with their organization.

This study has been a preliminary study of the content of four white supremacist websites. Ideally it will be a launching platform for more encompassing studies of how white supremacists use the Internet. It is hoped that it will also be a basis for studies that can determine exactly how effective the Internet is for recruitment and other purposes.

The trend that has emerged in this study of major websites is that they are continuing to move toward the mainstream, at least in appearance. It is important to study this topic now more than ever, because the sites’ push for reeducation is already one of their main goals. In a decade or so, no one will be alive who lived through and remembers the Holocaust. In another generation, no one will remember what the civil rights struggle was like. When this time comes, it will be harder to deny the claims these groups make. Their notions will be recorded in the same fashion as accurate historical information has been, making it possible for it to seep into mainstream society without its legitimacy being questioned. The best way to combat messages of hate is through education. Educating people about the principles and beliefs of these groups, the persuasive techniques they use, and the harm their views and subsequent actions can cause, is imperative.
<table>
<thead>
<tr>
<th>Group</th>
<th>FITD or LBT</th>
<th>Overly Racist/Offensive</th>
<th>Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stormfront</td>
<td>154</td>
<td>2</td>
<td>77:1</td>
</tr>
<tr>
<td>IKA</td>
<td>72</td>
<td>3</td>
<td>24:1</td>
</tr>
<tr>
<td>Aryan National</td>
<td>40</td>
<td>20</td>
<td>2:1</td>
</tr>
<tr>
<td>National Alliance</td>
<td>76</td>
<td>0</td>
<td>NA</td>
</tr>
</tbody>
</table>

FITD = Foot-in-the door; LBT = Low-Ball Technique
Overtly Racist: Swastikas, other images associated with racism, as well as racial epithets and/or slurs.
Offensive: Cross burning, for example. Burning a cross is not in and of itself racist, but the mere display of it (due to its associated meaning) would shock and offend most people. These codings are subtler, so they were tallied only when the meaning was clear.

For Tables Below:
Every dash indicates one instance, unless followed by a number; then it is the value of the number.

Stormfront (www.stormfront.org)
Visited: April 3rd, 2005 at 6:30 pm
- .org url

Discussion Forum- people post everything
- Essay Contest/Scholarship Contest
- Poetry
- Culture and Customs
- Theology
- Quotes
- Revisionism of History
- Science Technology and Race
- Business
- Self-defense
- Health and Fitness
- Homemaking
- Education and Home-Schooling
- Youth (White Nationalist issues and teens)
- Music and Entertainment
- Lounge (informal postings)
- General Questions and Comments (open to guests)
- Opposing Viewpoints
- The Truth about Martin Luther King
- White Singles Talk (meeting other White Nationalists)
- Dating Advice
- Explanation of how racism is blown out of proportion, entitled “What is Racism”

-Scholarship Competition
  - Essay #1
  - Essay #2
  - Essay #3

- “Who Rules America?” (from National Alliance website)
  - “Molding American Minds”
  - Electronic News and Entertainment Media
  - “The Print Media”
  - “Three Jewish News Papers”
  - News Magazines
  - “Our Responsibility”

Text Library
  - 5 “White Nationalist Issues” - articles dealing with White Nationalist philosophy
  - 20 “Affirmative Action” - anti-white bias documentation of pervasive racial discrimination in America against white people
  - 3 “Immigration in America” - Third world immigration and America’s melting point melt down.
  - 2 “Racial Differences” - Nature vs. Nurture- evidence of the heritability of racial differences
  - 9 “Revisionism”
  - 3 “National Socialism”
  - 7 “Zionism and Judaism”

Women’s Page
  - about me
  - about hate
  - 45, writings by Edgar Steele
  - 18, writings by men and women in the White Pride Movement
  - Kosher symbols and consumer goods

Kids’ Page
  - MartinLutherKing.org
  - March of the Titans- A History of the White Race
  - Music
  - 5 non-racial things (i.e. games, optical illusions, flags of Europe)

Overtly Racist
  - Picture of P. Wolfowitz
  - Graphics
  - White Pride World Wide
Imperial Klans of America (www.k-k-k.com)

Visited: April 4, 2005 at 4:00 pm

Community Forums
- Homemaking
- Education and Home-Schooling
- Youth Corner
- Music and Entertainment
- Racial Identity Studies
- Bible Studies
- Unrevised History
- Community Lounge
- Opposing Views (open to guests)

- Martin Luther King, the truth
- 20 Reasons to Join or Support the IKA
- 19, Black Hate Crimes Against Whites, 39 Stories
- 17, Christian Identity Literature
- 15. IKA Educational Publication
- Introduction to the Site
- Statement Denouncing Illegal Activities
- Why the KKK?
  - What Klan stands for
  - Klan symbols

- White Rider Records
- About the Klan
- Contact Link
- Toll Free Hotline
- Aryan Torture (in South Africa)
- Claim 1 million hits a week

Overtly Racist/Offensive
- Leaflets
- Pictures Cross Lighting
- Nordic Festival of Flyers
Aryan Nations (aryannations.org)
Visited: April 5, 2005 at 6:40 p.m.
(Had technical problems, links don't work)
- .org url
- About Us

Ability to Contact
- forums
  - welcome guests
  - questions and answers and suggestions
- 4, Intelligent Discussion
- 2, Religion
- 2, MSL1
- 9, Literature
- Explanation of the Shield
- 20, National Social Movement Explanation

Overtly Racist/Offensive
- 4, Aryan Jihad
- 16, leaflets

__________________________

National Alliance (www.natvan.com)
Visited: April 4th, 2005 at 6:40 p.m.
- National Vanguard Books (racist and non-racist books), 600 books and audio cassettes
- Yellow Ribbon Campaign Leaflets
- What is the National Alliance?
  - 4, General Principles
  - 5, Goals
  - Program
  - Activities
  - History of NA
  - Why You Should Join
- Documentary by Pierce
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Ancient Hatred and Its Contemporary Manifestation: The Torture of Lesbians

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Abstract

This paper looks at a number of different elements that make up the experience of torture by lesbians in the contemporary world. I draw together elements of popular culture, along with testimonies by lesbians, concerning torture in diverse countries, as well as citing some historical sources. I examine the justifications and excuses given for torture, including the view that rape is a normal part of heterosexual activity. I argue that domination is exemplified in the punishment of lesbians as outsiders in patriarchal culture, in particular when groups and nations go to war.

I also look at the way in which arguments for the legalization of torture share similarities with arguments in favor of prostitution, pornography, and consensual BDSM. I challenge the defenders of these acts and argue that such defense is a case of moral neglect. I conclude with the contention that the freedom of lesbians from torture and violence may be an indicator of the social health of a society.

This paper is dedicated to the countless—and uncounted—lesbians who continue to be tortured around the world.¹

Lesbians are not the political priority of any well-funded policy-making organization.² Moreover, they tend to be invisible both in policies of governments and in agendas of social justice organizations. When it comes to campaigns on violence against women, lesbians are either left out or included only in a footnote or in passing in the terms sexual orientation or same-sex relationships or sexual minorities.³ None of these specifies lesbians. In campaigns or documentary research on these groups, lesbians are once again referred to in much less detail, if they are included at all. Because lesbians are “disappeared,” in the mainstream terminology, and because no one wants to make lesbians the center of any campaign, lesbians continue to be tortured around the world. The torture of lesbians occurs under every kind of political regime, and the so-called developed world is not immune. But who cares? Is it, as Monique Wittig argued, that “lesbians
are not women” (Wittig 1992, 20), or, as popular discourse would suggest, that homosexuals are not lesbians?

I. The Paradox of Lesbians under Patriarchy

... no training session prepared me for this intense pain ... my pain ...
the one I did not choose ... all this alienation, this empty vacuum ..., my
body, my mind, my pain ... this is not happening ... I am a little speck in
the universe ... which universe? ... the world is not anymore ... I am
... disintegrating ... bit by bit ... yell by yell ... electrode by electrode
... The pain ... all this pain here and there, down there in my vagina ...
the agony ... where am I? Where is my I? (Rivera-Fuentes and Birke
2001, 655; italics and ellipses in the original)

"Rap Game," Eminem
When I see that little (blanked) dyke get sniped out,
Lights out bitch, adios, goodnight (blowe)
Now put that in your little pipe and whipe down,
Think for a minute cause the hype had died down,
That I won’t go up in the oval office right now,
And flip whatever ain’t tied down upside down,
I’m all for america, fuck the government,
Tell that seat of laws, tell that slut ta suck a dick

He’s walking again. Long slow paces. He plays with me. Offers to
remove the hood. Says I’ll be able to breathe more easily. I want this, but
I don’t want him any closer. I don’t want to agree to anything. He pauses
another until the slow pacing takes up its own percussive rhythm. He
stops and someone else moves quickly across the room towards me. The
string that closes the hood is loosened. I can feel the cool air rush in.
Light with it. Artificial light. I relax. I drop my guard. Then I’m choking
as something is forced into my mouth. Hard. Metal. I choke and vomit
releases from my throat. I’m fighting and thrashing. It stops. I’m strug-
gling to breathe through the vomit. They roll me sideways. Can’t have
you dying yet when the fun’s just beginning, comes velvet voice. He turns
and walks slowly away. The door closes and I’m trying to feel if there’s
anyone left in the room. It’s quiet. Too quiet. I can’t move my hands so I
shake my head. Feel the vomit on my cheeks. Feel my revulsion against
the gun in my mouth. And his thrill at my fear. His relishing of power.
The symbolic power of a hard gun. (Hawthorne 2004d, 43)

One way to keep bondage erotic is to ask yourself the question "Why is
this person being tied up?” Is it because you want to make them helpless for torture? Make their sex completely accessible . . . as a pain trip, or as sensory deprivation? (Califa 1988, 55)

Consuelo Rivera-Fuentes was tortured in Chile during the 1970s. The question she raises—Where is my I—is central to the explorations in this article. Where is my lesbian I? What kind of lesbian I is reflected in the words of Eminem? What kind of lesbian I is denied by the torturer in The First Song manuscript? What kind of lesbian I is portrayed by Pat (now Patrick) Califia in her Lesbian S/M Safety Manual? Further questions are, where is the centrality of the experiences of lesbians recorded and recognized? Where is the recognition that the violation of lesbians goes on day after day and no one speaks of it? Over the past thirty years, feminist scholars have brought into the light many aspects of violence against women. But when I began to follow up on the torture of lesbians, I was confronted by a severe dearth of research and an excess of invisibility. 8

The other side of the coin is the eroticization of torture as simply another sexual thrill. Are we—researchers—not to notice that “lesbians plus torture” typed into a search engine on the Internet brings up a massive amount of pornographic material rather than material that deals with violence against and the torture of lesbians? Is sadomasochism creating acceptance of political torture? Is pornography used to generate and escalate violence against lesbians?

Furthermore, how are we to deal with the problem of the researcher’s needing to read between the lines of accounts of torture in order to find the raw data referring to the torture of lesbians? Who can afford to report her own torture when hatred of lesbians persists even in relatively open societies? Behind these issues lies another question: Why is it that lesbians are so rarely mentioned in the literature on torture?

One of the defining elements of lesbian existence in a patriarchy is its vulnerability to the demands of secrecy, silence, and non-existence. Like other marginalized and oppressed groups, lesbians are often trapped in a “culture of silence” (Freire 1972, 48). But lesbians remain largely unrecognized when it comes to suffering the trauma of disappearance and denial. Victims of torture are silenced in the doing of torture and in the widespread denial of governments concerning their use of torture. 9 Under patriarchy, lesbian existence is denied, or made illegal. Lesbians who are tortured suffer multiple layers of silencing and denial. Lesbians appear when the political atmosphere is open, and disappear again during times of repression or backlash.

Like indigenous peoples whose cultures have been denied, and who through long political activism have built sustaining social myths and pride
in their communities, lesbian feminist activists since the late 1960s have been engaged in a similar process. But I still hear people say there is no such thing as lesbian culture. Like black existence under Apartheid, lesbian existence inside the enemy territory of patriarchy is an affront to the ideology of hypermasculinity. When conformity becomes the norm, when masculine power is entrenched, and when governments sanction human rights abuses or use torture, lesbians are among the victims.

To repeat my question, why is it that lesbians are so rarely mentioned in the literature on torture? A clue lies in the following statement from a Peruvian lesbian:

> When I speak of my right to my own culture and language as an indigenous woman, everyone agrees to my self-determination. But when I speak of my other identity, my lesbian identity, my right to love, to determine my own sexuality, no one wants to listen. (ILIS Newsletter 1994, 13)

It is this distancing of political support from others who may well deem themselves progressive that is a feature of lesbian existence. Lesbians have joined with a host of others in supporting and fighting for political and social rights, but often when lesbians ask for support for their own cause the lack of response indicates that “only other dykes are proud of dykes” (Hanscombe 1992).

Kate Millett, in The Politics of Cruelty: An Essay on the Literature of Political Imprisonment (1994), has written that “torture is an index of unfreedom” (307). It appears we have a long way to go in creating freedom for lesbians. It is perhaps even the case that the practice of torture on lesbians is the litmus test of social freedom. While any lesbian is tortured and there is no opposing outcry, society is implicated and complicit in this violence.

Amnesty International’s Crimes of Hate report concludes with the following statement: “The struggle to protect the human rights of LGBT people should be one that is waged by all” (Crimes of Hate 2001, 28). I agree, but I believe it is time for a report that focuses specifically on lesbians.

II. SILENCE, AFTER SILENCE, AFTER SILENCE

The emphasis on silence cannot be overstated. Lesbians have long been subjected to silence, to denial, to being ignored within the dominant heterosexual discourse. Lesbians who are tortured face multiple layers of silence. First, there is the silence surrounding lesbian existence. Second, in quite a few jurisdictions there is legal silence: Punishment is not meted out formally, but occurs instead on an informal basis, inflicted sometimes by
the state and sometimes by members of the woman’s family or the community. When this occurs it is often difficult to have the punishment recognized as a violation of the lesbian’s human rights and as an instance of torture. In such circumstances the torturer can continue with impunity because “no one will ever know, no one will ever hear you, no one will ever find out” (Millett 1994, 300).

The scream of the lesbian tortured in families, in prisons, in mental asylums remains unheard. She may call out to others in her pain, but she cannot be heard because no one appears to be listening. Few dare to listen. Almost no one speaks out. And I would add that few seem to care about her torture, perhaps because she dares to be a lesbian. However, lesbians have spoken out in spite of the pressures to remain silent, and it is to the words of these lesbians I now turn.

Tina Machida is a Zimbabwean lesbian who lives in Harare. She writes:

_They locked me in a room and brought him every day to rape me so I would fall pregnant and be forced to marry him. They did this to me until I was pregnant._ (Machida 1996, 123)

Her rape was instigated by her parents in the mid-1980s, in an effort to “cure” her of her lesbian existence.

In nearby Uganda, Christine and Norah were tortured by military police, along with three gay male activists in 1999. Uganda’s political leaning is left, but President Yoweri Museveni, like Mugabe in Zimbabwe, has no time for homosexual rights.

The report on Christine is as follows:

_When they took the blindfold off, Christine found herself in a secret detention centre. She was stripped naked, beaten and threatened with rape by the soldiers holding her. She was then taken to another detention centre where she was interrogated about the human rights group the friends had set up and about her sexuality._ (Crimes of Hate 2001, 4)

She was later raped by three male detainees. As she remembers:

_Coming midnight, they said, “We want to show you something.” They took my clothes off and raped me. I remember being raped by two of them, then I passed out._ (Crimes of Hate 2001, 4)

There is a double jeopardy for lesbians who are arrested. They are at risk of being tortured not only by the guards but, as Christine’s story indicates, also by other prisoners.\(^\text{13}\)
Her friend Norah was taken to a different place, a military barracks. Of her ordeal she says:

*I was also beaten, abused both sexually and physically. My clothes were ripped off. Nasty remarks were made that I should just be punished for denying men what is rightfully theirs, and that who do I think I am to do what the president feels to be wrong. They even suggested that they should show me what I am missing by taking turns on me. (Crimes of Hate 2001, 5)*

I want to emphasize the fact that torture against lesbians continues. Lesbians continue to be raped and murdered. On September 29, 2004, FannyAnn Eddy was found dead after being repeatedly raped. She had been working in the offices of the Sierra Leone Lesbian and Gay Association (*Human Rights Watch*, 4 October 2004, Morgan and Wieringa 2005, 20).

Africa, however, is not the only place where torture of lesbians has occurred and is still occurring. In Romania, Mariana Cetiner was arrested in October 1995 for “attempting to seduce another woman.” She writes:

*Criminals are better regarded than a relationship between two women... So because of this homosexual or lesbian thing... I was treated like the lowest of the low. (Crimes of Hate 2001, 11)*

During her imprisonment, after complaining about her treatment by prison authorities, Cetiner was *handcuffed to a radiator and made to stand for 11 hours “in a position like Jesus Christ” without food* (*Crimes of Hate* 2001, 11).

Equating lesbian existence with psychiatric disorders is not new. It is a particular way in which families deal with unruly young women. Alla Pitcherskaia, a lesbian from Russia, was charged with the crime of “hooliganism” (*Crimes of Hate* 2001, 20). Long-term forced institutionalization can be the ultimate result for many young women,¹⁵ and, as in Alla Pitcherskaia’s case, her girlfriend was also “forcibly held in a psychiatric institution” (*Crimes of Hate* 2001, 20). Alla Pitcherskaia’s crime consisted of continuing to work with a lesbian youth organization.

Giti Thadani (1996), in her research on conditions for lesbians in India, found many examples of lesbians committing suicide. She cites the cases of Malika and Lalita, both twenty years old, who attempted suicide by drowning together when one failed an examination, which would mean separation; also of Jyotsana and Jayashree, who jumped in front of a train because they could not bear the separation caused by their respective marriages; of Saijamol and Gita, who committed suicide in a joint poisoning; of Gita and Kishori, both 24-year-old nurses who hanged themselves from a ceiling fan
in the hospital quarters (Thadani 1996, 102-104). Although India’s Section 377 does not name lesbianism as a crime, it has nevertheless been used to harass lesbians and put pressure on them to enter heterosexual marriages (Voices Against Section 377 n.d., 31-32). When the pressure to heterosexualize lesbians is extreme, lesbians suffer and some, as indicated by the above examples, are driven to suicide.

Western countries are not immune to engaging in torture. Lesbian prisoners everywhere, no matter what the reason for their incarceration, are likely to be subjected to torture and abuse. An example is that of Robin Lucas, who was jailed for credit card fraud in 1995 in California. As was reported,

*One evening in September 1995, three male inmates unlocked the door of her cell, handcuffed her and raped her. Robin Lucas suffered severe injuries to her neck, arms, back and vaginal and anal areas. (Crimes of Hate 2001, 18)*

Consider the treatment of this lesbian and then read what Pat Califia has to say about sexual excitement:

*By reviving the notion that sex is dirty, naughty, and disgusting, you can profoundly thrill some lucky, jaded lesbian by transforming her into a public toilet or bitch in heat. (Califia 1988, 52)*

This “invitation” strikes me as an insult to all the lesbians who have ever been tortured or violated, and it ignores the reality of the lives of so many lesbians in countries around the world where being a lesbian carries an immediate jail sentence: Algeria, Burkina Faso, Ethiopia, Morocco, Tunisia, the Bahamas, Trinidad and Tobago, Antigua and Barbuda, Barbados, Oman, and Romania. Persecution, however, extends to countries where technically to be a lesbian is not an infringement of the law, but in reality remains so. This is the case in Colombia, Nicaragua, Sri Lanka, Brazil. In others, death is the penalty. This is the case in Afghanistan, Bahrain, Iran, Kuwait, Mauritania, Qatar, Saudi Arabia, Chechen Republic, Sudan, northern Nigeria, Taiwan, and Yemen (Amnesty International 1997, 77-90). In Iran the methods of execution are cruel and painful: “hanging, stoning, being thrown off a cliff or high building, or facing a firing squad” (Reinfeld 1996, 12). Other reports indicate that lesbians “have been beheaded or stoned to death” (Reinfeld 1996, 12). Under fundamentalist regimes the torture of lesbians can even be justified on the basis that the man is doing his sacred duty. It is also difficult to ascribe the word “torture” to heterosexual rape when it is regarded as so normal. In fact it is a quintessential form of torture used against lesbians.
Rape, beatings, humiliation, forced pregnancy, infliction of physical and mental pain, false diagnoses of mental illness, forcible confinement and detention, and death are clearly all abuses that have immediate and long-term implications for the individual lesbians affected. Further, the promotion of sadomasochism by Califia (1988), Weiss (2005), and others contributes to the escalation of violence and social acceptance of violence under the guise of "free choice." Carole Moschetti (2006) names this collusion "sexual relativism." Sexual relativism excuses and invisibilizes sexual violence against women on the grounds of "naturalness" and the "male sex right," or the notion that men have the inherent right of sexual access to women. In the context of the torture of lesbians, it can be seen as the extreme violation of lesbians for their resistance to heterosexuality and the model of the male sex right. Sadomasochism by lesbians complicates the issue, but domination, an integral part of male sex right practices, is the model for lesbian sadomasochism.

The long-term implications of acts of violence for the health of the social matrix are also significant. When a society allows or enables violence against a group of its members, there is an impact on social health. Such violence generates fear and distrust. It fosters social disconnection. It condones violence. It calls for scapegoats and creates what we are now seeing in the Western world, a new kind of fascism: postmodern fascism, slippery as an eel, multifaceted, dispersed, and often difficult to pinpoint. In a social sense, it is like the experience of pain in the body. It is hard to talk about, although many of us feel the distress and discomfort.\(^{17}\)

Let me explain a recent conference presentation by Margot Weiss (2005).\(^{18}\) In her paper Weiss discusses attending a BDSM\(^{19}\) class in California at which two people—a woman and a man—present BDSM "scenes" around the use of a "spy." The "spy"—a woman—is penetrated with a hammer handle. The use of a condom seemed to legitimize this action in the presenter’s eyes. Electroprods are used on the "spy"—and at this point I was too disturbed to take in the third element of the "play torture." Weiss stated specifically that BDSM is not torture; indeed, she described it as "consensual." She went on to say that BDSM classes are "consensual non-consent play" and that Amnesty International documents are a useful source of ideas for creating interrogation scenes. Later in the "play torture" one of the players holds a knife to the throat of the "spy," and an unloaded gun is pointed at her. The clothes are cut from the body of the "spy," who is lying prone and spreadeagled on the floor. The "spy" then tries to kick at the "torture players." The "spy" can stop the "consensual non-consent" by using the word "Rumsfeld." Weiss’s question at the end of her description of "play torture" is, "What does this performance tell us about the Abu Ghraib photographs?" Abu Ghraib, she argues, is merely a scene, a spectacle. And SM
serves as a critique, as it disrupts how people understand the world. And further, that because “scenes” are parodic, they become a creative re-enactment about powerlessness over the war. But the thing about torture is that you do not know whether you will be alive at the end of the day. You do not know when it will end. It is more than just “powerlessness”; it is subjugation, degradation, abandonment, and dehumanization. To defend such acts as “performative” is an instance of moral neglect.

This experience has made me ask myself difficult questions about complicity, about the subtle and not so subtle ways we go along with social pressure. When is it okay to do so and when not? Graham, Rawlings and Rigsby (1994) argue that women’s social relationship with men suggests a form of societal Stockholm Syndrome, that is, that the institution of heterosexuality and the individuals who patrol it—men and apologists of men’s power—act as though women are hostages to men. The captive perceives the behavior of the captors as ranging from extreme violence to kindness. The kindness creates a belief in safety in the midst of violence and abuse. It is this aspect that I find interesting in the light of postmodern feminist defenses of BDSM and performative sexuality. The defense of BDSM—including in an all-female setting—is no better than the defenses by the makers of pornography, the customers of prostitutes, and the apologists of torturers.

In relation to the “performative” and the parodic, I find the slippage of responsibility, the movement of focus from the victim of torture to the audience of torture—whether it is BDSM class participants or those who look at photos of Abu Ghraib—deeply troubling. The academic acceptance—even apparent “feminist” acceptance—of torture as a game is deeply offensive. It is appropriative of people living under totalitarian regimes who do not have the “luxury” of saying “No,” or of saying “Rumsfeld” as a parody. This postmodern move to a performative, audience-centered analysis will have dire consequences for all victims of torture, and add a significant twist to the torture of lesbians, who are already abandoned as an invisible and a marginal group not in need of human rights campaigns.

Complicity is the product of fear. It is how fascism digs in its roots. It reminds me of other debates among feminists. We have here on the one hand postmodern “feminist” theorists arguing for the healing power and the performative value of torture, while on the other hand we have legal theorists—including women—arguing for the legalization of torture because it will be safer. This is very reminiscent of the alliances made over prostitution (Sullivan 2004, 2006). Both are libertarian stances and dangerous to feminism. Annie McCombs points out that “when a man is tortured to death anywhere, people see political persecution; when the same thing happens to
a woman, the same people see sex” (1985, 86). When depictions of lesbians are sold as pornography, a similar slippage occurs.

D.A. Clarke argues that the use of “girl/girl porno” (2004, 198) as a profitable commercial enterprise is based on the belief that the shift from private acts to public fantasies—otherwise inaccessible to men—is sexually thrilling because in the process lesbians have been humiliated. As lesbians, they are humiliated when the intimate is made public; or if they are heterosexual women posing as lesbians, the sexual acts are perceived to be humiliating. Further, she argues that lesbians, along with the Arab men depicted in the Abu Ghraib torture images, represent the threatening figure of the “Uppity Other” (2004, 1998). The eroticized “suggestively homosexual tableaux” are humiliating to the Abu Ghraib prisoners. They are the feminized bodies of the enemy. Pornography that uses so-called lesbian images represents a lesbian feminized, a lesbian who has moved back into the category of women, as described by Monique Wittig. 21 Through pornography, the lesbian comes back into the control of the patriarchal framework of naturalized women and men.

III. PORNOGRAPHY AND TORTURE

In societies in which particular groups are “objects of hatred,” that hatred is extended to images that demean the people of that group. That is what pornography does to women and to lesbians. Pornography is sexualized violence or an expression of power for the gratification of the violators. Pornography relies on the eroticization of power differences, whether they be the systematic differences between women and men, between different cultures or classes of people (Kappeler 1986), or whether they are “con- sented to” by people in a relationship based on domination and submission. As De Clarke notes, there is a crossover between the images of torture at Abu Ghraib and pornography. She writes:

What no one wants to face—in America, anyway—is that these pictures are not just like pornography. They are pornography, the raw essence of pornography: taking trophy pictures of people being stripped, sexually humiliated, raped—so that you can brag about it afterwards. (Clarke 2004, 205)

I argue that Pat Califia’s The Lesbian S/M Safety Manual (1988) is a manual in self-annihilation, in extermination of lesbian culture, in parading pornography as freedom, just as repressive political regimes have talked of liberation when they have meant death. To reinforce this, let me cite another extract from Califia.
[Humiliation]...is the deliberate lowering of the bottom’s status to an eroticized, yet stigmatized, identity. This may include turning the bottom into: (1) an object or a machine, (2) an animal, (3) a child or baby, (4) a member of the opposite sex, (5) a sexual object or genital, (6) a servant or slave. Humiliation can also involve treating the bottom as a member of a racial or ethnic group, sexual orientation or socioeconomic class which the top pretends to resent, dislike etc. (Califia 1988, 52)

Sadomasochism is a form of consumerism of experience. In a similar way to that in which Western culture has appropriated the cultures of indigenous and non-Western peoples, the practitioners of S/M are appropriating the experiences of oppressed peoples who have been tortured by dictatorial governments or who have been slaves under racist regimes or the lesbians who are tortured by fundamentalist and militarized regimes. As Brennan (2003) has indicated, the only thing that all fundamentalists agree on is the importance of repressing women’s sexuality and punishing breaches of the heterosexual code. The practitioners of S/M turn an uncontrollable experience of torture into a game that can be stopped (but people undergoing real torture do not have the option of saying no). The “near death experience” of S/M can be read as just another consumerist game. The consuming of material goods has reached its limits, so instead S/M practitioners attempt to simulate death in the pursuit of yet another thrill. S/M is a luxury game. It is expropriation of experience. It is ultimately full of contempt for others.

In a society in which torture can be described as “performative” or as “direct communication with Iraqi prisoners” and BDSM can be presented as a series of classes to those interested in “healing themselves” or simply interested in the experience of powerfulness, these are central questions of social health. Given that it is the marginalized, lesbians among them, who are most prone to being tortured, the issue of social health is an important indicator of levels of social justice in a society.

When acts of torture and acts of “non-consensual consent,” as BDSM is described by Weiss (2005), are placed against the reality of the torture of lesbians, what statement is made about contemporary culture? Pornography is a way of making money out of torture, and it is appropriative. It is appropriative of lesbians who are tortured because they are lesbians; of lesbians who have been pushed off buildings in Iraq, falling to their death, because they are lesbians; of lesbians who are beaten and raped because they are lesbians; of lesbians who are whipped, whose hands are amputated, who are forced into unwanted marriages because they are lesbians; and of lesbians in most countries who are silenced because they are lesbians (Hawthorne 2004a; Hawthorne 2004b).

Furthermore, if Weiss (2005) can argue (and her audience can feel
comfortable applauding her arguments) that acts identical to torture—humiliation, violent penetration with objects, cutting off of clothes, bondage—are acceptable in a BDSM scene, and are deemed philosophically acceptable, where does the slide down the slippery slope begin and end? These are complex questions of morality. They concern issues around consent, power and lack of power, justice, and a disbelief in justice as central. The effect of the acceptance of torturing acts is a de-moralizing of the culture. A demoralized person is one who cannot fight back, who has been kicked too many times. The effect results not from the nature of any one kick, but rather from the cumulative effect of multiple kicks, “a thousand small cuts” that leave the person too dispirited to make a stand. The demoralizing of a victim of torture is cumulative and the result of many humiliations, painful experiences, isolation, and dehumanizing acts. Such is the society in which we are living. Even those of us who are not consciously aware daily of the thousands of cuts are affected nevertheless. Those who ignore and deny lesbian dignity are eventually affected too. Among feminists it is argued that acts of racism gnaw at the social fabric, create racialized violence (be it against diasporas and natives of Africa, Asia, and the Middle East, or against indigenous peoples from the colonized world). From this perspective, sexualized violence against women—including lesbians—also tears apart the social fabric.

Each day they unstitch a new part of me. There’s the relentless beating. The reminders of the gun. My brain stalls each time I think of it. The pointedness of their violence is increasing. Velvet voice visits randomly. When I hear his footsteps, the fear rises like vomit. Today they had me spreadeagled on the floor. Face down. Urine filling my nostrils. He paced in a decreasing spiral shape. Laughing at our weighing of the spiral with such import. I’ll show you what a spiral’s for, he said. And at that he stepped onto my left hand. Get rid of the left hand, he said. I know you like language games. Sinister sister. At that he stepped onto my right hand. Rosie fingered dawn, you slut. He stepped and twisted his foot heavily over my fingers. No more fencersmithing for you. He stepped and twisted. Paced and stepped and twisted again. The bones broken. The fingers flat and useless just as he wanted. He always leaves me in pain. He always leaves and I’m wracked with sobbing. The horror of what he does. My fingers crushed like broken twigs. My hands rotting stumps. In Iran, I remember, they amputate the hands of lesbians. (Hawthorne 2004d, 48)

IV. Fleeing Torture: Lesbian Refugees

At the 8th International Interdisciplinary World Women’s Conference
in Kampala in 2002, I was speaking about lesbian issues in a session toward
the end of the conference. A woman approached me and said that there
were big problems for lesbians in Uganda and that gaining recognition as
refugees was particularly difficult for them. This appears to be the case so
often that some authors suggest there is no documentary evidence on lesbi-
ans (McGhee 2003; Magardie 2003).

This in spite of the well-documented case of two lesbians mentioned
earlier—Christine and Norah—who were tortured in 1999. So fearful were
they for their safety, they fled to a neighboring country. There too, lesbian
existence was criminalized and so they were unable to claim asylum. They
“were forced to spend several months in hiding while they tried to find a
way to get protection as refugees” (Crimes of Hate 2001, 5). Features of
this kind are what distinguish lesbian refugees from other groups persecuted
for political or religious or ethnic reasons. “Treatment” and “cure” strip
away the political element.

It seems, therefore, that the evidence exists, but is not seen.29

Alla Pitcherskaia from Russia, who fled to the USA after receiving
threats to her liberty because of her alleged “hooliganism” and her activism,
lodged an application for asylum. Initially it was rejected because “they
claimed the motive for the forced institutionalization was the desire to
‘treat’ or ‘cure’ and not to punish and therefore was not ‘persecution’”
(Crimes of Hate 2001, 19).

Monika Reinfelder notes that in 1990 the German government granted
asylum to an Iranian lesbian “who would have faced the death penalty had
she been forced to return to Iran” (1996, 18).

There is a problem with the invisibility of lesbians as refugees. The
cases are not numerous, but they do exist and must be made visible. As
Reinfelder comments, “The hatred of lesbians in most countries has pre-
vented many persecuted lesbians from applying for refugee status on the
basis of their sexual orientation” (1996, 18). Many lesbians therefore apply
for asylum on the basis of political persecution. But this can result in a
failure to prove their status as refugees, since the worst abuses have
occurred to them because they are lesbians. If these circumstances cannot
be revealed, the case is weakened.30

The UN has a stated aim of protecting those harmed by discrimination,
but the reality is that when sexual orientation comes to the vote, detrimen-
tal alliances are made by Saudi Arabia, Iran, the U.S. and The Vatican, just to
note some of those who have voted together at the UN. The UN has a
number of provisions that broadly cover discrimination on the basis of sex-
ual orientation. They include the International Covenant on Civil and Politi-
cal Rights (ICCPR), the International Labour Organization Discrimination
(Employment and Occupation) Convention 1958 ("ILO 111"), and the International Covenant on Economic, Social and Cultural Rights (ICESCR). Protection, however, is not guaranteed unless a government has signed on to these agreements, and many have not. There are no provisions that specifically cover discrimination against lesbians, who usually suffer at least a double jeopardy of sexuality and gender in addition to any class, caste, ethnic, cultural, religious or racial discriminations.

Claire, a lesbian refugee from a powerful Ugandan family, now living in the UK, fears daily for the safety of her girlfriend, who helped her escape and then followed her into exile. Claire does not know her girlfriend’s whereabouts and fears that she is dead or has been pushed into prostitution to pay back her debts (Townley 2005).

As this article was going to press, I have just seen in Melbourne a new film, Unveiled (Fremde Haut), made by Angelina Maccarone. It is a film about an Iranian lesbian seeking asylum in Germany. The main character, Fariba Tabrizi (played by Jasmine Tabatabai), has had a relationship in Iran with a married woman which has been discovered and broken up by the husband. When she is interviewed by the German officer at the airport, she cannot speak of what has happened to her or give her real reasons for seeking asylum, in part because of the presence of an Iranian translator. The film depicts the extraordinary difficulties faced by lesbians and what they must do to survive.

V. TORMUT, SLAVERY, WOMEN, AND TRUTH

A “curious device [was] . . . [s]haped like a pear, made of wood, but with metal attachments and pointed wood pieces set into it. The caption said that the torturer put it into a woman’s vagina and gradually expanded it inside her body until it broke” (du Bois 1991, 3).

An artifact of European history, this object is a reminder of just how long the hatred of women and practices around that hatred, especially the hatred of lesbians, have persisted.

In ancient Athens and in Renaissance Florence—two hallmark periods in Western history of the apparent flowering of “freedom”—torture was used as a means of acquiring evidence (du Bois 1991; Lapiere 2001). Torture was heralded as the best avenue by which to extract truth from witnesses. I mention these examples because it is important to recognize how violence against women and the torture of women are structured into the history of Western culture, even—or perhaps especially—in its supposedly highest moments of civilization. In sixteenth- and seventeenth-century
England and France—another apparent high point of civilization—torture warrants were issued. It reminds us that torture is not what someone out there, different from “us,” does to lesbians. It is a reminder that torture has happened—and continues to happen now—around the world in apparently civilized countries. It is a reminder that apparently civilized countries are the trainers of torturers in countries steeped in conflict and war and civil unrest. It is a reminder that women—and hence lesbians—who step outside the patriarchal and heterosexual normative modes of behavior will be punished. Lesbians epitomize the “other” in the western philosophical tradition, and the lesbian body is very clearly a world of “otherness.” As I have argued elsewhere (Hawthorne 2003), the non-existence and erasure of lesbians in heterosexual discourse is central to the normative structure of our society. Lesbians share with torture the denial of existence. Denial is often not accorded much importance, but anyone who has been ostracized or has had the experience of being a member of a despised group will testify to the pain that accompanies such a denial of existence, or denial of experience. Torture annihilates the victim. The prisoner cannot determine when torture will cease, even by giving true and honest answers to the questions asked of her.

VI. The Body out of Control

The body remembers again and again . . . and again . . . The body remembers and pain becomes a part of our dreams and of our nightmares because we don’t have a valve to release them in any other way. The body wishes to be a body again, to have a mind . . . the body wants a soul (Rivera-Fuentes and Birke 2001, 657; italics and ellipses in original).

Among the difficulties experienced by anyone subjected to torture is how to convey the experience of pain inside the body. Elaine Scarry, in The Body in Pain: The Making and Unmaking of the World (1985), argues that pain in itself “is language destroying” (1985, 19). For a lesbian this is doubly difficult because the heteronormative discourse of society is not open to the utterances of lesbians. It is hard enough to get people to empathize with and understand a person from another culture, another political regime, an unknown country. Add to that the prospect of lesbian existence and lesbian culture, and the difficulty of the task is amplified still more. Here I am intentionally speaking as if the reader is a heterosexual. For the lesbian reader, the experience is likely to be very different.

Within heterosexual discourse the lesbian epitomizes the body untrammelled. The lesbian body is a body out of control in a heteropatriarchal
sense; that is, it is ungoverned by heteropatriarchal rules. For the torturer, the prisoner’s body has also become a body out of control, and this lack of control is shown each time pain is inflicted.

... all wave after wave of electricity, no control ... I am losing control of my/self ... I can’t stop the shit, the piss, the tears, the jerks, the yells.
(Rivera-Fuentes and Birke 2001, 655; italics and ellipses in original)

Elaine Scarry writes of the prisoner’s lack of control, and the way in which responsibility for it is deflected back to the prisoner so that the confession “will be understood by others, is an act of self-betrayal” (1985, 47).

There is an element here of wondering just why it is that sexual orientation has been considered outside the ambit of UN Human Rights rules and why lesbian refugees struggle so hard to be recognized, heard, and acknowledged as “genuine” refugees. It is about the self-betrayal of the body. If lesbian existence is a choice, so the argument goes, then the lesbian can just as easily choose not to be a lesbian.\(^{33}\) The problem is that her body betrays her. Her speech as a lesbian is taken to be a self-betrayal. The situation is read this way, rather than as a problem of patriarchy and oppression. It is an instance of what Mary Daly names “reversal,” in which the victim is perceived to be the one at fault, rather than the perpetrator.

The torturer, through this process, dispenses all culpability, all responsibility for the pain inflicted on the tortured person. His conscience is clear. It is all her fault. If only she would do what is best for her, she would not have to suffer. In fact, he will help her by raping her, by showing her what a real man can do for her, how what she needs is “a good fuck, from real men” (Rivera-Fuentes and Birke 2001, 656). This psychological stance, I suggest, is the source of the proliferation of male sexual fantasy about the torture of lesbians.

To summarize my argument: The prisoner of torture is considered out of control; the lesbian is considered out of control. The tortured lesbian is therefore doubly out of control (and in a society where lesbians are defined as mentally ill, triply out of control). Since she is so clearly out of control, anything that happens to her is her fault because if she chose to behave differently, she would not be tortured. The torturer/male sexual fantasist/pornographer is therefore able to abandon all sense of responsibility for his actions and for his beliefs about lesbians. It is in her interest that he torture her, rape her, show her just how good he is. Or, as Elaine Scarry writes, “Every weapon has two ends. In converting the other person’s pain into his own power, the torturer experiences the entire occurrence exclusively from the nonvulnerable end of the weapon” (1985, 59).
VII. If Lesbians Are Not Women, Can Lesbians Claim Human Rights?

Monique Wittig, in her extraordinary essay “One is Not Born a Woman,” writes:

Lesbian is the only concept I know of which is beyond the categories of sex (woman and man), because the designated subject (lesbian) is not a woman, either economically, or politically, or ideologically. For what makes a woman is a specific social relation to a man, a relation that we have previously called servitude, a relation which implies personal and physical obligation as well as economic obligation (“forced residence,” domestic corvée, conjugal duties, unlimited production of children, etc.), a relation which lesbians escape by refusing to become or to stay heterosexual. (Wittig 1992, 20)

This confronting challenge to patriarchal “naturalism” is a clue to the reason behind lesbians’ being so forcefully punished under patriarchy. The very existence of lesbians is a challenge to the property rights of men as a group. It challenges the assumption that there is something natural about the categories of women and men, and it suggests that there is an alternative to those naturalized categories. It challenges men’s proprietorial ownership of the category women, in a way that is reminiscent of the challenge posed by Native Land Rights of indigenous peoples. For indigenous peoples the land is not owned, it is maintained by responsible activities, many of which are deemed sacred. The collective maintenance of land does not strip indigenous peoples of human rights. In a similar way, lesbians who want to live lives unencumbered by heterosexual servitude, unencumbered by alternating violence and kindness by the dominant group, do not give up their human rights, do not give up a wish to be respected. Indeed, those lesbians who use this as a model for their lives could well provide a model of freedom for all people. By this I mean the ability to move freely, love whomever one wants, laugh and walk in ways that denote joie de vivre.

As FannyAnn Eddy, lesbian activist murdered in Sierra Leone, said less than a year before her death:

Silence creates vulnerability. You, members of the Commission on Human Rights, can break the silence. You can acknowledge that we exist, throughout Africa and on every continent, and that human rights violations based on sexual orientation or gender identity are committed every day. You can help us combat those violations and achieve our full rights and freedoms, in every society, including my beloved Sierra Leone (Eddy 2004).
VIII. How Might This Research Affect Social Policy?

Because lesbians have distinct needs and because in their daily lives lesbians—although they share some elements with the groups “women” and “LGBTTI”—confront different problems, it is essential that both policy and research not result in further invisibilizing lesbians. Lesbians will be “seen” only if:

- research that is focused on lesbians is carried out;
- research names lesbians rather than trying to hide behind terms such as “same-sex-identified” or “sexual minorities”;
- researchers respect the names lesbians choose to use in their own local contexts;
- researchers interview lesbians and ask them to identify treatment that is connected to their lesbian sexuality;
- researchers and policy makers recognize that lesbians are violated for at least two general reasons: as members of the class women (or not-men) and as members of the class not-heterosexual;
- researchers and policy makers recognize that lesbians are violated for a third reason: as members of the not-men, not-women and not-heterosexual classes, that is as lesbians;
- researchers and policy makers recognize that lesbians come from all ethnic, cultural, religious, and social groups, and that because of the needs of personal safety, they sometimes hide within the groups of men, women, and heterosexuals;
- lesbians, who have never been the focus of any well-funded campaign, are treated with respect in the same way as any other marginalized and persecuted group whose personal and collective safety is at risk.

X. Conclusion

We are living in dangerous times. I believe a new fascism, postmodern fascism, is on the rise. It takes the form of defending the freedom of the powerful whose hate speech is protected: corporations, armies, men, the wealthy, and the elite. It defends pornographers and pimps, pharmaceutical companies and reconstruction teams, soldiers and torturers. We know now how these political policies are run. It is through false kindness (Graham et al. 1994); it comes wrapped in choice; it comes with the word freedom emblazoned across it. We need to invent strategies for exposing these systems of injustice for what they are. We also need to invent ways of fighting social demoralization and of increasing the social glue. Indigenous communities in Australia (dé Ishtar 2005) have found that increasing the social power of women strengthens the social fabric and reduces violence. In the
last thirty years, as a radical lesbian feminist, I have been active in women’s communities that are creating vibrant feminist and lesbian cultures and in groups that are working to reduce social injustice. However, in 2005 I saw feminists and lesbians support the practice of torture because it was called BDSM, because it was categorized as “play” and as “consensual non-consent.” This in a country engaged in widespread abuses of power, including torture against its own and other people. If feminists and lesbians pivot toward “consensual violence,” we can expect to see increased violence against women and indifference toward the torture of lesbians.

If violence against lesbians is a matter of indifference, and lesbians remain outside the scope of social justice reform, then everyone’s civil and political rights remain in jeopardy. The most difficult political reforms to make are, in the long run, the most important, because they give us a clue as to the limits of our preparedness to live an ethical existence. If we are unable to be concerned for the lives and well being of those who are most different, then we are incapable of defending justice for all—even at the most basic level, that involving freedom of association, freedom to love.
Appendix I
Guidelines for Officials Interviewing Lesbian Refugees

• It should not be assumed that women presenting for asylum are seeking asylum simply because their spouse or another male family member is doing so; they may need asylum in their own right, and for very different reasons, including persecution on the basis of their sexual orientation.

• Some women may however be persecuted because of their association with men who are under threat. If they are lesbians, their level of risk may be increased.

• It should not be assumed that a married woman cannot be a lesbian. In some countries, marriage is the first level of protection a lesbian might seek.

• Lesbians seeking asylum are likely to be politically active, but even lesbians who are not politically active come under threat in some countries.

• Do not assume that because a woman does not use the word "lesbian" to describe herself, that she is not a lesbian. It may have been too dangerous for too long for her to be able to speak the word "lesbian" (or the equivalent in her language) out loud.

• Do not assume that because there is no word for lesbian in any particular language that there are therefore no lesbians in that society or linguistic group.

• Do not assume that if a woman comes from a country where it is not illegal to be a lesbian, that she is therefore not able to claim having been tortured or in danger of torture or other external harm to her self.

• Do not assume that your interpreter is open to her experience. The interpreter may be hostile to her claim.

• Lesbians who have been tortured will find it difficult to speak of their experiences. Speaking to a stranger is difficult; speaking to a strange man might be impossible. Uniformed men may precipitate reliving the experience of torture.

• As a result of trauma, some lesbians may be unable to relate the experience at all, or may appear detached and emotionless. This should not be read as evidence of fabrication.

• Lesbians who are refugees might also be in danger from their families, in particular from the men in their families. Their confidential interview should not include asking questions of other family members about their sexual orientation.
1. I am grateful to a lesbian in Uganda who may prefer to remain anonymous and who drew my attention to the injustices against lesbians in her country in 2002; to Consuelo Rivera-Fuentes and Linda Birke (2001), whose article I stumbled across soon afterwards; to the anonymous researchers at Amnesty International whose reports on the torture of lesbians provide much of the firsthand material, and to Lara Fergus, who sent me the Crimes of Hate document from Amnesty International; to Monika Reinfelder whose book Amazon to Zami (1996) contains some of the other firsthand accounts; and to an unnamed friend with whom I discussed at length her experience of torture. I thank her for her time and generosity in sharing what was an extremely painful experience. I also thank Renate Klein for many discussions about issues raised in this article, and to Carole Moschetti for her suggestions.

2. This is so in Australia and internationally. In Australia there is the Coalition of Activist Lesbians (COAL), the only formally registered lesbian NGO, but all its work is done on a shoestring and in a voluntary capacity.

3. As in other research on homophobia and sexism, lesbian existence tends to be confounded with the lives of gay men, or subsumed under the broad and unsatisfactory term of homosexuality, or of queer or LGBTI (Lesbian-Gay-Bisexual-Transgender-Intersex). All these terms are used to simultaneously contain and exclude lesbians. More recent terms—same-sex attracted and sexual minorities—fail for the same reasons. Lesbians who are tortured disappear. Lesbians are to be found as side issues in the literature on torture of LGBTI (Breaking the Silence, 1997; Crimes of Hate, Conspiracy of Silence, Torture and Ill-treatment Based on Sexual Identity ACT 40/016/2001), and secondly as a side issue on the torture of women (Broken Bodies, Shattered Minds—Torture and Ill-treatment of Women, AI Index: ACT 40/001/2001). There is a significant shift in the balance of cases reported by Amnesty International between 1997 and 2001. This could be due to several factors: 1) a greater willingness on the part of AI to look into torture of lesbians; 2) an increase in the incidence of torture of lesbians; 3) an increase in the reporting of the torture of lesbians; 4) a combination of these and other factors.

4. Her point is both interesting and radical. It is so because it gives clues as to why lesbians are so threatened by patriarchal heterosexual society. I will expand on this later in the paper.

5. For an interesting analysis of the similarities and differences between the experiences of violence by lesbians and gay men, see Ohms and Stehling (2001, 190-222). For the German-language version, see pp. 17-52.

6. Quotations from lesbians who have been tortured are distinguished by the use of italics throughout. In the case of Rivera-Fuentes and Birke (2001), the original story told by Rivera-Fuentes is in italics. Quotations from other sources retain roman typeface.

7. For a very fine analysis of how pornography interacts with everyday life, see Caputi (2004, 74-116).

8. For the purpose of this paper, I deal solely with the torture of lesbians. The paper does not focus on torture of gay men, bisexuals, transsexuals, or intersex people. While some of the issues overlap, because I am concerned with the absence of research on lesbians, that is where my focus lies.

9. Almost every government denies using torture, and in the past World War II era, few have attempted to justify its use. The exception, prior to September 11, 2001, was Israel, which, in following the recommendations of the Landau Commission in 1999, was the only country to “legitimize torture, both rhetorically and judicially” (Felner 2005, 42).

10. For a lengthy discussion of this, see Hawthorne (2003) and Hawthorne (2005a).

11. I suggest that separate reports are required on the different groupings represented by the acronym LGBTI, as each faces different and specific causes. It is time to spell out some
of the nuances rather than calling for blanket inclusiveness, a strategy which in the long run will be detrimental to lesbians.


13. For other examples see IGLHRC (2001, 7).

14. On 20 July 2005, Ugandan lesbian activist Victor Julie Mukossa’s house was raided in an attempt by the police to arrest her. Victor Julie Mukossa is the chairperson of Sexual Minorities Uganda (SMUG). She went into hiding. Another lesbian activist from Kenya was “arbitrarily arrested and detained” and “subjected to humiliating and degrading treatment” (Amnesty International ai-news@amnesty.org 2 August 2005).

15. Think about the lesbians you may know who have been incarcerated and labeled as mad. Think about the “treatment” they have received. Was it electroconvulsive therapy? What is the difference between this and the shocks given to prisoners who are tortured? Was it the use of drugs? What is the difference between this and a host of other silencing techniques used by torturers? In most instances the difference is simply the name of the institution in which it occurs; in some instances there is also a difference in intensity, or in the fact that “patients” are given shock treatment while unconscious. See Millett (1994) for a discussion of the similarities. Rivera-Fuentes and Birke also discuss the role of doctors in places where torture is inflicted (2001, 658-60).

16. See Arberry’s version of the Qu’ran, 4:34: “Men are the managers of the affairs of women for that God has preferred in bounty one of them over another, and for that they have expended of their property. Righteous women are therefore obedient, guarding the secret for God’s guarding. And those you fear may be rebellious admonish; banish them to their couches, and beat them.”

17. In the U.S. and Australia, legal theorists are arguing for the legalization of torture. See for example Bagaric and Clarke (2005).

18. I have requested a copy of the paper by Weiss from the author, but have not received it. The quotations here are based on notes taken during her presentation.

19. In this paper I use the abbreviation S/M when speaking generally about sadomasochism, and I use BDSM when discussing the paper by Weiss (2005). BDSM is an abbreviation for bondage and discipline/dominance and submission/sadism and masochism.

20. Among those I refer to in the paper are Butler (1997), Califia (1988), and Weiss (2005). There are many other defenders in the lesbian, gay, queer, and transgender communities.

21. See page 42 for further discussion of Wittig’s essay “One is Not Born a Woman.”

22. The use of “pretends” is disingenuous. Pretending to hate can quickly slide over into real hate. This is particularly so when resentment, dislike, and hatred are pretended in order to achieve pleasure through sadomasochistic sexual practices.

23. “Only on the question of women and sexuality do the fundamentalists of either side begin to converge. Homosexuals and loose women are held responsible for God’s turning away from the US, just as they are sometimes blamed for the woes of Islam” (Brennan 2003, xvi).

24. The much-touted “rules” of S/M, however, need to be adhered to. Anecdotal evidence suggests that the “rules” are broken in the same way that laws against rape are broken with great regularity.

25. Weiss (2005), based on notes I took at the presentation of this paper.

26. Audience members at the paper by Weiss (2005) argued that S/M was about “healing.” It is not the first time I have heard this defence of S/M.

27. In the lead-up to the federal elections in Australia in 2004, a Family First Party campaign worker made a joke about burning lesbians at the stake, and no media organization objected. If such a bad joke were made about anyone from a marginalized ethnic group, voices would be raised in protest. All that happened was that the worker was later stood aside. To speak out on behalf of lesbians is somehow seen as passé, boring, not relevant to
the real political fight. To that extent lesbians have become—and perhaps in the coming years will become even more—difficult to center a campaign around. See Hawthorne (2004b, 10).

28. For a longer discussion of the issue of lesbian refugees, see Hawthorne (2005b).

29. Another case of a lesbian seeking asylum is contained in the Crimes of Hate Report: “Irina, a Russian lesbian, claimed asylum in the USA on the grounds that she had been tortured or ill-treated by a range of people, including police, private investigators and her own family members. Irina described how, in 1995, her sisters demanded she give up custody of her son and get psychiatric treatment in order to “cure” her homosexuality. Her mother threatened to disclose her sexual orientation to the authorities unless she gave up her son. Irina’s parents hired two investigators to probe into her lifestyle. The investigators claimed to have a videotape of Irina having sex with her partner and threatened to report her to the police unless she paid a large sum of money. Irina and her lover went to the police to report this attempt to blackmail them; the officer responded by sexually harassing them. One day, the investigators abducted her at knifepoint and took her to an apartment. Together with another man, they raped Irina to ‘teach her a lesson’ and ‘reorientate’ her sexual identity. Irina decided not to report the rape to the police because of her past experience at their hands” (Crimes of Hate 2001, 22).

30. The Appendix contains some guidelines on how to treat lesbians applying for asylum based on their sexual orientation.

31. For a very interesting history of the way in which hatred of lesbians was played out in England against Radclyffe Hall in the banning of her book, The Well of Loneliness, see Souhami (1999). Lesbian existence is referred to as a pestilence, depraved, “defiling young souls” (2001, 177) and many other inflammatory terms.

32. This argument is put forth by Dershowitz (2003), cited in Bagaric and Clarke (2005, note 114); also see Dershowitz (2002). For the counter argument see Gaita (2004) and Roth et al. (2005).

33. See Millbank (2003), who discusses the case of two gay men refused asylum on the grounds that they could choose to “be discreet” and not have to fear for their lives.


35. The idea for this came from a similar list of guidelines contained in Agenda (2003).

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White Nationalism Revisited: Demographic Dystopia and White Identity Politics

Steven L. Gardiner*

Two stimuli, both dating to 2002, drove me to write this paper. The first (and by far the more visceral) was my attendance at the biannual conference of *American Renaissance (AR)*—the flagship publication of the sector of the American far right considered herein. The conference was held in the Washington, D.C. suburb of Herndon, Virginia, and it reflected this demographic. It was attended by some 250 mostly well-dressed, mostly middle-aged white men—along with a smattering of women—a number of whom held advanced degrees of one flavor or another. There is nothing too surprising in this: the ignorant redneck stereotype of the racist right has always been more hopeful polemic than reality. Unfortunately, doctrinaire racists come in all income and education brackets. If bigots with Ph.D.s are nothing new, I still walked away from the conference convinced that I had seen an important new trend in what I will call American white nationalism.

The second (and more academic) of the two stimuli driving me to write this paper was the publication of Carol M. Swain’s book *The New White Nationalism in America: Its Challenge to Integration* (2002). The first book-length scholarly work to deal with the American racist right as a whole to be published in many seasons, Swain’s is an important if a deeply flawed text. In this work Swain (correctly) points out that there is something new about the contemporary racist right. She also cogently warns the American political mainstream, conservative and liberal, that the phenomenon both refer to as white nationalism “has the potential for considerable expansion beyond its present scope and threatens to disrupt the fragile racial situation in America” (Swain 2002, 1).

In my view, however, Swain’s argument suffers from a myopic focus on affirmative action. In many respects, *The New White Nationalism* is a book about affirmative action onto which an argument about white nationalism has been grafted. “A disproportionate amount of attention is devoted to affirmative action policy,” Swain writes, “because I believe that within its politics lie the seeds of increased racial hostility” (Swain 2002, 5).

Swain’s own data—her in-depth interviews with white nationalist leaders—do not support her thesis that affirmative action drives white

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nationalism as such. She makes a stronger case for the importance of the opportunistic use of affirmative action by white nationalists as a way to attract a broader constituency. Even here, however, the consistent implication of her argument is that affirmative action policies create recruits to white nationalism and that therefore (among other reasons) affirmative action should be reformed or eliminated. I find the prospect of formulating public policy to appease white nationalists—or to reduce the number of recruits to their movement—to be on the shakiest possible ground. Whatever reasonable arguments may exist for reforming affirmative action policy, surely making ideologically committed bigots happier cannot be one of them. Further, and more to the current point, by imagining an affirmative action tail wagging a white nationalist dog, Swain has misrepresented contemporary white nationalism in a way that undermines our understanding.

My goal in the pages that follow is to re-present the white nationalist movement in a way that (1) highlights its ideological core, (2) explores its strategic orientation, and (3) addresses its current prospects for success. I will also (4) make some tentative suggestions for what I see as effective responses to this movement in the context of the public sphere and public policy in the United States.

I. WHITE NATIONALISM AS IDEOLOGY

As old-fashioned investigative reporters have always known, the place to get a feel for what conference attendees are actually thinking is the hotel bar. In whatever ways they may differ from those who hold mainstream political opinions, white nationalists also gather post-plenary to lubricate their imaginations and talk trash. The hot topic at American Renaissance 2002 was Pat Buchanan’s book du jour, The Death of the West (2001). There was consensus amongst this set that it was Buchanan’s best, meaning his most racial, book. There was, nonetheless, a good bit of disappointment with it. Rather than coming right out and saying what most of the AR crowd agreed he really meant—that is, that biological race is the determining factor in the destiny of human civilizations—Buchanan had once again side-stepped this all-important white nationalist issue in favor of cultural and religious explanations for invidious intergroup comparisons.

The gist of this bar talk, which closely paralleled opinions proffered at a conference-concluding panel on Buchanan’s book, can be summarized as a short dialogue in two voices:

First voice: If it’s all really religion and culture, then why shouldn’t we let the Mexicans in? They’re Christians. They’ve got family values.

Second voice: But he doesn’t really mean it.

Which is just the point for white nationalists: they do mean it—where
it means the valorization of biological race as the key determinant of both human social organization and individual capacity. In this context one of the key weaknesses of Swain’s book is that she fails to define, explicitly, what she means by white nationalism. Without such a definition it becomes difficult to identify how the current movement differs from previous incarnations with any degree of consistency. Worse, without such a definition, both the internal complexity of the movement and its relationship to the larger realm of American culture and politics are obscured.

There is, however, an implicit and potentially powerful definition of white nationalism that emerges from a close reading of Swain’s text. Given that this implicit definition tends to push affirmative action to the periphery, it is perhaps not surprising that she chooses not to formalize it. The definitional criteria that are consistent with Swain’s data are that white nationalism is a movement that is characterized by three features:

(1) It is informed by a core belief in genetically inherited, biologically determined and race-linked differences in intelligence, criminality, self-control, and creative initiative;

(2) It has a specifically nationalist orientation for its politics, arguing—per point one—for a biological notion of race that delimits a national essence which is considered the only proper basis for an authentic national identity;

(3) It is in some sense a new phenomenon, albeit with roots in racist organizations past, that is qualitatively different from the older organizations of white supremacy and white nativism.

Expanding on Swain’s implicit criteria, I offer the following explicit definition of white nationalism in the early twenty-first century American context: White nationalism is a secular political orientation, grounded in an ideology of biologically determined racial hierarchy and the presumption of a necessary link between race and nation, and a praxis that includes, but is not limited to, pragmatic engagement with electoral and pressure group activity on the model of identity politics.

This definition lays the ground for a theoretical perspective informed by social movement theory. Under its rubric we can find room for old-style neo-Nazi and white supremacist leaders such as Matthew Hale (the imprisoned leader of the Creativity Movement) and William Pierce (the recently deceased leader of the National Alliance), liminal (and marginal) figures such as Don Black and David Duke, and well-connected, theoretically sophisticated individuals such as Jared Taylor and Michael Levin. However, because the criteria of inclusion are explicit, this definition also invites us to disaggregate these movement factions and identify their intra-movement divisions and extra-movement alliances. In other words, we can ask
ourselves what groups, and what projects, are central to this movement, and which are peripheral at best.

**Figure 1: Ideology and Praxis + Biological Determinism**

![Diagram](image)

As Figure 1 suggests, both white nationalists and their potential allies on any particular issue can be charted on an intersecting continuum of legal vs. extra-legal praxis (the vertical axis) and the degree to which they explicitly espouse an ideology of race-based biological determinism (the horizontal axis). According to the definition given above, white nationalists proper will fall into sectors A and B. The most influential white nationalist organizations, such as *American Renaissance* and the Council of Conservative Citizens, fall solidly into sector A. Certain neo-Nazi skinhead groups, the so-called Creativity movement, and old-fashioned Klan organizations that rely primarily on a politics of threat and intimidation (even when not directly engaged in violence) tend toward, or fall within, sector B. To the left of the vertical center line fall organizations that support policies—immigration restriction for example—that white nationalists enthusiastically support without themselves explicitly endorsing race-based justifications for their positions. As in all social movements, the dividing lines are fuzzy and indicate tendencies, not neat boxes. There are individuals, Pat Buchanan for example, who consistently straddle the line, as indicated by his ambivalent celebration in the *American Renaissance* crowd. There are also organizations, the Federation for American Immigration Reform (FAIR) for example, that in their push for mainstream acceptance vehemently deny racist motivations, even while playing to racialized fears and allying themselves with doctrinaire white nationalists. Finally, there are
mainstream individuals with solid establishment credentials—for example Samuel Huntington and Peter Brimelow—who talk a line that differs from the avowed white nationalists mostly in the prestige of their publishers and their skill with euphemism and innuendo.

It is important both politically and intellectually to distinguish between sector A white nationalists and sector B white nationalists not because the line between them is particularly inviolable, but because the sector A actors are beginning to build substantive, issue-based alliances with the more mainstream sector C actors. It should not be supposed that this is simply because these new white nationalists have agreed to play by the rules of the American political game—though that is certainly part of it. A tactical orientation that favors ballots over bullets is nothing new on the landscape of the racist right. David Duke, among others, pioneered such a strategy in the post-Civil Rights era. But David Duke is to the new breed of white nationalists as a traveling snake oil salesman is to a pharmaceutical company executive: They may be in the same line of business, but the former is liable to be run out of town on a rail, while the latter takes up residence and gets invited to the best symposia.

The new white nationalists themselves are eager to draw a dividing line between their ideas and praxis and those of organizations that celebrate violence, beat their anti-Semitic drums too openly, or fall too hard for the wide range of conspiracy theories long popular with the American far right. Groups like the National Alliance and the Creativity Movement (formerly the World Church of the Creator) certainly aspire to join the new white nationalist club. However, their open admiration for Hitler and the Nazis, for programmatic anti-Semitism, and especially for violence and its rhetoric (Hale is currently serving a prison term for soliciting the murder of a judge and Pierce wrote the infamous white supremacist novel the *Turner Diaries*) make these organizations and persons marginal to white nationalism as I understand it.

Of course in the push-pull of social movement politics, marginal movement factions often play an important role in shaping movement dynamics (Foss and Larkin 1986). It is on the margins that true believers, relatively unconstrained by pragmatic politics, generate the ideas later appropriated by movement figures positioned closer to the mainstream. It was, for example, old-school white supremacists David Duke and Tom Metzger who first staged protests along the U.S.-Mexican border, claiming, much like today's Minutemen, that America was being invaded. Also like the Minutemen, Duke and Metzger claimed they were forced by a corrupt and incompetent federal government to take border patrol duties into their own hands. Duke and Metzger first went to the border in 1977.

Despite Duke’s best efforts, and even despite his brief election to the
Louisiana State Legislature in 1989, neither he nor any of his erstwhile Klan colleagues have had the ability to mainstream themselves to a degree that would make them acceptable partners to the sector C political actors. Instead Duke and his cohort, replicating a pattern found in many social movements of recent decades, played the role of the intra-movement other. In effect, sector A white nationalists end up positioning themselves as “not Duke,” as “not the Klan.” Of course this tactic works only to the extent that sector C actors are willing, and to an extent eager, to work with sector A actors possessing a patina of respectability.

The struggle over who is in and who is out was readily apparent at the 2002 American Renaissance convention I described in my introduction—as were the difficulties faced by any social movement attempting to establish orthodoxy. National Alliance members were present at the conference and hung about the edges of the meeting in much the same way that sectarian communist organizers often hung about the fringes of peace movement events in previous decades. Their outsider status was clearly marked. Younger, beefier, and clearly uncomfortable in the sport jackets required by conference organizers, they neither looked like nor interacted easily with the middle-class academics, professionals, and entrepreneurs who dominated the event. When keynote speaker Nick Griffin of the British National Party proclaimed that white nationalists need to move from being “booted parties” to being “suited parties,” an audience member asked him explicitly where he thought National Alliance fell on that spectrum. “Booted,” Griffin replied. He received a round of applause.

II. WHITE NATIONALIST STRATEGY: IMMIGRATION AND DEMOGRAPHIC DYSTOPIA

Unlike ideologically similar incarnations of the racist right in the post-Civil Rights era, the core of the new white nationalism is neither traditionalist nor utopian in orientation. It seeks neither to recreate the racial order of Jim Crow, nor to carve out a brave new Aryan homeland in the mountains of the Pacific Northwest. Rather, the primary goal of contemporary white nationalists is to preserve (and ideally expand) the white racial majority in the United States.

There is considerable debate within the movement about exactly how best to go about achieving this demographic aim. Nevertheless, virtually all of the major sector A movement organizations agree that halting the influx of non-white immigrants is the most urgent goal. This focus was strongly in evidence at the American Renaissance conference previously discussed. The bulk of issue and idea presentations at this particular conference addressed either race and human ability (the central ideological focus of the
movement) or immigration (the movement’s most important policy focus). This emphasis is confirmed by examination of all American Renaissance conference presentations from 1994-2004. Using both conference notes and a review of event audio and video tapes (available from AR), I sorted fifty-nine documented presentations into five categories: (1) race and I.Q., (2) ethnic conflict, (3) race and nation, (4) immigration, and (5) all others, as presented in Table 1.

TABLE 1

<table>
<thead>
<tr>
<th>1) Race &amp; I.Q</th>
<th>2) Ethnic Conflict</th>
<th>3) Race &amp; Nation/Culture</th>
<th>4) Immigration</th>
<th>5) All Others</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>11</td>
<td>3</td>
<td>8</td>
<td>9</td>
<td>28</td>
<td>59</td>
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By way of explanation, the first category, race and I.Q., also includes material that has to do with biological determinism and race-linked human capacities more generally. These presentations constituted eleven of fifty-nine, or about 18.5 percent, and tended to be delivered by professional academics such as J. Phillipe Rushton (University of Western Ontario) and Michael Levin (City College of New York). In category two, ethnic conflict, I include themes related to the “Balkanization” of America, explained as the result of an increasingly diverse population profile. Three of the presentations, or about 5 percent, fell into this category. In category three, race and nation/culture, I include presentations that focused primarily on the link between biological race and the constitution of a viable national identity or political nation. I found eight presentations in this category, or about 13.5 percent of those considered. Category four presentations, about 15.25 percent of the total, dealt exclusively with immigration and its negative impacts on American society. Finally, the fifth catchall category, composing some 47.5 percent of the presentations, included either content that was not focused narrowly on policy or ideology—such as skill-building sessions, self-critique, and critique of non-racist parts of the political right—or which included numerous topics and issues, such as international reports. Also included here were a few instances of policy sessions that had only one example, such as the one presentation on affirmative action and equal opportunity policy.

Categories one, two, and three form the ideological core of American Renaissance—which, I argue, is the paradigmatic white nationalist organization. These categories speak to the ideological links between genetically determined race and I.Q. (and other socially important capacities) on the one hand and specific, hierarchically ranked races and nations/cultures on
the other. Category four, immigration, was by far the largest policy area represented; moreover, many of the presentations in other areas (especially categories two and three) referenced or strongly overlapped with immigration.

Though these results are preliminary and take into account only one white nationalist organization, they are nonetheless suggestive. Having combined them with a thorough reading of hundreds of white nationalist publications and over fifteen years of experience observing the movement, I am comfortable making the claim that immigration is by far the most important policy issue on the white nationalist agenda. This makes sense, granted my understanding of white nationalism, both ideologically and pragmatically. As noted above—and supported by the parsing of AR conference topics—the core beliefs of white nationalism link race, thought of as a genetic essence, to differential human capacities on the one hand, and to the possibility of coherent, peaceful national existence on the other. Nonwhite immigration, from the white nationalist perspective, is the chief threat to both. In the words of movement activist Louis T. March:

The most serious flaws of current immigration policy are its lax enforcement and anti-European bias, which have allowed a peaceful penetration of the U.S. from throughout the world. Most of the incoming peoples have little in common with the host population. And while Americans already pride themselves on their “individuality,” the settlement of large numbers of racially “group conscious” people in our nation has brought about all variety of conflicting interests and even more enduring conflicts of values. (March 1999, vii-ix)

White nationalists, taking race as a biological given, see the projections of the United States Census Bureau (those indicating that sometime in the middle of the twenty-first century “white people” will become a minority, mostly because of the effects of immigration) as a catastrophe in the making. The chimerical nature of the object of which they make a fetish—race itself—if anything only makes the emergent politics of white racial identity all the more fervent (Allen 1994; Dyson 1998).

From the pragmatic side, white nationalists use immigration—their most important issue in any case—as a link to the broader anti-immigration movement. Thereby they bring a white nationalist agenda into coalition with, and often into leadership positions within, groups such as the Federation for American Immigration Reform (FAIR) and the various state level anti-immigration political campaigns such as those in California and Arizona. Combining an ideologically-driven white identity politics with more pragmatic efforts to curb immigration multiplies the efficacy of the white
nationalist agenda by greatly increasing the reach of the movement and its impact on mainstream politics.

For the intellectual theorists of white nationalism—for example Wayne Lutton, Michael Levin, and the late Sam Francis—the enemy is embodied in the inferior but fecund black and brown-skinned peoples of the southern hemisphere and given aid via the wrong-headed, self-serving policies of the liberal elites who placate the demands of business for cheap labor and pander for minority votes. The results, in white nationalist terms, are the disintegration of American national unity and the dilution of the precious white gene pool.

In rhetoric typical of the movement, Louis T. March of the Council of Conservative Citizens and Brent Nelson of American Immigration Reform write that the “Third World colonization of the U.S. is well under way” (1995, 64). Their view is echoed by Wayne Lutton, one of the figures who bridges the gap between the openly white nationalist organizations and the mainstream of the anti-immigration movement. Lutton told the 1994 American Renaissance conference:

There is no escaping the conclusion that thanks to a massive influx of Third World people over the past thirty years, with their large numbers of American born descendants, what was a Black-White problem has now become a multiracial problem. We simply compounded our previous situation. And I don’t think it’s unfair to say on Memorial Day 1994 that the United States really is no longer a nation but is simply a collection of diverse peoples spiritually sundered by barriers of nationality, language, culture and religion. (Lutton 1994)

The reference to the fractioning of the nation is not accidental. “Balkanization” is a key rhetorical trope in the white nationalist toolkit. Though the mainstream scholarship on nations and nationalism (e.g. Anderson 1983, Gellner 1983, Hobbsawm 1990) has long discredited the essentialist notion of nations as primordial extended families grounded in a culture that flows from the genes, white nationalists take such beliefs as given. Recently deceased syndicated columnist and white nationalist Sam Francis put it like this: “Like the real France, the real America is also a ‘country of a common blood’ (Jefferson used that very phrase in the original Declaration, as well as appeals to a ‘common kindred’ and ‘consanguinity’). In fact, every real nation is a country of a common blood. The only nations that claim to be defined by creeds are—come to think of it—totalitarian states” (Francis 2004).

Brent Nelson offers his version of national identity as follows: “If a nation is to endure, it must be based upon something more vital, and less ephemeral, than lines drawn upon a map. The annals of history and the new
science of sociobiology both indicate that nationhood is sustained by a continuity of ethnic descent, and the sense of fellow-feeling arising therefrom, which cannot be conjured into being by the mere will of politicians” (Nelson 1994, viii).

Perhaps the best known public figure embraced by white nationalists is journalist and erstwhile presidential candidate Patrick J. Buchanan. In The Death of the West, Buchanan walks the movement line almost without resorting to euphemism. He writes:

If tens of millions of American girls and young women are determined not to have children, or to have no more than one, America either accepts mass immigration or the fate of Japan and Europe. But America has time to act. If Americans wish to preserve their civilization and culture, American women must have more children. While there is no guarantee that government incentives can change the mind-set of women, a pro-family, pro-child bias can be built back into national policy. For what is more important than the permanence of the American nation and people? (Buchanan 2001, 232)

Buchanan substitutes the more palatable words “culture” and “civilization” for race, but his meaning is clear enough: An America not demographically dominated by the children of current (majority white) Americans means the end of America as such.

III. Explicitly White, or Identity Politics Comes Full Circle

The shape of American racial politics developed in a historical context of labor and regional conflict (Allen 1994, Marx 1998). The white vs. black dynamic was by no means inevitable, however, even in the aftermath of slavery. Northern whites could conceivably have allied themselves politically with Southern blacks to form a viable governing coalition. In fact, something of this sort did occur, however briefly, during the radical phase of Reconstruction.

However, as Anthony Marx argues, the needs of nation building and economic unification eventually outweighed either liberal promises to enfranchise former slaves or party political efforts to woo black voters. In the wake of the massive rupture that culminated in the Civil War, Southern whites had to be bribed back to nationalist loyalty—precisely because they had proved themselves capable of disrupting the union on a massive scale. The coin of this bribe was white solidarity, grounded in a taken-for-granted white superiority. The consequence was the introduction of de jure segregation in the South, matched by continued de facto segregation in the North (Marx 1998).
The white coalition that emerged after the Civil War was underwritten by the potent combination of the presumptive whiteness of Americans and the largely invisible but very real privileges that accrued to whites as such. In the post-bellum period, whiteness became what Linda Waugh (1982) has referred to as an “unmarked” category in a presumptively biracial economy of discourse and of politics. In this economy, “race” came to equal “black” (Hartigan 1999). In myriad symbolic ways, whiteness became the unstated, invisible pole of a white-black binary wherein white was counted equivalent to the universal and positive, and black to the negative and particular (Dyson 1999, 220).

This economy of race was not limited to the symbolic dimension. Political subjects in America were presumptively constructed as white. Only whites could be true political subjects and, by extension, real Americans. It was whites who embodied the universal, and therefore lacked the particularistic, group-based interests of non-whites (Goldberg 1993). Thus, whatever the guarantees of the Constitution, the actual price of admission to full American citizenship was whiteness (Hurtado 1998).

The racialized barriers to meaningful political participation led to an array of white privileges rarely acknowledged as such. George Lipsitz (1995) documents a range of such “race-neutral” benefits—from federally subsidized low-interest home loans to “urban renewal” projects that gut black neighborhoods to create upscale shopping districts for white suburban commuters—that continue to accrue in the post-Civil Rights era. The economic value of such benefits to whites exceeds the cost of affirmative action and related programs by orders of magnitude. Combine these positive benefits with the relative freedom from negative state-sponsored scrutiny (police harassment, for example) enjoyed by those who can pass as white, and the privileges that accrue to whites as a group, however unevenly distributed to white individuals, are vast indeed.

These benefits, however, historically have remained below the level of white consciousness—despite being obvious to those who do not enjoy them—because of the invisibility of whiteness as such and because of the radical “inadequacy of the language of liberal individualism to describe collective experience” (Lipsitz 1995, 381). Most white privilege is thus doubly invisible. This invisibility has allowed for what might be called a politics of non-identity by whites. On this view the North-South reconciliation via the establishment of passive white privilege became the model for assimilating European immigrants. The usually unspoken proviso was that European ancestry is the necessary (though not sufficient) prerequisite to becoming American in the sense of a “real American.”

White privilege, however, is never completely invisible. Under threat, for example from intra-white conflict, or in localities where non-white
majorities emerge, whiteness appears as a distinct and identifying category (Hurtado 1998, 228; Fine 1997, 63). The Civil War was certainly such a context. The aftermath spurred the new intra-white coalition, the visible residue of which was Jim Crow. The unintended consequence of the Jim Crow system was that the very laws designed to guarantee white privilege also made it visible. De jure segregation offered a plausible initial focus for the Civil Rights Movement—a focus that drew on the discourse of liberalism and the rights of American citizens even while recruiting blacks to a race-based identity politics.

Identity formation, at least in the sense of group self-consciousness, is the indispensable prerequisite for group mobilization. Identity flows from two sources. The first is an awareness of in-group social substitutability (Kelly 2000). Social substitutability means recognizing that for specific purposes one is interchangeable with some people and not with others (e.g. any black man on the wrong street is potentially subject to police harassment). The second is the proximity of an out-group, the members of which are socially substitutable for each other, but for whom no member of one’s own group is substitutable as such. But even here it is important to remember that whiteness itself is a situationally revocable status—as the rare cases of the lynching of ostensibly white individuals indicate. Invariably the individuals lynched had forfeited their white privilege through actions that were seen to take civil rights too seriously. Taking this stand made these individuals race traitors in the eyes of those attempting to preserve institutions of white supremacy.

On the horizon of identity politics is the ability to recruit a socially significant number of categorical group members to join or support identity-based social movement organizations. African Americans pioneered the twentieth-century form of identity politics in the United States in response to Jim Crow—drawing on both the discourse of individual rights and an appeal to blacks based on a common experience of racialized oppression. If a shared experience of ex officio violence was the substrate of black experience, the hope of changing segregation laws in the wake of Brown v. Board of Education became the rallying point for mobilization. The visibility and success of desegregation efforts in turn became the basis for the construction of a wider African American identity.

But the ironies of identity are many. Even as the very laws intended to cement white solidarity and insure white privilege became the visible targets for civil rights activism and black identity politics, black identity politics, once constituted, became a highly visible and morally salient model for political mobilization of all sorts. Politics, as Benedict Anderson (1983) has argued with respect to the spread of the nation-state as an idealized political form, is modular. Once a particular form is seen to succeed, it
becomes susceptible to imitation. The identity politics that emerged in the United States in response to a shared (if never identical) experience of racism became the prototype for the so-called new social movements of the 1960s and 1970s (Larana, Johnston and Gusfield 1994)—as well as for many less acknowledged social movements of the right, including the Christian right and what I refer to as white nationalism (Foss and Larkin 1986; Diamond 1989, 1995; Berlet and Lyons 2000).

These new movements recruited activists through appeals to a shared experience of oppression and attempted to exert moral and legal pressure on the larger society by agitating for fair treatment and increasingly for the sine qua non of identity politics as such—recognition. Far from being a simple prop to battered egos, recognition is the key to ongoing participation in a particular kind of politics—the kind that depends upon predictable constituencies making relatively predictable claims on the state. To a certain extent this politics of group recognition has reorganized the social and legal policy structures of the United States, supplementing legal rights accorded to individuals and corporate entities with collective entitlements based on categorical membership.

By any aggregate measure, the actual value—economic, social, or political—of these collective entitlements as currently constituted, for example affirmative action, equal pay and non-discrimination laws, hate crimes statutes, and official “recognition” events such as Black History Month, have been relatively slight compared with the structural advantages accorded by white privilege. Though symbolically important—and not trivial in consequences for the specific individuals who have benefited—these entitlements certainly have not been sufficient to redress the actual lived experience of racism, were such a thing even possible, on a quid pro quo basis. They are, however, important in creating and maintaining constituencies that can be counted as predictable voting and advocacy blocs, potentially in support of a wider political agenda. The price of course is that these collective entitlements become a visible target for both individualist and white nationalist counter-organizing.

As noted above, white privilege under most circumstances remains invisible to whites. Furthermore, it has been argued that the mere existence of collective entitlements has generated deep resentments in the majority white population, both because such entitlements are seen as a departure from a liberal/individualistic tradition of fairness and meritocracy, and because white people typically have an unrealistic assessment of such collective entitlements. Carol Swain argues that “the actual harm done to nonminorities by affirmative action is small, yet the policy causes great anxiety among whites, who have an exaggerated fear that they may become its victims” (Swain 2002, 136). Borrowing a finance metaphor, she
describes such anxieties among whites as "highly leveraged." Hugh Graham (2001) implicitly reveals similar concerns when he carefully calculates the value of affirmative action programs, such as minority set-asides, but makes no attempt to compare the cost of such programs with that of exponentially more lucrative programs (e.g., low-interest home loans, freeway construction, and urban development) that continue to privilege white Americans as a group (Lipsitz 1995). These taxpayer-funded benefits are rhetorically constructed as being for the "common good," and whites as just happening to benefit disproportionately from them.

Assessments such as Swain's and Graham's suffer from either a structural naïveté concerning the real benefits of whiteness and/or an undue reliance on the opportunistic arguments of white nationalists. Point in evidence: both Swain and Graham reference bestselling movement author Peter Brimelow without contextualizing his ideological proximity to white nationalism. Swain writes, "Even Peter Brimelow, a senior editor at Forbes magazine, has stated that 'the most amazing thing about current immigration policy is that it serves no economic purpose. It does nothing for Americans they could not do themselves.' Thus, even some of America's current and future elite agree with white nationalist leaders that immigration into the United States should be stopped" (Swain 2002, 103).

It seems not to occur to Swain that Brimelow could be both a respected journalist writing for an elite economic publication and a supporter of white nationalism. Though he denies the label for himself, Brimelow certainly considers the white nationalist viewpoint as part of legitimate political discourse—as he has made explicit on his V-Dare website (Brimelow 2004).

While collective entitlements like affirmative action may well be seen to supply white nationalists with rhetorical ammunition, the essence of white nationalist politics is found elsewhere. Swain at least is well aware of this. She elegantly summarizes the basic philosophy of white nationalism as follows:

The main reason black people today are plagued by such high incidence of criminal violence, out-of-wedlock births, poor school performance, and AIDS is rooted in their differential genetic endowment. The process of human evolution, as it has adapted to different ecological circumstances, has produced, they contend, a distinct racial hierarchy in terms of innate intelligence, the ability to delay gratification, to control emotions, and to plan for the future. (Swain 2002, 18)

This view, so evident at the American Renaissance meeting described above, has been well developed by movement-friendly scholars, some tenured at prestigious institutions. Two of these are City University of New York Professor of Philosophy Michael Levin (see, for example, Levin
1998) and J. Philippe Rushton, a psychology professor at the University of Western Ontario (e.g. Rushton 1995). Since 2002, Rushton has also been president of the controversial Pioneer Fund. Notorious for its Nazi-era funding of eugenics research, Pioneer maintains close ties with both contemporary racial science and anti-immigration and white nationalist organizations in the U.S. (Tucker 2002). For example, Pioneer has provided funding to the sector C organization Federation for American Immigration Reform (FAIR), the largest anti-immigration group in the country (Center for New Community 2004a, 3-4).

Contrary to Swain, and based on the sheer weight that white nationalists give to issues in their conferences and publication, they are not primarily upset because they think they are being treated unfairly, but at the prospect of the loss of a white majority and the civilization they believe to be tied ineluctably to it. While arguments about “reverse discrimination” are deployed for mainstream appeal, the core ideology of the white nationalist movement is not directly derived from concern over the fairly minor impacts of affirmative action—except in the sense that the politics of affirmative action do threaten to expose white privilege as such.

There is, however, an element of identity politics which has been particularly energizing to white nationalists and which, along with the changing demographics, is driving the emergence of a new politics of white identity. That element is not, as Swain would have it, primarily concentrated in resentment at collective entitlements. Nor is it grounded in a simple perception of direct economic “threat”—for example, from labor competition with newly-arrived brown-skinned immigrants—as common sense assumes and anti-immigration groups like Federation for American Immigration Reform (FAIR) argue (Alvarez and Butterfield 2000; Hood and Morris 2000; Eatwell 2000). Rather, the principal connection of black and other minority group identity politics to the emergence of white identity politics has been (1) modular, as a political and cultural form to be imitated, and (2) the visible political target of a white backlash.

IV. Current Prospects: Whither Now for White Nationalism?

“Suppose,” wrote Peter Brimelow in the preface to a second edition of his controversial bestseller Alien Nation, “I had proposed more immigrants who look like me. So what? As late as 1950 somewhere up to nine out of ten Americans looked like me. . . . In those days, they had another name for this thing dismissed so contemptuously as ‘the racial hegemony of white Americans.’ They called it ‘America’” (Brimelow 1996, 59). In rhetoric of this type the white nationalist movement makes the presumptive (but invisible) whiteness of America visible.
Especially since the Civil Rights Movement made old-fashioned white supremacy a losing proposition, whiteness as such has been most formidable as a social force not when embodied in cross-burning Klansmen, but in appeals to colorblind values and liberal individualism. White privilege has been largely invisible since the mid-1960s and vehemently denied by whites during moments of racial confrontation such as the O.J. Simpson trial, the L.A. riots, and the Willie Horton campaign advertisements. In the face of both the demographic transition to minority status and the identity-based mobilization of blacks and other non-white minorities, white nationalists are choosing to risk the exposure of white privilege in order to construct an explicitly white identity politics. For committed white nationalists the exposure is a necessary risk, calculated to use the extant state institutions as a means to preserve white privilege and halt the demographic transition. Even solidly mainstream figures such as Brimelow and celebrated political scientist Samuel P. Huntington (about whom, more below) have embraced positions on immigration virtually identical to those found among open white nationalists.

In analyzing the prospects for white nationalist influence on immigration policy, it is instructive to briefly consider the impact movement ideas have had on the politics of affirmative action and other collective entitlements. American courts in recent years, for example in the Bakke, Croson, and Wygant cases, have tended to rule that all such programs potentially amount to unconstitutional affronts to the individual rights of whites, even while acknowledging the structural divide in terms of wealth and other privileges between whites and others (Lipsitz 1995, 383). These rulings suggest that the divide between explicit white identity politics and liberal individualism as embodied in rights-based political claims does not necessarily translate into divergent political outcomes (or policy). No matter how much mainstream liberal individualists and white nationalists may claim to loathe each other, their positions are not necessarily at odds on practical matters. In fact it is safe to say that at key moments of threat to white privilege, a usually invisible white identity tends to manifest not as a displacement of liberal individualism, but as a supplement that explicitly rejects white nationalist arguments even while creating and enforcing policies in accord with white nationalist goals.

This brings me back to the number one policy area of the white nationalist movement: immigration. Predicting the likely shape of future politics is an exercise in prognostication, not social analysis. Nevertheless, certain trends can be identified and certain possibilities identified. As Samuel P. Huntington, the chair of the Harvard Academy for International and Area Studies, put it in a recent article: "Actual and perceived losses in power and status by any social, ethnic, racial, or economic group almost always pro-
duce efforts to reverse those losses” (2004, 41). Though this basic idea is a
truism in social theory, and surely correct, Huntington manages to radically
degraded into his article and invite inappropriate comparisons.

“In 1961,” Huntington continues, “the population of Bosnia and Her-
zagovina was 43 percent Serb and 26 percent Muslim. In 1991, it was 31
percent Serb and 44 percent Muslim. The Serbs reacted with ethnic cleansing.
In 1990, the population of California was 57 percent non-Hispanic white and 26 percent Hispanic. By 2040, it is predicted to be 31 percent
non-Hispanic white and 48 percent Hispanic. The chance that California whites will react like Bosnian Serbs is about zero. The chance that they will
not react at all is also about zero” (2004, 31).

But if the chance of Californians reacting “like Bosnian Serbs” is neg-
ligible, then why bring ethnic cleansing into the argument? Rhetorically the
reason is clear enough: Huntington is very concerned about “Hispanic immigration” and wants his readers to take the situation seriously. Yet even
the comparison, implying as it does that ethnic cleansing somehow fol-
lowed inevitably from the brute demographics in the former Yugoslavia, is
simply wrong. Ethnic cleansing in Bosnia, as in other parts of the former Yugoslavia, was driven by the nationalist posturing of competing political factions, each trying to out-jingo their competitors with essentialist propa-
ganda and stir up passions with atrocity stories (Bowman 1994). Only an
anti-realist mentality, seeking to wish away demographic truths—the way
that Huntington seems to want to wish away the United States’ border with
Mexico—would reduce the situation to demographics alone. I refer to this as
demographic dystopia, a situation wherein social constructs like “white
Anglo-Protestant” and “Hispanic” are essentialized and reified as a basis for
fear mongering. This can lead to a truly bizarre style of thinking, for exam-
ple when Huntington complains, apparently with a straight face, that “In
Miami, one study found, families that spoke only Spanish had average
incomes of $18,000; English-only families had average incomes of
$32,000; and bilingual families averaged more than $50,000” (2004, 39).

In the case of California, Huntington goes on to explain that there has
already been a reaction to the changing demographic realities. That reac-
tion, however, has not been ethnic cleansing, but anti-immigrant ballot mea-
sure initiatives, most famously 1994’s Proposition 187. Strongly supported
by then-California Governor Pete Wilson and approved by 59 percent of all
voters, Prop. 187 intended to deny most social welfare benefits, including
access to public education and non-emergency medical care, to immigrants
who lacked documentation.

Close analysis of exit poll data in a number of studies has suggested
that the large margin of victory for Proposition 187 was in fact driven by
exactly the sort of white backlash against Hispanic immigrants described by
Huntington. Though African Americans also supported the measure in significant numbers (44 percent), it was white Californians who, both in raw number of votes (about 80 percent of those actually voting) and proportion of yes votes (63 percent of white voters), led to the margin of victory (Weintraub 1994, A1). When questioned about their reasons for supporting the measure, white voters explained that it was not personal financial concerns that drove them, but concern for the financial health of the state as a whole and an unwillingness to contribute to a social safety net they feared was benefiting alien others (Alvarez & Butterfield 2000; Hood & Morris 2000).

Yet the results were ambivalent. Many voters cited a complex of reasons for the way they voted, including protest against the status quo and support for the rule of law. Huntington's alignment of the vote on Proposition 187 with ethnic cleansing in Bosnia is disturbing in that it makes both events seem like inevitabilities grounded in racial essence instead of the result of political maneuvering. Sam Francis, a kind of living weathervane for the white nationalist movement until his death in 2005, wrote of the California proposition: "That proposition was far more controversial than Ollie North or the role of the religious right, and unlike them, it will remain with us, shaping the practical politics and the impractical political conversation of the nation, for decades to come" (Francis 1997, 212).

Whatever Francis and other white nationalists might hope, it is a critical mistake to see the vote on Proposition 187 as a simple, unmediated reaction to changing demographics. Rather, it was a complex mixture of reaction and interpretation related to competing and contested stories about what it means to be American and Californian. Hardly a spontaneous uprising of the people of California, Proposition 187 was driven largely by funding and strategy provided by national anti-immigrant organizations. The Federation for American Immigration Reform (FAIR)—a sector C organization which leans toward sector A white nationalism in both ideology and aspects of its leadership—poured $150,000 into the Yes on 187 campaign in its final week and arranged for some 300 radio advertisements supporting the proposition (FAIR 1994, 1). Like ethnic cleansing in the former Yugoslavia, anti-immigrant ballot measures are driven by ideological posturing and selective interpretation of data as much as by brute demographic facts.

This is not, of course, to suggest that demographic facts are unimportant or infinitely malleable. Nor is it to argue that current immigration policy is optimal. Rather, it is to point out that neither demographic dystopia nor white nationalist-style essentialism is an automatic response to current patterns. Both can and should be contested (about which, more below) when they are manifest in efforts such as Arizona’s Proposition 200, the Arizona Taxpayer and Citizen Protection Act.
The first major anti-immigrant ballot measure initiative to pass since Proposition 187, 200 may well herald a wave of future state-level anti-immigration politics. Approved by about 56 percent of Arizona voters in 2004, 200, like 187, was strongly supported by both doctrinaire white nationalists and sector C anti-immigration groups. In fact a coalition of national anti-immigration groups, including FAIR, provided much of the funding to get Proposition 200 on the ballot (yesonprop200 2004). A veteran white nationalist ideologue, Dr. Virginia Abernethy, was chosen as the chair of the national advisory board of Protect Arizona Now, one of two rival pro-200 groups (Center for New Community 2004b). More Astroturf than grassroots, Arizona’s Proposition 200 no more represented a spontaneous uprising of citizens than did California’s 187—but obviously its message was one to which Arizona voters were at least somewhat receptive.

What Proposition 200 represents is a strategic refinement suggestive of where the anti-immigration movement, and with it white nationalism, is currently headed. As of autumn 2005, copycat initiatives are being pushed in Colorado and California, and a similar measure, I-343, is already on the ballot in Washington State. Other states including Massachusetts, Nebraska, Nevada, Oregon, and Utah are gearing up to put 200-style measures on the ballot, and several state legislatures may attempt to pass equivalent legislation.

Learning from Proposition 187, which included sweeping language suggesting that California had the right to deny public benefits to people based on their immigration status—language subsequently found not to pass Constitutional muster—, the new ballot measures aim to insist on the enforcement of existing federal law and to raise the bar for benefit eligibility. The pattern is similar to that found in anti-gay and lesbian politics. The new anti-immigrant propositions are more like the “defense of marriage” measures that have now passed in many states than like the sweeping condemnations of all things “homosexual” found in anti-gay and lesbian ballot measures pushed in Oregon and Colorado in the early 1990s. Like the defense of marriage laws, the aim of these initiative campaigns is to help build constituencies and to preempt the expansion of benefits for immigrants, not to substantively reform existing policy.

A realistic assessment of the status of white nationalism takes the politics embodied in the new ballot measure initiative seriously without falling prey to histrionics of the type used by Huntington. Despite some success with anti-immigrant ballot measures, and despite the fact that immigration policy is likely to be a significant point of fission in the Republican Party in years to come, white nationalists are obviously not in a position to seize significant state power. The prospect for white nationalists, as with social movements of all stripes in the United States in recent decades, is not
a triumphant sweep into office, but the infiltration of their ideas, particularly with respect to immigration policy, into the mainstream via their coalition partners. The fact that mainstream intellectuals like Huntington and Brimelow end up supporting key aspects of the anti-immigrant moment of white nationalism—and even critics like Carol Swain seem predisposed to placate rather than to challenge the assumptions of the movement—should signal that there are significant social forces at work here, the interpretation of which will ultimately be as much contested on the ground as inferred from available evidence.

V. Thinking Citizenship and Identity: Toward a Response to White Nationalism

Though other issues are important to understanding white nationalism, for example biological determinism of human capacity, immigration is the central policy and organizing issue for contemporary white nationalists. Thus any response to white nationalism must focus on immigration policy and the politics that surrounds it. Yet this presents a dilemma, for many of the tactics deployed in the past to address what are sometimes referred to as the politics of bigotry — (1) quarantine, (2) moral suasion, (3) mobilizing constituencies in “natural” opposition, and (4) peer-based organizing — are liable to fall flat when used to confront white nationalists in anti-immigration clothes. Though aspects of the tactics noted above may be viably adapted to confront white nationalists, the key will be a willingness to address basic issues linked to American identity and citizenship. In practical terms this means a mode of analysis that takes issues of identity and belonging—what it means to be a “real American”—seriously and a politics that aims at creating broad coalitions in favor of reforming institutions to better meet people’s needs. Below I will briefly address the strengths and weaknesses of each of the four models of opposition and how they can or cannot be made to speak to the challenge of white nationalism.

(1) The most centrist response to the politics of bigotry has been quarantine. The idea of political quarantine is to ignore events sponsored by bigoted organizations in the hope that without opposition such groups will be denied the element of spectacle that they depend on to attract media coverage and public interest. Always morally suspect in that this tactic leaves the most vulnerable populations to confront doctrinaire bigots without mainstream support, quarantine works best when the targeted group is small and isolated. It rarely succeeds in its primary objective of denying organized bigots media coverage because there will always be those who, for whatever reason, refuse to accept such tactics. This leaves a form of street theater in which often violent confrontations between neo-Nazis, for
example, and young anti-racists end up being presented to the public as an incomprehensible clash of extremists.

In the case of white nationalism embodied in its opposition to immigration, any simple form of quarantine is irrelevant. As the ability of sector C anti-immigration groups to raise millions of dollars annually and pass anti-immigration ballot measures indicates, this movement is neither small nor marginal, even though those committed to an ideologically explicit form of white nationalism are a minority in the larger anti-immigrant movement. Yet the allure of quarantine can be found even in the responses to anti-immigrant ballot measures.

The argument goes thus: Americans are allergic to any discussion of race or bigotry and tend to vote their pocketbooks. Hence, the best way to respond to anti-immigrant politics is by making strenuous claims that immigrants benefit the economy and are a net plus to America. This quasi-quarantine approach—responding to the anti-immigration campaign without responding to the subtext of racially charged anti-immigrant politics—ends up leaving the most emotionally powerful arguments of the white nationalists unchallenged. Worse, it allows people to vote in favor of anti-immigrant measures without engaging their own values with respect to democracy, fairness, and support for better institutions.

(2) Thus quarantine, even the quasi-quarantine of opposing white nationalist-inspired anti-immigrant politics, is liable to be ineffective. Moral suasion, the appeal to what is fair, right, and just, often embodied in campaigns that encourage people to “Say No to Hate,” is somewhat more promising. The basic difference between quarantine and moral suasion is that the former proposes a kind of conscious isolation, while the latter involves active efforts, usually non-confrontational, of denunciation. Campaigns grounded in tactics of moral suasion attempt to isolate targeted organizations not by ignoring them, but by recruiting both prominent public figures and large numbers of engaged citizens to take a public stand either through petitions, through symbolic acts such as wearing ribbons or putting up posters, or at public events.

Sometimes effective in opposing the most isolated and extreme groups, moral suasion is less effective when used to confront non-state sector C actors or even disciplined sector A actors. This can be seen in the history of the Civil Rights movement, in which activists used direct action in the South in an attempt to garner support in other parts of the country, inviting outsiders to join in the moral project of fighting for equal rights. However, the tactic depended on Southern authorities’ responding immoderately, meeting peaceful marchers with police dogs and fire hoses. Movement tactics were least effective in communities where local authorities
responded in restrained and minimal ways to civil rights activists—a case in which moral suasion as tactic was countered by quarantine.

Moral suasion as such is almost always less effective when applied by one political faction against another, rather than against entrenched state or local authorities. This is so for the simple reason that political factions, unlike states and localities, lack the resources to respond to adversarial provocations. The moral message usually works only if the targeted group already has a history of violence and/or intemperate rhetoric.

However, moral suasion can work in responding to the anti-immigration movement through demands that (supposedly) mainstream organizations reject appeals to fear of the Other and reject those doctrinaire white nationalists who have been central to organizing their movement and who are often centrally embedded in their organizations. Of course such demands must be factually accurate and backed by broad, centrist coalitions. They must also apply relentless pressure, making the implicit claims of sector C actors visible as a form of white identity politics by reference to the explicit rhetoric of sector A actors. Otherwise such efforts do no more than invite anti-immigration groups to hire better image consultants.

Further, opponents of white nationalist-inspired anti-immigrant organizing must be ready to step up and propose immigration reforms that strengthen American institutions while according new arrivals respect and dignity. This will mean pushing for controversial policies that have been made controversial largely through the xenophobic advocacy of white nationalists and their allies. The exact nature and extent of such policies is beyond the scope of the current discussion, but they must surely include such things as offering driver’s licenses to—and requiring insurance compliance of—permanent residents regardless of immigration status, offering federal support for basic services in areas disproportionately impacted by high levels of immigration, and re-thinking affirmative action as it applies to immigrants in order to better target communities truly in need. Moreover, in the long run it will be vital to pursue policies that promote responsible economic development, the expansion of opportunity, and the enforcement of labor laws and environmental protection in Mexico and other immigrant-sending countries.

(3) Perhaps the most common tactic used in response to far-right electoral politics, mobilizing constituencies in natural opposition to a policy or ballot measure involves convincing a core of those who have the most to lose, or whose ideological position is most antithetical, to become actively involved in opposition. This tactic is almost always necessary, in that every political campaign needs a core of activists and volunteers, but it is also never sufficient. This tactic was used, for example, in organizing opposition to the anti-gay and lesbian ballot measures sponsored by the Oregon Citi-
zens Alliance (OCA) in the early to mid-1990s. Liberal Democrats, pro-
gressive religious organizations and, most of all, gays and lesbians
themselves were recruited to do the footwork for these campaigns. In the
case of anti-immigration policies and initiatives, the target populations in
"natural opposition" are much the same. Immigrants rights groups and
immigrants themselves—and those who might identify with recent immi-
grants or be affected by anti-immigrant politics such as Mexican-Ameri-
cans—replace gays and lesbians on the front lines.

The limitations of this model of response are clear enough: by them-
selves these "natural opposition" populations rarely constitute a plurality,
much less a majority. What is more, to the extent that such contests can be
cast as anti-immigration extremists (or even white nationalists) on the one
side and immigrants on the other, the campaign becomes entangled in argu-
ments about opposing interests. These are usually cast in economic terms
and tend to leave the deeper issues of identity and citizenship untouched.
The economics of immigration is intrinsically a mixed bag. There are both
losers and winners for any given locality or subset of the population, even
when immigration tends to be a plus for the United States as a whole. Even
if immigrants are a net benefit for the country at the national level, this does
little to offset the real problems faced by localities struggling to provide
public services to large numbers of newcomers. In order to form broad-
based coalitions against anti-immigrant policies, key constituencies will
have to address these local issues at the same time that they point out the
white nationalist implications of the proposals stemming from most of the
extant "immigration reform" organizations.

(4) Finally, there is what is called peer-based organizing. Whereas nat-
ural constituency organizing seeks to recruit those most impacted by white
nationalist and other xenophobic or bigoted politics, peer organizing targets
those in analogue organizations or social positions. Historical examples
have included recruiting youth involved with the punk and ska music scenes
to oppose neo-Nazi skinheads and mainline religious groups to fight the
Christian Right. The idea is that such peer groups have both a stake in get-
ing involved and a viable position from which to intervene. Peer-based
opponents are presumed to have credibility with constituencies that might be
vulnerable to recruitment, either ideologically or because of social
proximity.

In the case of the white nationalist and anti-immigrant movements,
peer-based organizing is a potentially effective tactic. However, it will
tant a huge amount of work because of the multifaceted nature of the
movement. For example, a bipartisan coalition of lawmakers in North Caro-
lina attempted to pass a modest institution-strengthening law to allow the
children of undocumented immigrants who had attended high school for
four years in the state, graduated, and applied for legal immigration status, to pay in-state tuition rates at North Carolina colleges. The measure was stopped largely by political pressure emanating from a local organization, Americans for Legal Immigration, which models its rhetoric and tactics on those used by national organizations such as FAIR (Center for New Community 2005). In order to respond effectively to this one effort, peer organizers would have had to reach out to parents, students, administrators, and others concerned with higher education. And this instance was just one small battle in the current contention over immigration.

In order to use peer-based organizing, many peer groups will have to be mobilized, and often in unfamiliar ways. The ideological leadership of the key white nationalist organizations, for example, is largely composed of tenured academics on the one hand and scholar-journalists on the other. Peers in academia and at the elite levels of American journalism may be reluctant to respond, more or less unconsciously employing a quarantine strategy. Instead white nationalists, through their sector C connections, are attracting the support of mainstream figures—albeit those like Huntington who are prone to polarized thinking—and there is a certain bandwagon effect: witness the recent turn of former new leftist turned conservative David Horowitz to the cause (SPLC 2003).

In order to be effective, peer-based organizing has to target not only the immediate peer group, but also those positioned nearby. Thus anti-racist youth active in the punk and ska scene did not limit their organizing to others in these circles—that is, those who regularly came into contact with neo-Nazi skinheads. Instead they reached out to other youth through broad “rock against racism” efforts and invited mainstream bands and media outlets such as MTV to join in the fight. Similarly, academics and scholar journalists will have to respond within their own disciplines and sub-disciplines, as they are directly affected by white nationalist ideas and reach out to a larger audience of critically engaged citizens.

What holds true for journalists and scholars is equally true for other “peer” constituencies, including labor unions, teachers, hospital workers, police officers, and immigration enforcement officials, all of which are groups that have been targeted by the anti-immigration movement. Successful intervention in these groups will require organizers to be willing to propose realistic alternatives to the white nationalist message—that is, alternative ways to reform immigration—and to point out the basic injustice and unrealistic nature of current anti-immigration strategies.

At some point, however, the anti-immigration ballot measures target the American population as such, and in particular (though often only implicitly), white middle-class Americans, as well as those who identify with or aspire to such status. There is no simple peer or pressure group
corresponding to this constituency. To respond to messages at this level will require a sustained public campaign targeting white nationalist ideas, pointing up the racist underpinnings of much of current anti-immigration policy proposals, and a willingness to propose alternatives even if they upset the status quo. Yet without a sustained public debate on what it means to be American, white nationalist-sponsored initiatives re-inscribe whiteness upon American identity and citizenship. This politics of whiteness, both implicit and explicit, is liable to continue to seep into the political mainstream, following the sector A to sector C path to policy influence and rhetorical inclusion in the public sphere, unless vigorously countered by those concerned with issues of justice and democracy.

VI. Conclusions, or Redux without Reductionism

Herein I have argued that a close study of white nationalism—a politics grounded explicitly in biological notions of white racial superiority—affords a unique and revelatory view of current tendencies in racial politics. While mainstream (which is to say, white-dominated) institutions tend to obscure the reality of white racial privilege behind a rhetorical wall of individual rights, white nationalists openly pursue an identity politics that makes white privilege visible. They do this precisely because they see white privilege, white culture, and white-controlled resources as being under attack, most ominously by the immigration-driven demographic trends that they fear will result in the end of a white majority.

Unlike many of the white racialist movements of recent decades, the new white nationalism pursues a realist politics via alliances with anti-immigration groups and makes de facto (and counter-intuitive) common cause with the very white liberalism it purports to despise. Racist movements of all types, contrary to their popular image, have always attracted individuals from all kinds of backgrounds. The new white nationalism, however, is remarkable for the number of well-positioned individuals it has attracted. These scholars and journalists support the white nationalist agenda through racial research and writing that lends the movement a patina of mainstream respectability.

Though the white nationalist movement itself is small, its obsession with changing demographics is potentially explosive. Note that the explosiveness of the issue is not proportionate to the actual threat to white privilege. Race is a biological essence only in white nationalist imaginings. Whiteness in the United States is a social status much like aristocracy: It has social importance only as it provides privilege, and an accepted claim to white privilege is tantamount to whiteness. As has happened many times in the past, for example with the Irish and Italians, new groups can be assimi-
lated to the political category that is whiteness—at least as long as the basic
dynamic of white racial status is available by contrast to structurally disad-
vantaged groups, classically blacks and increasingly also a segment of the
recent immigrant population. Thus “whites” are likely to retain power and
privilege even as a minority—as they do in many majority black areas, such
as Mississippi. But the threat of demographic decline, refracted through
racialized fears, is all too likely to matter for social movement mobilization
and immigration policy. The possibility of further polarization in the United
States, with geographic segmentation increasingly mapped as a racial divide
between multiracial, multiethnic urban centers and a white heartland, is too
real. White nationalists are even now attempting to exploit the ways in
which we collectively imagine the changing demographics in furtherance of
their agenda. The primary policy area in which these white nationalists
attempt to have an effect, largely via alliances with mainstream groups, is
immigration.

This policy focus allows a strategy of engagement with what I have
referred to herein as sector C actors—those that approach issues of demo-
graphic change, privilege, identity, and particularly immigration through a
politics that eschews explicit race-based rhetoric and pursues electoral and
pressure-group tactics. The explicit white nationalists provide intellectual
leadership and offer their willingness to say the things that more main-
stream organizations like the Federation for American Immigration Reform
(FAIR), will not. Mainstream organizations benefit in a double sense—by
seeming moderate in comparison, and by bringing those individuals who
are open to more explicitly racist views into the larger movement. Unlike
sector B actors who either use or have been known to use violent tactics,
such as the various incarnations of the Klan, and those that celebrate vio-
rence, such as the National Alliance, the new white nationalists make plau-
sible allies for the mainstream actors, at least as relates to the key policy
area of immigration.

White nationalists may not be in a position to seize state power, but
their current politics are not oriented to this end. The new white nationalists
have a non-utopian praxis aimed at preserving “white civilization” as guar-
anteed by the “white gene pool” by restricting non-white immigration. In
effect they organize in the name of whiteness to preserve the power and
privilege they already have. The wave of anti-immigration ballot measures
positioned to roll through the states in the wake of Arizona’s Proposition
200 is testament to the potential impact of white nationalist ideas and
organizing.

The success of these efforts remains to be seen, and as always will
depend largely on the effectiveness of the response. I have briefly argued
that traditional modes of response to the politics of bigotry—quarantine,
moral suasion, natural constituency organizing, and peer organizing—must be re-thought and expanded if they are to be effective in responding to white nationalism in its anti-immigration guise. This should be done with an eye toward producing a multi-level debate about what it means to be an American and what rights and responsibilities go with citizenship. I would add that a politics that backs away from addressing issues of identity on the one hand, or the real and widely disparate impacts of immigration on the other, is doomed to reinforce rather than refute white nationalist claims—regardless of its intentions.

NOTES

1. An earlier version of this paper was presented at a working paper at the Benjamin Hooks Institute at the University of Memphis, which provided generous support for this project.
2. See, e.g., Table 1a. Projected Population of the United States, by Race and Hispanic Origin: 2000 to 2050 (www.census.gov), derived from the U.S. Census Bureau’s 2004 “U.S. Interim Projections by Age, Sex, Race, and Hispanic Origin.”
3. This typology of responses and the discussion that follows was developed in partnership with author-activist Leonard Zeskind and first presented in a workshop at the annual Community Strategic Training Initiative held in Portland, Oregon and sponsored by the Western States Center in July 2004.

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To Charge or Not to Charge?—That Is the Question: The Pursuit of Strategic Advantage in Prosecutorial Decision-Making Surrounding Hate Crime

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For over a decade, research on hate crime has addressed the ways in which police think about, orient to, and implement (or not) hate crime law in various municipalities across the country. This work suggests that the legal mandate to enforce hate crime law brings with it definitional ambiguities related to establishing the parameters of "hate crime" in general and "motive" in particular (Bell 2002; Boyd, Berk, and Hamner 1996; Franklin 2002; Garofalo and Martin 1993; Gerstenfeld 1992, 2003; Martin 1995, 1996); political controversies surrounding hate crime and its relationship to "political correctness" in both law enforcement agencies and communities alike (Bell 2002; Boyd, Berk, and Hamner 1996; Cogan 2002; Nolan and Akiyama 1999, 2002); and organizational dilemmas connected to agency structures, resource allocation decisions, and workplace culture (Bell 2002; Balboni and McDevitt 2001; Finn 1988; Nolan and Akiyama 1999, 2002; Martin 1995, 1996; Walker and Katz 1995; Wexler and Marx 1986). Moreover, the literature on the policing of hate crime demonstrates that officers use discretion when defining what does and does not qualify as a hate crime (Bell 2002; Boyd, Berk, and Hamner 1996, Martin 1995, 1996), that the social organization of policing is consequential for how officers proceed to enforce hate crime law (Martin 1995, 1996; Nolan and Akiyama 1999, 2002; Walker and Katz 1995; Wexler and Marx 1986), and that there is significant difference in how the policing of hate crime unfolds across types of police personnel, policing units, jurisdictions, and polities (Jenness and Grattet 2004; Walker and Katz 1995).

In sharp contrast to this increasingly well-developed literature on the policing of hate crime, there is not a single published study on the prosecution of hate crime law. With this in mind, in this article we examine the ways in which prosecutors in a large heterogeneous state known for its "get
tough on crime” policies think about, orient to, and implement hate crime law. We asked prosecutors how they think about hate crimes and which factors do and do not influence their decision-making processes when deciding whether to charge a hate crime (add a hate crime enhancement). Our empirical findings along these lines provide the first glimpse of the dynamics that underlie the prosecution of hate crime.

In order to set the stage for this research, the next section reviews the conceptual terrain surrounding the term “hate crime.” Thereafter, we describe the research on the multitude of factors that shape prosecutors’ commitment to invoking hate crime law and preparedness to do so when prosecuting a crime that is arguably motivated by bias. Finally, we conclude with a discussion of the relevance of our findings for understanding both the factors that shape the implementation and enforcement of hate crime law in particular and the disjunctures between “law-on-the-books” and “law-on-the-ground” more generally.

I. Conceptualizing Hate Crime

Definitions of hate crime abound. Indeed, there are as many definitions of hate crime as there are municipalities and interest groups defining the parameters of the term (see, for example, Jenness and Broad 1997; Grattet, Jenness, and Curry 1998; and more recently, Grattet and Jenness 2005). However, in an article aptly titled “The Hate Crime Canon and Beyond: A Critical Assessment,” Jenness (2001) argues that the hate crime canon can first and foremost be described as a body of law that contains core elements that imbue the term with meaning and set the limits to meaning that—legally speaking—can be attached to the term. Specifically, hate crime law 1) provides a new state policy action, by creating a new criminal category, altering an existing law, or enhancing penalties for select extant crimes when they are committed for bias reasons; 2) contains an intent standard, which refers to the subjective intention of the perpetrator rather than relying solely on the basis of objective behavior; and 3) specifies a list of protected social statuses, such as race, religion, ethnicity, sexual orientation, gender, disabilities, and so forth. These elements of the definition of hate crime law capture the spirit and essence of hate crime politics and law in the U.S. (Jenness 2001).

Central to this conceptualization of a hate crime canon is an emphasis on prosecuting criminal activity that contains a “bias” element as a hate crime, which legitimates pursuing penalty enhancements for those being prosecuted for hate crime, as opposed to pursuing prosecution under the conventional rubric of (“just”) assault, trespass, vandalism, homicide, and the like (cf., Grattet and Jenness 2005). In Punishing Hate: Bias Crimes
Under American Law, Frederick M. Lawrence forcefully argues that this pursuit is warranted:

When bias crimes are compared with parallel crimes, something more must be said: bias crimes are worse. They are worse in a manner that is relevant to setting levels of criminal punishment. The unique harm caused by bias crimes not only justifies their enhanced penalty, but compels it. (Lawrence 1999, 175)

To convince the reader of this position, Lawrence first distinguishes bias crimes from other crimes (i.e., parallel crimes), arguing that the former are far worse than the latter because “a bias crime occurs not because the victim is who he is, but rather because the victim is what he is” (Lawrence 1999, 9). To further demarcate how bias crimes are different from parallel crimes, Lawrence (1999, 29-30) makes a distinction between “two analytically distinct, but somewhat overlapping models of bias crimes”: the discriminatory selection model and the racial animus model. The discriminatory selection model defines the crime solely on the basis of the perpetrator’s discriminatory selection of a victim, regardless of why such a selection was made. In contrast, the racial animus model focuses on the reasons for discriminatory selection (i.e., animus).

Once a distinction has been made between bias crimes and other crimes, Lawrence argues that “bias crimes ought to receive punishment that is more severe than that imposed on parallel crimes” (Lawrence 1999, 45) because “they cause greater harm than parallel crimes to the immediate victim of the crime, the target community of the crime, and the general society” (Lawrence 1999, 44). Lawrence details how guilt of a bias crime turns on the culpability of the actor, not on the results of his/her conduct; how cases can fall within the discriminatory selection model, but outside the racial animus model; and how, nonetheless, “if discriminatory selection of the group can be shown, animus can often be inferred” (Lawrence 1999 79).

This short review of Lawrence’s work, as well as work that contests his support for hate crime law (Gellman 1991; Hurd and Moore 2004; Jacobs and Potter 1998), makes one thing undeniably clear: hate crime, as a legal category, does not exist until law enforcement officials say so by addressing the question all prosecutors address: whom is it appropriate to punish? The enforcement of hate crime law requires prosecutors to engage in classification processes and procedures above and beyond those entailed in the pursuit of other types of crime (e.g., trespass, vandalism, assault, homicide, etc.) as they try to determine the motivation of a perpetrator, the context in which the crime occurred, and the best way to classify the incident. As Bell (2002, 13) explains in Policing Hatred: Law Enforcement,
Civil Rights, and Hate Crime, “bias crimes require police officers to examine not only what happened, but why it happened.” For her, then, the question becomes, how do officers make these difficult determinations?

Following Bell’s lead, we ask: How do prosecutors think about hate crime and, in particular, what informs how prosecutors make decisions about the prosecution of bias-motivated conduct? Related, how do prosecutors wield discretionary power as they decide whether to pursue hate crime charges for cases that, arguably, have an element of bias? To address these interrelated questions, we recognize that the role of the prosecutor is complex (Vinograd 2000) and that prosecutors have considerable power and discretion within the criminal justice system (Carter 1974; Gelman 1982; Jacoby 1997; Uviller 2000). Moreover, prosecutorial decision-making is influenced by, among other things, professional standards and workplace policies, ideas about the pursuit of justice, the pursuit of self-interest, risk reduction, and orientations to “social harm” and the “likeability” and “believability” of key players in a case (Albonetti 1987; Baumgartner 1992; Blumberg 1967; Frazier and Haney 1996; Frohmann 1991, 1996, 1997; Jacoby 1977; James 1995; Spohn, Beichner, and Davis-Frenzel 2001; Ohlin 1993; Wilson 1973). However, we know very little about how these factors, as well as others, influence prosecutorial action related to hate crime.

Two unpublished studies on the prosecution of hate crime provide the first glimpses into prosecutorial decision making in hate crime cases. First, King’s (2001) examination of extra-legal factors that impact whether a state has prosecuted a hate crime identified only two factors as significant predictors of hate crime prosecution: the large size of a prosecutor’s office and the presence of a state Anti-Defamation League office. Second, the American Prosecutors Research Institute (APRI 1998) national survey of prosecutors’ offices identified three factors that influenced whether a particular case was classified as a hate crime: offenders’ use of words; symbols or acts that may be offensive to an identifiable group; and statements of witnesses and offenders.

II. RESEARCH SITE, DATA, AND METHOD OF ANALYSIS

A. Research Site

To investigate the contours of prosecutorial decision-making surrounding hate crime, we focus on prosecutors throughout the state of Texas. We chose Texas as our research site for multiple reasons. First, it is one of the largest, most heterogeneous states in the country. Second, it is home to one of the most brutal and visible hate crimes in the nation—the murder of James Byrd, Jr. in 1998. Third, and most importantly, consistent with its
larger “get tough on crime” stance, Texas has one of the most demanding sets of hate crime laws in the U.S.

Hate crime lawmaking in Texas spans over a decade. In 1991, the year after the U.S. Congress passed the Hate Crimes Statistics Act, the Texas Legislature amended the Texas Government Code to require the Texas Department of Public Safety to “establish and maintain a central repository for the collection and analysis of information relating to crimes that are motivated by prejudice, hatred, or advocacy of violence” (Texas Department of Public Safety 2001). Thereafter, in 1993, the Texas legislature passed a second hate crime law by adopting Senate Bill Number 456, the Hate Crime Act. This Act provides that, if a person commits an offense under the Texas Penal Code and the defendant “intentionally selected the victim primarily because of the defendant’s bias or prejudice against a person or group,” the defendant’s punishment will increase by one offense (Hate Crime Act, 73d Leg., R.S., ch. 987, 1993 Texas General Laws 4273). Although this type of penalty enhancement has been embraced by many other states, this law is unusual insofar as it does not include specific status provisions that define the types of bias that will be prosecuted under Texas law.

In legislative sessions during the years 1995, 1997, and 1999, hate crime bills were proposed, but not passed, with much of the opponents’ energy focused on the proposed inclusion of the “sexual orientation” category. However, in 2001, almost three years after the murder of James Byrd, Jr. in Jasper, Texas, two similar bills (SB 87 and HB 587)—both titled the James Byrd, Jr. Act—passed in the Texas Senate and House and were signed by the governor. The James Byrd, Jr. Hate Crime Act became law in Texas on September 1, 2001. It articulates the following:

In the trial of an offense under Title 5, Penal Code, or Section 28.02, 28.03, or 28.08, Penal Code, the judge shall make an affirmative finding of fact and enter the affirmative finding in the judgment of the case if at the guilt or innocence phase of the trial, the judge or the jury, whichever is the trier of fact, determines beyond a reasonable doubt that the defendant intentionally selected the person against whom the offense was committed or intentionally selected property damaged or affected as a result of the offense because of the defendant’s bias or prejudice against a group identified by race, color, disability, religion, national origin or ancestry, age, gender, or sexual preference. (Tex. Code Crim. Proc art. 42.014)
B. Data

Because very little is known about the mechanisms that shape the prosecution of hate crime, this work is exploratory in nature. In order to gain an in-depth understanding of how prosecutors think about, orient to, and implement hate crime law, qualitative interview data were collected. Indeed, one of the primary reasons for conducting qualitative research is "to explore a topic about which little is known" (Padgett 1998, 7; italics in original).

A non-probability, purposive sampling strategy was utilized and yielded the seventeen interviewees described in Table 1. Interviewees were primarily district and county attorneys and their assistants who are currently practicing in Texas. A key informant guided the selection of participants during early stages of the sampling, and snowball sampling occurred in the later stages. Although the small sample size and sampling method preclude a claim of representativeness and generalizability, a cross-section of prosecutors was sought based on the following characteristics: race/ethnicity, gender, rural or urban status, and elected or assistant position.

### Table 1. Demographic Characteristics of Prosecutors (N = 16)

<table>
<thead>
<tr>
<th>Age of Prosecutors</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mean</td>
<td>46.4 years</td>
</tr>
<tr>
<td>SD</td>
<td>8.6 years</td>
</tr>
<tr>
<td>Range</td>
<td>32-63 years</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Years of Prosecutorial Experience</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mean</td>
<td>14.6 years</td>
</tr>
<tr>
<td>SD</td>
<td>7.3 years</td>
</tr>
<tr>
<td>Range</td>
<td>1.5-27 years</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>African American</td>
<td>3 (19%)</td>
</tr>
<tr>
<td>Latino/a</td>
<td>3 (19%)</td>
</tr>
<tr>
<td>White</td>
<td>13 (62%)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Gender</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Female</td>
<td>8 (50%)</td>
</tr>
<tr>
<td>Male</td>
<td>8 (50%)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Position</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Elected District Attorney</td>
<td>6 (38%)</td>
</tr>
<tr>
<td>Assistant District Attorney</td>
<td>8 (50%)</td>
</tr>
<tr>
<td>Elected County Attorney</td>
<td>1 (6%)</td>
</tr>
<tr>
<td>Prosecutor Advocate</td>
<td>1 (6%)</td>
</tr>
</tbody>
</table>
The first author conducted all the interviews in accordance with what Padgett (1998, 59) describes as a “goal-directed” approach to interviewing. Using a semi-structured interview schedule, she asked interviewees how they understand the parameters of hate crime law, how they evaluate the law, how they think about the feasibility of implementing the law, how they determine whether to file a hate crime charge and pursue a penalty enhancement, and how much experience they have had with hate crime prosecutions. She also asked them about their political beliefs, legal philosophies, perceptions of justice and the criminal justice system, and motivations for serving the state as a prosecutor. Interviews lasted approximately one hour, with a range of 45 minutes to two hours. Permission was sought to audiotape each interview and when interviews were audiotaped they were subsequently transcribed. Five of the interviewees did not agree to be audiotaped; thus their interviews were documented via handwritten field notes during the interview. Data gathering ended after sixteen interviews as saturation was achieved, that is, no new information was emerging from interviews.

C. Methodology and Data Analysis

Specifically, a comparative case study approach to the analysis was undertaken (Lijphart 1975; Yin 1984). In a comparative or collective case study (Stake 1998, 89), researchers “may study a number of cases jointly in order to inquire into the phenomenon, population, or general condition.” Each interviewee was treated as a case, one that ultimately could be combined with and compared with other individual cases. The logic of this approach is that “each individual case study consists of a whole study, in which convergent evidence is sought regarding the facts and conclusions for the case; each case’s conclusions are then considered to be information needing replication by other individual cases” (Yin 1984, 52). This method of analysis allows for pattern-matching (Stake 1994; Yin 1984) through controlled comparisons (Lijphart 1975) as a primary method of increasing internal validity. By comparing individual cases along relevant dimensions, empirical patterns and trends could be identified.

The data analysis consisted of asking questions of the data and making comparisons between the cases. First, the data were analyzed line-by-line using an open coding process that allowed concepts to emerge through discovering their properties and dimensions in the data. Factors that impinged upon the prosecutorial decision-making process were highlighted. Most of the factors were derived from the prosecutors’ own experience, as voiced during interviews, while a few factors, such as conviction rates, political affiliations, or personal attitudes did not arise from the interviews, but were brought into the research from the literature review for comment by the
prosecutors. Patterns were matched across interviews and common features began to emerge.

III. Findings

When considering whether to attach a charge of “hate crime” to a case, prosecutors engage in a decision-making process that can be stated in a single sentence: Prosecutors are seeking justice and enforcing the law by employing a standard decision-making process while pursuing a strategic advantage when deciding whether to charge a hate crime enhancement and, at the same time, denying or minimizing the influence of extralegal factors. This study found that a range of factors influence this process. These factors can be divided into two categories: those factors prosecutors readily identify as influential in their decision-making process and factors that the prosecutors denied were influential.

A. Influential Factors

1. The Institutional Triad: Facts/Law/Evidence

Prosecutors first examine each case in relation to state law to determine whether any laws were violated and to determine which charges can be filed. The most common phrases used by prosecutors to describe this part of a larger process are “the facts of the case” or the “fact situation.” As one prosecutor said, “I am driven by the facts, the facts of the offense and the background of the defendant. If the facts are there, we’ll charge.”

To arrive at “the facts,” prosecutors assess the defendant’s criminal history, the “believability” of the witnesses(es), the strength of evidence, and the relationship between the victim(s) and perpetrator(s); moreover, they anticipate how the facts will play out in front of a jury and what the defense might be. The evidence is assessed to determine whether it is strong and able to withstand the burden of proof. Prosecutors spoke of mentally checking off the evidence to determine whether they could prove each element in a court of law. Prosecutors present this portion of the process as being straightforward and objective. For example, one prosecutor explained:

When you ask a prosecutor what he is looking for in terms of whether he is going to use a hate crime law or not, it always boils down to evidence. Can you prove that this is, in fact, the motive; and, if so, then he will use the hate crime statute because it enhances the punishment. If it is a mixed thing, he may or may not use it depending on the particular facts and circumstances.
Once the basic facts of the case have been ascertained, the prosecutor moves to a process of assessing the viability of a case in terms of assumed strategic advantage.

2. Assessment for Strategic Advantage

Prosecutors were very focused on obtaining acceptable plea bargains or winning a case if it goes to trial. Although at times prosecutors would mention that securing justice is different from winning a case, once they were convinced of the defendant’s guilt, the two goals became a singular aim. Prosecutors identified multiple strategies that had an effect on the decision to add or not to add a hate crime enhancement. For instance, *decreasing the complexity* of the case and *minimizing risk* were often mentioned. One prosecutor stated it this way: “When you make a decision to use a hate crime law, you add to the complexity of the case. It’s another element you must prove that you wouldn’t have to prove otherwise. And you always run the risk of dividing a jury over that type of issue, so most prosecutors would decline to use it if the crime already had a sufficient range of punishment.”

Minimizing risk and playing it safe were mentioned by many of the prosecutors, including one who stated:

> If I believed personally that the case was racially motivated, but I thought that doing that [charging a hate crime] would detract from the actual commission of the crime and might jeopardize the guilty plea, then I would just try the case as the regular offense. The law allows us, in the code of criminal procedure, to offer anything in the punishment that the judge deems relevant for punishment. So I would probably just save that for punishment, and call witnesses to prove that and then argue to the jury that that needs to move up the range of punishment. That is the safer course.

Adding a hate crime enhancement was often viewed as acting against these preferences for keeping things simple and not “cluttering” the case. If a prior relationship existed between the victim and offender, this relationship was viewed as making the case muddier and more ambiguous; therefore a hate crime enhancement was less likely to be utilized. Often the prosecutor plans to include the bias motivation in the case without filing a hate crime enhancement to secure more punishment informally via juror outrage, rather than via a formal hate crime finding. This strategy was viewed as allowing for an inclusion of the bias without complicating the case.

In pursuing strategic advantage, the principle of obtaining the *lowest burden for the highest level of punishment* is reported to be a key factor.
Several examples offered by prosecutors illustrate this strategy. For instance, when someone is killed, prosecutors may charge serious bodily injury rather than murder because the charge of murder requires the burden of proving an intention to kill, whereas serious bodily injury requires only the proof of an intention to do serious bodily injury. Both carry the same penalty. Therefore, the charge of serious bodily injury lowers the burden of proof in relation to the punishment. Another prosecutor describes a different case using the same strategy:

You have facts where the police officer could be shot at during the course of trying to stop a robbery suspect. And the bad guy takes a shot. Under those facts you can charge the bad guy with attempted capital murder if you think you can prove beyond a reasonable doubt that he was trying to kill the policeman, knowing he was a policeman. Or you could just file aggravated assault of a peace officer, threatening with a deadly weapon. Both are first-degree felonies. If I am the prosecutor on the case, I am going with aggravated assault; my burden is easier. I want to make sure the bad guy gets his just rewards. That is the easiest thing for me to prove and the range of punishment is the same. So why make it more difficult for myself? Why get the jury thinking, “Oh yeah, no doubt he threatened the officer with a deadly weapon, he pointed it at him, but I don’t know if he meant to kill him. And I don’t know if he was shooting it up in the air.” Why make it more difficult than it needs to be, when the punishment is the same?

The burden of proving the motive adds a burden that prosecutors often find daunting and unnecessary. As one prosecutor stated: “There are so many crimes that from my standpoint I don’t understand why they happened, but I know that it [sic] does. And then to have to take that crime one step further and show, ‘What were you thinking, why did you do this?’ That can be an unbelievable burden.”

To minimize the burden of proving motive, prosecutors want the lowest burden of proof for the highest punishment range. Hate crime enhancements are precluded in first-degree felonies since that is the highest level that can be charged and the penalties cannot be further enhanced. So in the case of a first-degree felony, adding a hate crime enhancement that would increase the burden of proof without a commensurate increase in punishment generally is not viewed as being helpful. The hate crime enhancement may be more helpful at the lower levels of offenses because there is room to enhance the punishment.

Another influential factor for prosecutors is maintaining credibility with the jury. As one prosecutor noted:

When you go into a courtroom, you put your credibility on the line with
the jury. You are going to prove this fact. If you add to your charges against them, like the element that this was a hate crime, racial motive, if you can't prove that, you lose some credibility with the jury. "The prosecutor said he was going to prove this was racially motivated, and he didn't do that." And you have a weaker punishment if you ever lose your credibility with the jury. So it's a practical decision on what you charge somebody with. Can I meet my proof, or will that jury sit back and say, "He told us this and he couldn't prove it, and so I am not sure if the other stuff he is telling us is right"?

When strategizing to win, prosecutors seemed to value the product over the process. That is, strategies were focused on achieving the desired outcome, either a plea bargain or conviction; less important was which charge got them there. Again, this strategy often acted against a hate crime enhancement. While the victim's community might want the hate crime charge to make a symbolic statement, that was less important to the prosecutor than winning the case. As one prosecutor noted, "We want this guy in prison for as long as this crime deserves, and how within the law we get him there may not be as big of a concern for us as it is for the family." Another prosecutor noted the following: "If you have any sense at all, you are concentrating on what will win the case and not what might be politically correct in some other places." This assessment of the facts of the case is accomplished on a very individual, case-by-case basis.

3. Case-by-Case Lens

Prosecutors report viewing each case on an individual basis and emphasizing each case's uniqueness in the process. This approach seems to be an institutional prosecutorial lens for viewing cases. As one prosecutor noted, "You go on a case-by-case basis, and you do what is right for that case." As another prosecutor stated, "I don't speak categorically. Give me the facts, that is what I think. Each individual case, in my opinion, should be evaluated on the evidence that you have. I don't think you can say across the board, 'This is what we do in all situations,' because all situations are unique."

The individualizing of cases tends to act against the addition of a hate crime enhancement. The spirit of hate crime law encourages looking at victims as members of a larger, often historically marginalized and oppressed, group. Prosecutors tend to see both victims and offenders as individuals rather than as members of a collective group.
5. Proving Hate Motivation

What distinguishes a hate crime from other, more conventional crimes is the underlying motive for the crime. The underlying facts of the case must support a criminal charge, and then a bias motive must also be present in order for a hate crime charge to be forthcoming. Assessing the motive is different for prosecutors, for motives do not have to be proved beyond a reasonable doubt in other cases. As one prosecutor said,

We are not used to having to prove motive. Yes, it is nice to be able to tell the jury what the motive is, but that is not something we have to prove. And we are used to saying to juries, "We don't have to tell you what the motive was; we don't know; but we can show you beyond a reasonable doubt that that person did that to that victim."

However, prosecutors noted that in almost all cases the motive is of interest insofar as both juries and prosecutors are curious about why the crime happened. According to a prosecutor,

In every criminal case we try there is always culpable mental state, intentional knowing, or reckless or criminally negligent that we have to prove. What we always tell juries is that we can't open up their heads and show you what they were thinking; the law says we can infer from their conduct and the facts and circumstances surrounding the commission of the offense. You can infer from that what somebody was thinking.

Although motive plays a role in most criminal cases, it becomes the defining issue in a hate crime case. Far from the more tangible or factual evidence that prosecutors assess, motive seems more subjective and creates an increased evidentiary burden for the prosecutor.

In assessing motive, prosecutors first look for evidence that demonstrates a hate motive. They look at the status of the defendant(s) and any statements, especially epithets, that he or she may have uttered before, during, or after the crime. However, prosecutors note that epithets are suggestive, but not conclusive in and of themselves. They also look at the defendant's history of bias-motivated behavior, typically asking a series of questions that include: Is the person a member of an organized hate group, does the person have tattoos that might indicate bias, has he or she made previous remarks of a biased nature, does the individual possess literature that might document a hate motive? The prosecutors look to see if the victim and perpetrator are from two different groups based on religion, race, or other status category. That they are from two different groups seems neces-
sary, but again, not sufficient for a hate crime charge. As one prosecutor explained:

A lot of times people say racial terms or anti-religious terms when they are mad. But that might not be what motivated them to commit the offense. There has to be a causal connection between why the offense was committed before an affirmative finding of a hate crime can be made. And it has to be beyond a reasonable doubt.

An area of special interest to prosecutors is determining whether the hate motive is the only motive or whether there are multiple motives. Multiple motives muddy the water and make a hate crime enhancement less likely. If there seem to be dual motives, as for example when epithets are uttered during the course of a robbery, the prosecutors are likely to see the robbery as the primary crime and the epithets as incidental. For example, one prosecutor stated:

For all those 17 years plus that I tried cases, there is certainly name-calling and racial slurs, but often it was from the same ethnic group or they had a history, a neighbor-type thing. And where did that hatred begin? Was it because someone was of a different color or persuasion, or was it just because you are my neighbor and you really piss me off, or because of the way you do things?

In the legal literature, these multiple motive crimes are frequently discussed and debated. There is debate about whether the hate motive must be the whole reason the crime occurred (“but for”) or part of the reason the crime occurred (“in whole or in part”). Most prosecutors in this study wanted the hate motive to be the primary or sole cause of the underlying crime in order to add an enhancement. Consider how one prosecutor discussed the primacy of motivation:

I can certainly see whether a slur had been used against an individual it could suggest that a person is biased or prejudiced, but it doesn’t necessarily suggest that is why they committed the crime. You can have folks, I guess I can see the situation, where maybe you have a traffic altercation and people get upset about being treated unfairly, not with proper respect or courtesy, when they are driving. And they don’t have a clue as to if you got a man or woman, a white person, a black person, a Catholic, a Jew, whatever it is driving the car, they are just mad. And both of them get out and they have every intention at that point that they are just going to follow through. They are going to do something because they feel they have been wronged for whatever reason. So they get upset, they might commit an aggravated assault, and when they realize who it is they could also be so mad that they call him, maybe it’s a rabbi, and they call him
some negative name, based on seeing that he is a rabbi, but that is not why the crime is committed.

Determining whether the crime was committed solely and primarily out of hate is a sticking point for prosecutors. Clear-cut motives or single motives are preferred by prosecutors, and are more likely to result in a hate crime enhancement. However, in the majority of cases the motives are not clear, but ambiguous, and are not the result of a single-motive, but rather of dual or multiple motives. One prosecutor summed up many of the factors involved:

Talking about hate crimes, there are going to be degrees. There are going to be some that are crystal clear—"this is a hate crime"—and there are going to be others with gray areas. Prosecutors are going to utilize it if they think they can prove it, because it's the right thing to do. They are going to want to make the defendant accountable for what he or she did, I think. My perception is that prosecutors are more concerned about the proof problems than anything.

Proof becomes primary and proof is deemed easier when there is a single motive without other confounding factors. As one prosecutor noted, "What I think doesn't mean a hill of beans to a jury. It is what I can convince the jury that matters." Meeting the standard of proof is a chief concern for prosecutors, as is a new standard they have perhaps inadvertently created, that is, the standard of a normal crime.

5. "Normal" Hate Crimes

One prosecutor mentioned the type of cases that are especially helpful in determining motive: "I see the hate crime situation really coming into play more in those egregious, clear-cut cases, for example, what happened to James Byrd." This quote is indicative of the tendency to compare the facts and motives of a given case to landmark hate crimes. Although they don't acknowledge it directly, prosecutors measure the facts of the particular case against a "typical" hate crime. The two cases most consistently mentioned were the James Byrd, Jr. racially motivated "dragging death" in Jasper, Texas and the "gay-bashing" death of Matthew Shepard in Laramie, Wyoming. In making more general comparisons, typical cases frequently cited were cross burnings at the home of African Americans and swastikas painted on synagogues. The less similar a case is to one of these "classic" or "typical" hate crime cases, the less likely prosecutors are to be able to deem it a hate crime and prosecute it as such.

The normal hate crime standard was seen most clearly operating via
the category of gender. Prosecutors did not view gender-bias hate crimes as typical hate crimes and for the most part did not think violence against women fit a hate crime paradigm, although gender is a protected category under the James Byrd, Jr. Hate Crime Act. They attributed violence against women to motives of power and control rather than of hate (McPhail and DiNitto 2005). Additionally, prosecutors’ knowledge of the statute can greatly influence what is charged or not charged. For instance, only a handful of prosecutors knew that the category of gender was in the new list of protected statuses. Indeed, when questioned, most were surprised to hear it was in the statute and quickly went to their reference guide to double-check. Prosecutors asked, “Is gender in there?” Many were embarrassed by their lack of knowledge. One prosecutor thought the interviewer meant sexual orientation, and a lively discussion ensued about the difference between gender and sexual orientation.

6. Egregiousness of the Crime

Another factor that seems to influence the charging decision is the egregiousness of a crime. Similar to the public at large, prosecutors report being affected by the brutality of the crime. An especially brutal crime is likely to get more attention and enhancements. For instance, the James Byrd, Jr. case was often referred to, not only because of its lack of motive other than racial hatred, but because of the horror of how the crime was perpetrated. Prosecutors were likely to mention the dragging and subsequent dismemberment of his body. However, the more egregious a crime, the more likely it is to be a first-degree felony, and adding an enhancement would not increase the penalty. Therefore, egregiousness seems to be a factor in prosecutorial outrage, but not necessarily in adding enhancements.

7. Cost-Benefit Analysis

If a hate motive can be established, prosecutors quickly move to weigh the utility of a hate crime enhancement. Generally, they are performing a cost-benefit analysis. That is, they are weighing the benefits of adding an enhancement against the costs of adding an enhancement. In other words, they are weighing the strategic advantage of either including or excluding a hate crime charge.

Calculated costs include increasing the prosecutor’s burden by having to prove beyond a reasonable doubt that the crime was indeed hate-motivated and increasing the complexity of the case, which leads to fears that the enhancement could “clutter” the case and might confuse the jury. From the point of view of prosecutors, pursuing a hate crime charge adds more
work, including more careful questioning of the jury during voir dire, to the task of securing a prosecution. For example, a prosecutor noted the strong passions hate crime engenders:

The decision process from a logical point of view doesn’t change much, but the passions are so much stronger when you are talking the black, white, or sexual preference thing.

When you go into that area, you know, that there is [sic] going to be segments on one end that have strong feelings and segments on the other end that have different feelings and you know you are just walking into hot water.

On the other hand, there are benefits to using a hate crime charge. The main benefit is the sentence enhancement. That is, according to state law the punishment of the offense is increased to the punishment prescribed for the next highest category of offense, except for first-degree felonies or Class A misdemeanors; in the latter case, the sentence is not enhanced to the next level, but the minimum term of confinement for the offense is increased to 180 days (Beckham 2001). As one prosecutor described it, “If you can prove it, you get this bonus.” The other benefits as described by prosecutors are “sending a message” to potential perpetrators that hate crimes will be handled seriously, and providing a plea bargain incentive, that is, when negotiating a plea bargain the hate crime charge adds another element to push for a guilty plea in exchange for dropping the hate crime enhancement.

In order to add a hate crime enhancement, the prosecutor must believe the benefits of the charge outweigh the costs or risks. For example, an urban prosecutor described a case in which two white men set up a small drugselling operation in a predominately African American community. Several rival drug dealers, who were African American, crashed through the door of the white men’s apartment, started shooting, and stole the drugs and money. During the assault, epithets referring to the white race of the victims were shouted. The assault resulted in one of the white drug dealer’s losing an arm to a shotgun blast. The victim’s family wanted a hate crime enhancement brought against the perpetrators. The prosecutor decided against the hate crime enhancement for several reasons, as he described:

This guy [perpetrator] is going to prison for life; this is a case where I don’t need it [hate crime charge]. In fact, this is a serious injury. They shot this kid with a shotgun and took his arm off. So he [the victim] lost an arm, so he [the perpetrator] has life, and in the trial I don’t even need this stuff [hate crime enhancement]. I don’t need to cast it in a racial light. This guy’s a robber, and he picked a victim and he robbed him.
In this case the potential benefits of the hate crime enhancement did not outweigh the potential costs for this prosecutor. Since the underlying crime was serious enough to put the perpetrator in prison for life, a hate crime charge was not viewed as useful, and this was in spite of the victim’s family’s wish to have the case prosecuted as a hate crime. This case illustrated the multiple factors involved in deciding whether to add a hate crime enhancement.

8. Downstream Thinking

Frohmann (1991) described the “downstream thinking” of prosecutors in their decision-making processes. That is, prosecutors are in dialogue with the anticipated defense arguments and the potential responses of the judge and jury. This factor was readily apparent in prosecutorial interviews, although the prosecutors were less likely to mention defense arguments and judges’ decisions and more likely to focus on the jury’s response. For example, in response to a hypothetical case that could warrant a hate crime enhancement, the prosecutor first said, “What would the jury think? How would the jury view that?” As a prosecutor explained:

What scares the prosecutors is to divide the jurors. You can approach a jury with an assault, but you have questions whether it was committed just because of hate crime, that’s what caused the assault. Then you may divide your jurors and you may not get your assault because, you know, jurors are just people. And they get angry with each other and you can hear them in there. Sometimes we hear them laughing in there and sometimes, whatever, they get loud sometimes, and if you divide your jury and leave them a question, well, you could lose the whole case.

In most cases, the downstream thinking tended to act against adding a hate enhancement.

9. Sending a Message

Prosecutors’ decisions were also impacted by the desire to send a message to the community. There were two communities that their actions were directed toward: potential hate crime offenders and the victim’s community. For instance, one prosecutor stated:

I am a strong believer that there are cases that come along that need to be tried. For instance, this intoxication manslaughter coming up. I am getting sick and tired of having to handle cases in which people are killed because people are drinking and driving. I have a terribly tragic case coming up. It is not a question of guilt or innocence; the guy is a first
offender and I want to send him to prison. And I want it to be in the front of the paper and somewhere out there somebody says, “You mean they will send you to prison for doing this?” Some cases are born to be tried and some cases are better opportunities than other cases to make a difference in the community. And I think a hate crime case would be that opportunity. . . . And if we have an opportunity to take a case like that to trial and get a real good sentence, then the message is pretty clear and the consequences are pretty serious.

Another prosecutor mentioned that by adding a hate crime enhancement a message is sent to the victim’s community as well. A white prosecutor recognized that adding hate crime enhancement in a case where an African American man was shot and killed sends a message to the targeted African American communities that they will be heard and protected, and that all dominant group members do not harbor bias toward their group.

10. Prosecutorial Discretion

Another factor prosecutors consider is the deployment of prosecutorial discretion. Interestingly, prosecutors talk less about “power” and “discretion” and more about “doing the right thing” or “doing justice.” This broad category allows them a lot of leeway in decision-making, becoming the “wild card” in the deck. Although the prosecutors generally follow their decision-making processes while pursuing strategic advantage, prosecutorial discretion allows them to break with the routine procedures and standardized decision-making processes, permitting them latitude in any particular case.

Similar to Frohmann’s (1996) discussion of “hard cases,” prosecutors’ power allows them to disregard some factors or weight factors differently depending on the particular case, the environment, and the prosecutor himself/herself. A prosecutor described prosecutorial discretion this way:

It would be a very easy thing as prosecutor to just take a hard line on everything, and a lot of prosecutors do that. The safest approach is that everybody’s guilty, and go after everybody, or the other approach would be don’t take any chances. Everyone gets a great deal and you don’t have to go to trial. The real difficulty in prosecution is knowing who deserves the breaks and who doesn’t.

Or as another prosecutor noted, “We don’t smash everyone as people are not always evil, sometimes just foolish.” Prosecutorial discretion is complex and a bit mysterious. It is not possible to ferret out the multiple factors, both known and unknown, that guide prosecutors’ decisions. In some cases, the primary factor is their own moral compass.
11. Internal Moral Compass

All of the prosecutors interviewed for this study spoke of their jobs with a single voice, despite their gender, racial, and regional diversity. Time after time prosecutors spoke of “seeking justice,” “enforcing the law,” “doing the right thing,” and having a prosecutorial “mindset.” Prosecutors saw themselves as prosecuting the guilty in service to the victim, the victim’s family, and the community at large. Prosecutors often saw this as part of a bigger battle of good against evil. Although they usually prefaced their remarks with self-deprecating statements, such as “This sounds hokey,” many saw their work as casting them into “a hero” role, wearing “the white hat” or being “a knight in shining armor.” Several spoke of their work as “a calling” and a commitment to doing justice.

Another prosecutor expressed it this way:

I certainly would relish the opportunity to go after somebody who committed a crime and victimized somebody just because of their sexual orientation, or just because of race. I would love that and I would do it with glee. I would use every tool at my disposal to do it because I genuinely think that it is a worse person, a more dangerous person, who hurts someone because of who they are rather than because of drugs, alcohol, or greed.

However, “doing justice” is a complex interplay of many factors, both known and unknown. One part of the complex interplay is the prosecutors’ use of a colorblind lens.

12. Colorblind Lens

Over the course of the interviews, prosecutors expressed reluctance to focus on identities, that is, the racial, sexual orientation, religious, gender, or other categories specified in hate crime law. Their aversion to a focus on identity included victims, offenders, and even the prosecutors themselves. Several prosecutors struggled with the notion that hate crime and hate crime enhancements focus on the racial, sexual, and gender identities of both perpetrators and victims. One noted, “It is certainly drilled into our heads, and I certainly appreciate it intellectually and emotionally, the idea that equal justice for all, that justice is blind. I think there is a school of thought that says you shouldn’t look at the person, you should look at the crime.” Another prosecutor noted, “A victim is a victim to me.”
B. Non-Influential Factors

Prosecutors denied or minimized the influence of certain factors on their decision-making processes when deciding whether to charge a hate crime in addition to the underlying crime. Described below, these factors often represented sensitive areas for discussion and caused either exasperated or defensive reactions from some prosecutors.

1. Conviction Rates

Prosecutors denied that conviction rates were a major part of their decision-making process. Rather than conviction rate demonstrating a "notch in their belt," one prosecutor said:

So conviction rates tell us we are probably tending to prosecute the right people, because we send them through this filter and then with the jury we get a conviction. So we probably are more likely to have a charge in the first place if our conviction rate is 90 percent as opposed to if our conviction rate was 20 percent.

2. Electoral Politics

To a person, prosecutors denied that politics had anything to do with their decision-making processes in looking at hate crime or any other crimes. Ironically, prosecutors would frequently say that they had heard that other offices were "political," but never their own. Although prosecutors saw legislators as very political, they reported that their own decisions were entirely apolitical. An elected prosecutor noted that adding a hate crime enhancement to a case in his community would win him some votes at one end of the political spectrum and lose him some votes at the other end. Another prosecutor put it this way: "The most basic way for me to do my job is to do right. Political winds change. You get out there and you are going to be in trouble. The law and the evidence don’t change—politics do." Finally, another prosecutor explained the apolitical nature of prosecutorial decision making as follows:

If you just do what the facts demand and not be concerned about whether you are going to be re-elected or how it’s going to look to anybody, you just do what you know is the right thing to do. And you are going to be okay and the ultimate result is if you get deselected, then you have done what you can. To do anything else would really violate the conscience of the office of a good prosecutor.
3. Community Attitudes

Although community attitudes toward hate crimes in general and the groups of people that the statute specifically protects are taken into consideration in charging a hate crime, they are not persuasive. In the hate crime arena, most prosecutors believe juries would be tough on hate crime, just as they are tough on all crime. Prosecutors often anticipate the biases and beliefs of their community. One prosecutor explained:

The general feeling in this county, and I am sure around the state and other places, is one of tolerance. And while a jury might not feel that this victim’s [a gay man] lifestyle was appropriate and might have really strong feelings against it, that same juror would in all probability say, “Okay, it is not right for this guy to hit him or hurt him or various other stuff.” So it complicates the issue, but it’s not unusual in criminal law. Some husband finds out his wife is cheating and whips hell out of her. You have many people say that she shouldn’t have been cheating and she needed a good whooping. And you have others who say, “I don’t agree with her cheating, but he had no right to,” so it’s the same thing. We deal with lots of other issues, except that in the issue of race and sexual preference the passions are stronger.

Dealing with attitudes in the community also involves dealing with pressure from community groups.

4. Pressure from Targeted Groups

All prosecutors stated that they would be open to hearing what the community representatives had to say, but that a community’s pressure would not get them to add an enhancement if they felt an enhancement either was not necessary or could not be proved. One prosecutor reported that the jury does not make a decision based on public outcry, but upon the evidence presented. Speaking of the outcry she said, “It’s not persuasive. Certainly, we know it is out there. We are not ignorant; we hear it. We are not blind, deaf, and dumb—well, it depends on who you ask. It should not play a part.”

5. Media Pressure

Prosecutors state that media pressure does not have an effect on their charging decisions. They reported reading the local papers and keeping abreast of what was written about their cases, but pressure to add a hate crime enhancement did not come from the media. There was some distrust
and even resentment of the media for a perception of sensationalizing cases or using sound bites that often led to misinforming the public of the complex nature of cases and issues. For example, one prosecutor noted, “The media can be very helpful and unbelievably misguided. And I think sometimes in their zeal, conflict is what sells papers and gets ratings and that sort of thing, and sometimes they pander to that, and sometimes it causes a lot of damage.” One exception to this line of thinking came from a prosecutor who was not involved in a case in a neighboring community. As he explained, “Well, that community decided, that DA and that sheriff decided if we designate this as a hate crime, we are going to get all kinds of outside media coming in here, we are going to really stir things up. If we don’t designate this as a hate crime, maybe they will leave us alone a little bit, and we can go about our jobs.”

Again, this case proved to be the exception, not the rule. In general, issue salience or media pressure did not seem to affect charging decisions. And ironically, in the one case in which it appeared to affect the decision, it resulted in not charging, rather than charging a hate crime.

6. Victim and Family Pressures

In several cases the victim’s family wanted a certain case tried as a hate crime. For the most part, family pressures were not enough to get a hate crime enhancement added. One prosecutor noted that most families leave the criminal justice system disappointed, feeling as though they did not get a full measure of justice. Every prosecutor noted how important it is to listen to the family and attempt to “satisfy their concerns” or “look at it from their point of view.” However, much of the interaction with the family is an attempt to explain the limitations of the justice system and the larger picture to the family. A prosecutor addressed the issue this way:

The family is concerned. They want, the family wants, most of the time, people to vindicate—I am looking for the words—to understand the suffering they are going through. They want somebody to know that this was wrong, they want the paper to report it, they want us to recognize it, they want us to tell the jury. And we may be saying that we are going to do that, or we want this guy in prison for as long as the crime deserves, but how within the law that we get him there may not be as big of a concern for us as it is for the family.

7. Hate Crime Attitudes

Like the general public, prosecutors hold diverse views toward the hate
crime law they are to enforce. A small group of prosecutors felt as though hate crime law righted past wrongs, while another group derided the law as a “political correctness law.” The majority of prosecutors felt more neutrally about the law, believing it could be a useful tool if the facts support an enhancement. Another prosecutor was conflicted about the law, stating:

I really do believe that when we continue to craft laws that highlight distinctions between us that we are headed in the wrong direction. I am uncomfortable with having justice meted out based on the color of someone’s skin or religion. And I think in a perfect world, of course we don’t live in a perfect world, that would not be necessary, in fact that would be unethical. But on the other hand, nothing angers me more, nothing viscerally affects me more, other than something like a rape, than the idea that someone targets somebody else violently out of hatred, hatred for their religion, because somebody is a different race. I can’t even watch movies like Mississippi Burning; they anger me so much. And from that perspective, I am willing to take whatever tools the legislature wants to give me, and use them against people who commit hate crimes.

Prosecutors denied that their personal attitudes affected their decisions by repeatedly stating that “the law is the law” and acknowledging that they did not have the right to enforce some laws they liked and ignore those they didn’t. However, one prosecutor noted that although there are limits on how “hard” one can prosecute, there are no limits on how “light” one can prosecute. Yet this same prosecutor who labeled the hate crime law as a “politically correct law,” when asked if that would prevent him from adding a hate crime enhancement, said: “If I can be politically correct and gain an advantage in a jury case, I will do it. But if I have to lose an advantage and/or weaken my chances at a jury case to be politically correct, I am going to reject political correctness.”

8. Religious Views

Prosecutors, for the most part, denied that their religious views impacted their charging decisions. A frequently cited example of the separation of religious views and charging decisions was death penalty cases. Several prosecutors reported that they were Catholic and noted their church’s opposition to the death penalty; however, they still occasionally prosecuted death penalty cases. A prosecutor stated that although prosecutors have their own personal and moral views, “You have your duty as an assistant district attorney to set those aside if they are causing you not to be objective in your evaluation of the case.”
9. Prosecutorial Identity and Experiences

Prosecutors’ own identities and experiences as members of status categories protected by the hate crime law seemed to have limited, or an undeterminable, influence on charging decisions. This became apparent, for example, when comparing male and female prosecutors. The most enthusiastic proponent of using the gender category in the hate crime act was a female prosecutor, but other female prosecutors remained as skeptical about the category as most male prosecutors. When a female prosecutor was asked whether female prosecutors were different from their male counterparts she said, “No, we are more like the boys. For the most part, a prosecutor is a prosecutor.” Though this view was widely shared, two female prosecutors did note gender differences, with one saying she thought women were better prosecutors than men because they were more methodical and analytical in building cases. The other noted that the influx of women into the field in the 1970s-80s had brought increased caring and concern for victims into the system.

The prosecutor who was the most enthusiastic about the hate crime law and had actually added a hate crime enhancement to a case was a white man. Almost all of the prosecutors of color denied that their racial identity was a factor in how they saw their jobs or made their decisions. For instance, a Latina prosecutor answered a question about how her ethnic identity influenced her decisions with these words: “That doesn’t factor in. I don’t think as a Latina woman; I think as a prosecutor.” Alternatively, a Latino prosecutor noted, “We understand that we are minorities. If you are a minority then you can never forget it.”

One African American prosecutor explained his charging decisions by noting his focus on the facts of the case and achieving his goal of a successful prosecution by weighing the utility of the addition of the enhancement. However, when asked late in the interview whether his race in any way affected his charging decision, he told this story:

When I was in the fifth or sixth grade there used to be patrol boys. We were basically school crossing guards. In my little town before the onset of concern for children’s livelihoods we were the school’s crossing guards, unsupervised at twelve, eleven years old at a very busy intersection. And I remember, we distinctively had a white band and stuff, thought it was cool (laughing). Yes, a symbol of authority at ten or eleven years old, or eleven and twelve, and we were out there helping with the school crossing. But I was almost run over once on purpose. Growing up where I did and the place where we did it, I knew it was because I was black that they were doing it. I had to walk home and people would try to run me off the road. There were other kids that had to walk by the white
fraternity houses in the college town and most of them had to run home every other day just to get to their house. So yeah, I have more sensitivity to this type of thing (laugh) than some other people. So to pass the law to me, somewhere in the back of my mind I am going, “Serves you right, Delta Tau Delta” or whoever that guy was that tried to kill me when I was ten. You know, yeah, I want them to go get you, and another prosecutor might say, “What’s the deal?” But yeah, maybe I am a little more sensitive to that, but the law is the law, like I said.

IV. DISCUSSION AND CONCLUSION

Hate crime policy illustrates the discrepancies and tensions between law-on-the-books and the enforcement of the law-on-the-ground. Although Texas legislators placed the hate crime penalty enhancement in the prosecutorial toolbox, the prosecutors’ use of the tool cannot be mandated. Prosecutors have wide powers of discretion when it comes to deciding “to charge or not to charge” alleged perpetrators with a hate crime enhancement. Prosecutors consider the use of the hate crime tool based on many factors. The previous section of this article has detailed and described these factors, both acknowledged and unacknowledged, often utilizing the prosecutors’ own words. The discussion will now elucidate how these factors impinge on charging hate crimes by prosecutors across the state of Texas.

Two major issues arise for prosecutors. First, since the hate crime statute is relatively new, broadly adopted in 1993 and further specified with a list of protected statuses in the James Byrd Hate Crime Act in 2001, prosecutors must determine how they will conceptualize the hate crime statute. Second, prosecutors must consider how a hate crime charge/enhancement impacts their overall pursuit of strategic advantage in trying a particular case.

This research reveals how prosecutors think about the contours of hate crime. The James Byrd, Jr. Hate Crime Act broadly defines hate crime. In light of this, prosecutors must further operationalize the definition in order to make it functional. Prosecutors in this study adopted four specific tactics in order to do so: 1) comparing cases against a typical or normal hate crime; 2) adopting Lawrence’s animus model rather than the discriminatory selection model; 3) adopting the “but for” motivation standard rather than “in whole and in part;” and 4) looking for hate as the sole motivation for the crime and largely ruling out cases in which dual motives are present. By making these choices, prosecutors thus considerably narrowed the scope of potential cases that can be charged as hate crimes.

For example, gender-bias hate crimes are not usually considered for hate crime designation by Texas prosecutors, as they do not fit the “typical”
hate crime as constructed by prosecutors. Jenness (2001) termed the gender category a "second-class citizen" that has found a home in legal discourse on hate crime legislation, but remains in the guest house of that home. The study supports this observation insofar as a significant number of prosecutors in Texas were not even aware that a gender status had been included in the new law. In noting the frequency of status provisions included in hate crime, Jenness (2003) reports the "core" categories usually cited are race, religion, color, and national origin. Occurring less frequently and occupying a "second-tier" position are sexual orientation, disability, and gender. However, findings of the present study indicate that prosecutors elevate sexual orientation to the core category in their frequent, and unprompted, use of the category as an illustration of hate crime.

In addition, prosecutors have embraced Lawrence’s (1999) animus model rather than the discriminatory selection model. By their own report, prosecutors are looking for evidence of the subjective state of hate rather than the behavioral indication of differential selection based on group membership. Also, unlike Franklin’s (1998) notion of multiple determinism—that is, mixed and multiple causes of bias and prejudice that can cause someone to transgress against another based on that individual’s group membership—prosecutors have a narrow understanding of what constitutes hate crime. This again impacts the charging of gender-bias hate crimes, as prosecutors attribute violence against women to desires for power and control rather than to hate.

Although one standard of charging hate crimes offered by the FBI (1999) is when a crime is committed "in whole or in part" by a hate motivation, prosecutors in this study have informally (and perhaps unknowingly) adopted the standard of "but for," meaning that but for the hate, the crime would not have been committed. This higher standard is applied in most charging decisions. That is, if there is another motive in the crime, such as a robbery, prosecutors seem to less likely to include a hate crime enhancement.

The adoption of these four standards results in a process of narrowing the range of activities that—from a prosecutorial point of view—can be properly categorized as hate crime and charged accordingly. Although the use of these categorization standards is well-established in this research project, what is less known is how the prosecutors came to this understanding. What sources of information influenced their understanding? How is their understanding vulnerable to future sources of influence? Regardless, the routine use of categorization processes that narrow the range of what constitutes hate crime clearly has consequences for what gets charged as a hate crime.

The other notion this research makes clear is that prosecutors are pur-
suing strategic advantage when deciding whether to make a charge in any case. Prosecutors want to win cases and punish perpetrators. Although as one prosecutor stated, “We love to hammer defendants,” many factors weigh in their decisions, both consciously and unconsciously. Winning the case or obtaining an acceptable plea bargain is paramount; and this goal is pursued in a context defined by a cost-benefit analysis designed to determine the optimal way of achieving that goal. The ideal is a charge that is most likely to lead to conviction and less likely to be risky, to confuse or divide the jury, at the same time that it presents the lowest burden of proof for the highest punishment.

Unfortunately for hate crime law advocates, the prosecutorial pursuit of strategic advantage in hate crime cases often is antithetical to the pursuit of a hate crime penalty enhancement. That is, prosecutorial norms and routine practices often preclude a hate crime charge, which is frequently viewed as an impediment to strategic advantage. Prosecutors are not accustomed to proving motive, and hate crime enhancements rest exclusively on the motive of the perpetrator. Prosecutors desire the lowest charge for the highest payoff, and many times hate crime enhancements add to their burden without increasing their reward, especially in first-degree felony cases. The ability to address a bias motivation in the punishment phase rather than the guilt/innocence phase, which removes risk while potentially gaining increased punishment via jury outrage rather than penalty enhancement, also acts against the charging of hate crimes.

Additionally, the worldviews of prosecutors often stand in opposition to the worldview of hate crime policy advocates. For instance, prosecutors focus on individualized notions of justice, while hate crime acknowledges victims and perpetrators as members of a group. Hate crime focuses on the context of the group, primarily based on their history of oppression and discrimination, while prosecutors focus on “just the facts” of the case, without regard for the historical and societal context. Prosecutors are most likely to view the world and their cases through a colorblind lens, while hate crime policy supporters emphasize the social identities of the victim and perpetrator. Prosecutors see people of a particular category as both victims and perpetrators, while hate crime policy supporters view people with dominant statuses as perpetrators and people in targeted statuses as victims. Prosecutors focus on how much a crime is “worth” to the entire community, while hate crime policy supporters focus on how much the crime is “worth” to the targeted community. For prosecutors, the stated goal is justice for all, while the goal of hate crime policy supporters is justice for those who historically have been oppressed.

In sum, the stringent standards the prosecutors in this study have knowingly or unknowingly adopted in viewing hate crimes result in the
narrowest of readings of hate crime law and limited additions of penalty enhancements. Few cases meet this stringent standard and, ironically, the few that do are—and perhaps will continue to be—subject to a Catch-22. That is, if a case reaches the level the prosecutor demands, it is likely to be an egregious, first-degree felony, where an enhancement does not provide more punishment, and thus is unlikely to provide a strategic advantage. However, prosecutors report being willing to use the law if the facts and proof of those facts support a hate crime enhancement while also providing a strategic advantage. In fact, some prosecutors expressed a willingness and eagerness to make such a charge. However, the high standards of hate crime categorization prosecutors have adopted, in addition to the ambiguity that often accompanies such cases and the need to prove the motive as well as the underlying crime, make charges less likely.

NOTES

1. For publication in the Journal of Hate Studies.
2. Covered extensively in the national media, the murder of James Byrd, Jr.—a 49-year-old black man who was beaten and then dragged to his death behind a truck by three white men known to be affiliated with a white supremacist group—was talked about as a hate crime, but not prosecuted as such.
3. The language in this bill was changed from “sexual orientation” to “sexual preference” in an effort to appease some legislators.

REFERENCES


A Crime by Any Other Name: The Semantics of "Hate"

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In a previous paper, I attempted to identify what I saw as some of the most significant gaps and limitations within hate crime scholarship. One of the first issues I addressed was what I referred to as the semantics and definition of the very term "hate crime" itself:

The phrase is fraught with dilemmas and difficulties. Laypeople as well as professionals and scholars tend to take it far too literally, often insisting that all (violent) crimes are "about hate," or alternatively, that perpetrators don't necessarily "hate" their victims ... This is to oversimplify the concept through very prosaic interpretations of the concept. It is, then, unfortunate that the term coined by Representatives Conyers, Kenally, and Briggs in their 1985 sponsorship of a hate crime statistics bill has stuck. (Perry 2003)

I have become increasingly dissatisfied with the continued reliance on the term "hate crime," due in large measure to the often willful scholarly and public misunderstanding and misuse of the phrase, wherein references are made to such processes as "the criminalization of hatred" (Dority 1994). In response to such tendencies, like Gail Mason (2001, 253) in her recent Law and Critique article, "I wish to raise some questions about hate as a heuristic device."

In what follows, I devote the bulk of my comments to unpacking the conceptual limitations of the term "hate" as a descriptor of the forms of bigoted violence to which it refers. I then consider an array of alternative concepts that may or may not be richer, more accurate, more dynamic.

There will be some who respond to my critique by saying that it is merely an exercise in semantics; that "hate" crime connotes the broader underlying motives of cultural animus or prejudice. My response to this is, yes, it is an issue of semantics, of language and discourse. But language matters. It shapes our perceptions, our ways of interpreting the social phenomena that confront us. Discourse is undeniably central to the production and reproduction of inequality in contemporary Western cultures. Just as the racial epithets that often accompany racial violence frame that act, so too does the term "hate crime" frame that legal construct. The use of such an apolitical term in fact veils the racism, heterosexism, or ableism that
underlies the related violence. Typically, critical discourse analysis draws attention to the charged meanings of “code words.” In this paper, however, I draw attention to efforts to denude an action of its power-embedded context (and content): to render it, in fact, neutral.

I. MORE THAN HATE

 Paramount among the reasons for my growing dissatisfaction with the phrase “hate crime” is the distortion enabled by simplistic uses of the word “hate,” uses that trivialize and diminish the import of the term. For the most part, serious scholars of the phenomenon understand “hate” as a kind of shorthand for the sorts of bigoted, bias-motivated violence to which it refers. We acknowledge the implied assertions of power that underlie racist, sexist, homophobic expressions. Yet the notion is subject to a loss of specificity and impact in the marketplace of public discourse as critics disingenuously question the validity of criminalizing hatred, the “emotion” (e.g., Jacobs and Potter 1998).

 Ironically, even supporters of hate crime legislation rely on the narrow emotive reference to hate crime. Legal scholar Dan Kahan (2001; see also Kahan and Nussbaum 1996), for example, supports enhanced punishment for violence grounded in “emotional” responses to victims. Granted, his is a non-traditional understanding, predicated on emotion as an “evaluative judgment” of the worth of the putative victim. Nonetheless, it retains what is, for me, an unhelpful reliance on individual, cognitively based motivations.

 What is even more problematic are those critics who—willfully or not—define hate in very narrow, very literal terms as an individual emotion or state of mind. Brian Rosebury (2003, 37), for example, responds to Kahan, asking, “Could we rightly be punished for having bad emotions? Or rewarded for having good ones?” This is illustrative of the all too common practice whereby the term assumes the status of the trivial, akin to “dislike,” thereby allowing them a basis on which to oppose hate crime regulation. Critics like Rosebury argue that “hate” crime refers to “thought” or “attitude” or “belief.” Consequently, from laypeople, journalists, and scholars respectively, we get such titles as

 “Hate Is Not a Crime” (Metzger 1995)
 “Bad Thoughts” (Rosen 1993)
 “Should Hate Be a Crime?” (Jacobs 1993)

 And the text that accompanies such suggestive titles reinforces this tendency:

 [I]t is utterly wrong-headed to make hate illegal. (First Things 2000)
Isn’t it enough that people be punished for what they do rather than for the attitudes that drive them to do it? What is the advantage in prosecuting people for what amounts to crimes of wrong thinking? (Raspberry 1999)

A crime is a crime. They all have to do with hate. (Arizona Republic 1999)

All crimes are hate crimes . . . The real target of hate crime laws is ideas. Certain ideas are claimed by the government to be intolerable, and therefore any crime committed by holders of those ideas deserves extra punishment. (Arizona Republic 1999)

Having never seen a “love” crime, we view all crime as hate crime. (police officer, cited by Balboni and McDevitt 2001, 5)

The reduction of the concept of “hate” crime to its basest interpretation is vividly illustrated in Andrew Sullivan’s (1999) contention that

Hate is a vague, complex and highly personal emotion and does not pertain to a particular set of beliefs. Thus labeling violent acts committed against certain victims of “hate crimes” is deeply problematic and possibly unconstitutional.

If one assumes that all crimes are predicated on some sort of underlying feelings of malevolence toward the victim, there is no reason to distinguish the motivation or class of crime. And if in fact “hate” is the defining characteristic or motive of this class of crime, then the critics may be right—the term becomes meaningless in that it may very well describe all, or at least most, crime—particularly violent crime. In short, a great deal of crime probably is motivated by some emotion akin to “hate.” However, such reductionist accounts, I would argue, miss the point. They are consciously used to minimize the import and impact of violent and discursive forms of bigotry. They occlude the distinction between the popular “dictionary” meaning of hate, and the sociological meaning that underlay the adoption of the term in the first place. In such cases, “hate” is divorced from its cultural and political context. This evasion is readily apparent in the simplistic analogy drawn by Dority (1994):

What if a crime is found to have been motivated by hatred of the victim’s material success or superior physical or mental abilities? What about the vast number of crimes undeniably motivated by vindictiveness and hatred inspired in the perpetrator due to a virtually limitless list of personal wounds and offences inflicted by the victim?

This is an overly simplified analogy; it represents a sanitized, depoliticized interpretation of hate. It refers not at all to the sorts of crimes that actually
fall under the rubric of “hate crime.” The examples offered by Dority (1994) are motivated by individualized, isolated hatreds—in the usual sense—directed toward a specific individual *qua* individual. They are not the “group hatreds” or “identity based hatreds” intended by the phrase “hate crime.”

The above examples drawn from Dority (1994) and from Sullivan (1999) are illustrative of accounts that misread the concept of hate crime as referring to acts emerging out of individual, psychological motives. “Hate,” as popularly understood and as reified in these examples, comes to be seen as an individual emotional state or sentiment. This estranges acts of hate from their cultural—as opposed to individual—origins. Consequently, the notion of hate as an affective motive tends to individualize bigoted violence, as the outcome of deeply personal dislikes rather than a reflection of structural and institutional patterns embedded in the broader culture (Ray and Smith 2001, 221).

Why this predilection for a reductionist understanding of the word “hate” when used in this context? Are critics fearful of politicizing the phenomenon? While hate is a strong sentiment, it is a relatively “safe” one that does not imply rigidly structured patterns of oppression. It does not require us to admit that bias-motivated violence is constituted of and by difference; that it is about race and racism; sex and sexism and heterosexism, for example. Rather, this interpretation of hate crime removes it from the realm of “cultures of violence,” placing it instead in the realm of the psychology of violence (Ray and Smith 2001; Goldberg 1995).

Or perhaps one should say the psychopathology of violence. For to individualize hate in this context is also to pathologize it, to reduce it to an aberration committed by an unstable individual. From this perspective, it is only deeply troubled or marginal or extremist individuals who act out their hatreds—hate each which are represented as irrational, or deviant, or random. Popularized conceptions of the terms “hate” and “hate crime” lend themselves to an analysis that renders the phenomenon something out of the ordinary, something ascribable to hateful individuals suffering from some form of phobia or paranoia, perhaps. From this perspective, racist or sexist or anti-Semitic expressions are seen as “ab-normal” or as “un-usual” (Goldberg 1995, 269). To understand “hate” crimes in this way is to encourage their dismissal as abnormal, as not the sort of undertaking ordinary people actually engage in, as the irrational product of a warped mind. (Goldberg 1995, 269)

Hence, the common reaction to hate crime in one’s community, at the hands of one’s neighborhood: he seemed like such a nice young man; these things
don’t happen in our community; he seemed so friendly. The implied interpretation: nice people in nice neighborhoods don’t do such things; hate crime only happens in bad neighborhoods; only sick or angry or delusional people would commit such acts.

The reality, of course, is quite different. Racist or gendered violence, for example, is not aberrant. It is not un-usual or ab-normal in cultures like ours, that is, in cultures which are permeated by bigotry and prejudice. On the contrary, racist, or anti-Semitic, or anti-gay acts are normative in Western cultures, and are seen in cultural forms including the language and epithets we use, the media images we observe, even the legislation that regulates our behavior (Goldberg 1995, 269).

To pathologize hate is to present it as irrational, as the product of a sick mind. However, the violence of which we speak

is not—or more exactly is not simply or only—about hate . . . [it involves] normal inductive reasoning and not necessarily the prejudice of affective—hateful—animosity. (Goldberg 1995, 269-270)

In other words, hate crime is not typically grounded in a mental state; nor is it the outcome of extreme hostility or pathology. Rather, it is more often foreseeable, and rational, at least from within the world view of the perpetrator. Anti-gay violence that is conditioned by a particular reading of scripture is not irrational; it is not necessarily even grounded in animosity or some other negative affect. Rather, it derives quite logically from a system of belief that proclaims homosexuality as sin. Similarly, racial harassment of a black family moving into a predominantly white neighborhood derives not only from racial animosity, but also from public perceptions about the expected impact of “those people” on property values, for instance. Violence emerging in these contexts, then, is not “about” hate, but is “about” the assertion of one’s own identity and belongingness over and above others—in short, about power. It reflects much more than the perpetrator’s state of mind. In fact, it reflects the taken for granted, popular notions of identity and hierarchy.

The sorts of violence we have in mind, then, are not “about” hate, but are “about” the cultural assumptions we make with respect to difference. In short, bias-motivated violence is reflective not of individual values or sentiments, but of culturally normative values of domination and subordination. It is one of the many mechanisms in an arsenal of oppressive practices. We must look beyond individual motives to unpack the “cultures of racism” or of heterosexism, or of ableism, for example, that condition the attendant violence (Ray and Smith 2002, 89). Along similar lines, Whillock and Slayden (1995, xiii) contend that
Acknowledging that hate is naturalized, that it finds subtle as well as extreme expressions, that it is not simply an irrational, unseemly outburst, enables us to explore more thoroughly its uses within society and to recognize that it is culturally bound and viable and, perhaps, even necessary.

There is nothing irrational or pathological about engaging in racist violence, for example, in a decidedly racist culture. It is, rather, wholly rational given the array of institutionalized practices and discourses that lend permission to minimize or victimize the Others in our midst. Hate crime is nested in a web of everyday practices that are used to marginalize and disempower targeted communities. It is, consequently, more than the act of mean-spirited or misguided perpetrators. It is systemic. It resonates with a network of norms, assumptions, behaviors, and policies that are structurally connected in such a way as to reproduce the identity-based hierarchies that characterize so many Western cultures. In this respect then, hate crime is as normal and as usual as alternative mechanisms of oppression, such as cultural stereotyping or employment segregation.

The popularized literalist interpretation of hate crime fails to acknowledge this politicized dimension of bigoted violence, in short, the embeddedness of violence that results in the construction of the Other. In Betsy Stanko’s (2001, 328) words, “the use of the generic terminology—‘hate crime’—obsures the conceptual framework within which ‘hatred’ derives its resources from social resources.” The use of the term “hate,” then, occludes power relations. Earlier, I said that hate is a “safe” notion; it is also a relatively neutral phrase—anyone can, and probably does, hate. Hate is apolitical. But racist or anti-Semitic violence, for example, is not neutral; it is not apolitical. On the contrary, it is itself very much informed by relations of power; thus it is itself an expression of power, not hate. In other words, expressions of racism or sexism or any other “ism” enable the perpetrator to assert his or her relative superiority vis-à-vis the victim.

The acts we are referring to—anti-gay or anti-Muslim or anti-Latino violence, as examples—are directly implicated in efforts to maintain unequal relations of power. Such violence is itself a mechanism of social power by which white, heterosexual males in particular assert a particular version of hegemonic whiteness and/or masculinity. As such, it is a mechanism for reinforcing the privilege of whiteness and the subjugation of color. It represents a “will to power” by which the very threat of otherwise unprovoked acts of violence deprive the victims of personal security, and therefore of freedom of movement and engagement. Conversely, both the threat and use of violence by perpetrators enhance their authority in the eyes of the communities of both the victim and the offender. Violence is empowering for its users: physical dominion implies a corresponding cultural mas-
tery. This is perhaps most evident when subjugated groups resist their oppression. Unfortunately, this posture of empowerment is often seen as an affront to white power, whereupon it motivates further assaults. Seen in this light, hate crime is a reactionary tool, a resource for the reassertion of whiteness over color, for example.

In previous work (Perry 2001; 2003), I have defined hate crime in such a way that the emphasis is not on "hatred" or "disliking" the putative victim, but on bigoted violence as an exercise of power. I argued that our understanding of hate crime is furthered by a conceptualization that recognizes the ways in which this particular category of violence facilitates the relative construction of identities, within a framework of specific relations of power. This allows us to acknowledge that bias-motivated violence is not "abnormal" or "anomalous" in the United States, but is rather a natural extension of the racism, sexism and homophobia that normally allocate privilege along racial and gender lines. As expressions of hate, such acts of intimidation necessarily "involve the assertion of selves over others constituted as Other" (Goldberg 1995, 270), where the self is thought to constitute the norm.

Few social scientists have sought to construct culturally meaningful interpretations of hate crime that recognize its role in the "politics of difference." Among those who have made the attempt, Wolfe and Copeland (1994, 201) contend that hate crime is violence directed toward those who suffer discrimination in other realms of society. Their definition is useful in that it acknowledges that the predominant victims of hate crime are those already marginalized in other ways. Yet it fails to give a sense of how hate crime itself contributes to this marginalization. Sheffield's (1995, 438) definition is thus more relevant to the current discussion:

Hate violence is motivated by social and political factors and is bolstered by belief systems which [attempt to] legitimate such violence . . . It reveals that the personal is political; that such violence is not a series of isolated incidents but rather the consequence of a political culture which allocates rights, privileges and prestige according to biological or social characteristics.

Sheffield explicitly addresses the importance of the political and social context that conditions hate crime; moreover, she highlights the significance of entrenched hierarchies of identity as precursors to hate violence. What is still missing here is a sense of the effect of hate crime on the actors—victim, perpetrator, and their respective communities.

Consequently, the preferred definition can begin with the principles identified by Wolfe and Copeland (1994) and Sheffield (1995), yet extend
them to account for the role of hate crime in co-constructing the relative identities and subject positions of both the victim and the offender, individually and collectively. Hate crime, then, involves acts of violence and intimidation, usually directed toward already stigmatized and marginalized groups. As such, it is a mechanism of power and oppression, intended to reaffirm the precarious hierarchies that characterize a given social order. It is intended to simultaneously recreate the threatened (real or imagined) hegemony of the perpetrator’s group, and the “appropriate” subordinate identity of the victim’s group. It is a means of marking both the Self and the Other in such a way as to re-establish their “proper” relative positions, as given and reproduced by broader ideologies and patterns of social and political inequality (Perry 2001; 2003).

This challenge to popular interpretations of “hate” crime brings us to an important place. It leaves us in a position to rethink the referent itself. The critique helps us to acknowledge hate crimes for what they are: acts of power intended to constrain the options and activities of those whom our culture has marked as the Other. In short, the critique offered here of the misinterpretations and misconceptions associated with the popularized understanding of “hate” points us toward choosing language that is more direct — language that is more honest in its evocation of themes of power, advantage/disadvantage, and subordination/domination.

II. Moving Beyond “Hate”

I propose that we open up a dialogue that considers the utility of alternative terms, all of which have different connotations. In particular, I suggest the need for a much more self-conscious language that places the violence in question within its cultural context—and specifically within the broader relations of power.

Interestingly, the point I raise here has a parallel in the literature on “domestic violence.” Similar debate has raged around the preference for a more gender-explicit terminology, such as woman abuse, wife beating, and so forth. Domestic violence, it is argued, denudes the violence of its political and cultural reality—that it is women who are most likely to be victims of domestic violence and other forms of gendered violence. To speak of woman abuse, or violence against women generally, is to place the phenomenon culturally—to acknowledge the role patriarchy and male dominance play. So too with more explicit alternatives to the term “hate crime.”

Optimally, when we are referring to violent expressions of power, we would concretize its nature as racist violence, or anti-Semitic violence, or gender-motivated violence, for example. Such phrases capture the specificity of the victimization. Moreover—assuming a consensus on the struc-
tured and institutionalized nature of "isms"—these terms capture the political nature of bias-motivated violence; they evoke consideration of these acts as being grounded in the assertion of power and subordination noted above. In addition, they explicitly point to the identity-based animus that underlies such victimization. In short, these terms admit to rather than deny collective relations of power. The term "racist violence," for example, explicitly evokes recognition of forms of victimization that are "specifically targeted against ethnic minority communities and incidents that are aggravated by racism and racial prejudice" (Bowling and Phillips 2002, 108). In so doing, this and similar terms point directly to the relations of domination and subordination that motivate such violence. They make clear that racialized others, for example, are victimized because of their presumed racial identity.

The use of identity-specific terms indicates that victims are selected not because of some personalized animosity, but precisely because of who they are—because of their identity. Often they are victimized because they live up to, or, paradoxically, challenge their prescribed roles. On the one hand, hate crime perpetrators are said to be punishing victims for inappropriate performances of sexuality, or race, for example. So a black man engaged in a relationship with a white woman is victimized for having transcended the boundaries of both sexuality and race. On the other hand, he is also being punished for engaging in what is perceived to be race-appropriate behavior: He is living the stereotype of "black-man-as-predator" that has long been used to justify the inferior position of black males. What this suggests is a "lose-lose" situation. In sum, people who are victims of such stereotyping are "damned if they do and damned if they don't." Victims may be punished for transcending normative conceptions of relevant categories of difference, but they may also be sanctioned for conforming to relevant categories of difference.

However, it is decidedly unwieldy to utter such phrases as "racist, ethnic, anti-immigrant, anti-gay, anti-Semitic, anti-Catholic, anti-Muslim, gendered... violence" when speaking in generalities about violence motivated by victims' group membership. This is, in fact, one of the reasons the term "hate crime" emerged—as descriptive shorthand for the cluster of motivations understood to underlie a particular class of victimization. The search for an appropriate umbrella phrase has encompassed an array of potential options, ranging from the relatively neutral terms "bias crime/incident" to middle-ground terms like "targeted violence" to more explicitly politicized terms like "oppressive violence." Some have even called for the recognition of such expressions as crimes against humanity, or domestic terrorism. In the following pages, I test the connotations of some of these phrases against their ability to move us toward seeing "hate" crimes "for
what they actually are: violent acts of imposed power over and against those this culture and its members continue to marginalize as . . . Others” (Goldberg 1995, 278).

Often used interchangeably with hate crime, the related terms “bias crime” (or “incident”) and bigoted violence are equally dissatisfying. To be sure, more so than the term “hate crime,” use of the term “bias” or “big- otry” suggests the politics of difference. Each explicitly connotes the role that prejudice may play in motivating offenders. Yet they remain relatively sterile, neutral terms. Moreover, each retains an individualized referent; both suggest isolated acts derived from the personal animosities and biases of a given offender, rather than culturally conditioned or systemic ideological constructs. One thinks of Archie Bunker in his armchair rather than the cumulative ways in which the media, politicians and historical legacies have shaped his execrable utterances. In short, “bigoted violence” occludes the cultural resources that give such violence its life and meaning.

I move now out of the realm of the popular and familiar to more specialized terms that are primarily to be found in the academic literature. This is not inherently a limitation, but a challenge for us to inject more critical, self-reflexive terminology into the public dialogue on the forms of violence that interest us here. Howard Ehrlich and his colleagues at the Prejudice Institute have done much to popularize the term “ethnoviolence.” This is a phrase I have found myself using extensively in the past couple of years. Literally “violence against the people,” the phrase implies a sense of “othering,” of the imposition of force against the out-group. In fact, a more appropriate translation of the terms might be “violence against those people,” as in “those people come here and steal our jobs,” or “those people are a threat to my children,” or “those people don’t look, or act, or believe, or talk like we do.” The term evokes the notion of difference, of relational positioning of the self viz. the other, in-group viz. out-group. Problematically, the term may be limited—like “hate crime”—by literalist interpretations. Purists might argue that the root “ethnos” applies only to “true” ethnic groups, excluding alternative cultural groups like women, gays, or people with disabilities.

In her writings on “normal” or “everyday” violence, Betsy Stanko has come to refer to the non-random victimization experienced by women, homosexuals, and people of color as “targeted violence” (Stanko 1990; 2001). Specifically, Stanko uses this novel term to capture the vulnerability of members of particular groups because of their “relational disadvantage” to their attacker(s) (Stanko 2001, 318; 1990). The correlation between targeted violence and social relations of power is explicit in Stanko’s conceptualization of the terms, which, she argues, implies that
the assailant chooses to hurt a particular victim in the way that an assailant can do 1) because of who the victim “is”; 2) because the assailant can rely on the available resources (available to a collectivity from historical, social, and economic legacies) in order to do so; and 3) because the assailant retrieves popular discourses that assist in justifying that such actions are legitimate in the eyes of some portion of a population. (Stanko 2001, 318)

The notion of “targeted violence” allows us to recognize that racial or gendered or anti-immigrant violence, as example, are nested in a structural complex of relations of power grounded simultaneously in often intersecting identities. The interactions between subordinate and dominant groups provide contexts in which both compete for the privilege to define difference in ways that either perpetuate or reconfigure hierarchies of social power. Such confrontations—including violent ones—are inevitably informed by the broader cultural and political arrangements that “allocate rights, privileges and prestige” (Sheffield 1995, 438).

This is something I captured, I think, in my earlier elaboration of structured action theory as an account of hate crime (Perry 2001). There, I argued that the historical and contemporary patterns of identity politics have given permission to hate. For instance, there are extensive cultural mythologies that facilitate inequities and corresponding hate-motivated violence. It is within culture that we find the meanings, the significance, and the roles assigned to self and other, “a range of rules: ‘is’s’ and ‘oughts,’ ‘do’s’ and ‘don’ts,’ ‘cans’ and ‘cannots,’ ‘thou shalt’s’ and ‘thou shalt nots’” (Goldberg 1990, 297). Where the popular image of the Other is constructed in negative terms—as it typically is—group members may be victimized on the basis of those perceptions. Cultural assumptions about men, women, and the relationships between them, for instance, condone and often encourage victimization of women qua women, because they commonly objectify and minimize the value of women. In other words, men “physically and emotionally abuse women because they can, because they live in a world that gives them permission” (Pharr 1988, 14). In short, Stanko acknowledges the extent to which western cultures have cultivated a climate—political, economic, and discursive—of hate that facilitates violence against the marked Other.

This “embeddedness” of violence is also reflected in Iris Marion Young’s use of the term “systemic violence,” by which she means the “random, unprovoked attacks on . . . persons or property that have no motive but to damage, humiliate or destroy the person” (1995, 83). The parallels with Stanko’s understanding of targeted violence are especially evident in Young’s observation that systemic violence is, in fact, permissible if not encouraged by the social context in which it occurs — a context that dis-
empowers and stigmatizes raced and gendered minority groups through multiple and overlapping mechanisms of oppression (Young 1995, 83).

In some respects Young’s use of the term “systemic violence” is even more explicit in its evocation of power relations than is “targeted violence.” In fact, this concept is inseparable from the myriad other dimensions of oppression that coalesce to ensure the marginal position of the Other. For Young—and for me—the oppression of which racial violence is a part is more than the outcome of the conscious acts of bigoted individuals. It is, in fact, embedded in the norms, practices and institutions that characterize our daily realities. Rather than an aberration, it is an extension of the normative culture, and a means of maintaining taken-for-granted inequities of power and resources. Young (1990; 1995) specifically articulates five interrelated “faces of oppression” by which we might characterize the experiences of minority groups: exploitation, marginalization, powerlessness, cultural imperialism, and violence. The first three of these mechanisms reflect the structural and institutional relationships that restrict opportunities for minority groups to express their capacities and to participate in the social world around them. It is the processes and imagery associated with cultural imperialism that support these practices ideologically. Together, structural exclusions and cultural imaging leave minority members vulnerable to systemic violence.

Given Young’s framework for understanding systemic violence, an equally useful term—and certainly a more explicit one—might be “oppressive violence.” Such a term clearly politicizes the phenomenon, tying it to social relations of power. Violence is empowering for its user. It facilitates the ability to set the terms of discourse and action, and to impose a particular type of order. Oppressive violence is itself a mechanism of social power by which white males in particular assert a narrow vision of hegemonic whiteness. As such, it is a mechanism for reinforcing the privilege of whiteness and the oppression of color, or masculinity, or sexuality, as the case may be. It represents a will to power by which the very threat of otherwise unprovoked violence “deprives the oppressed of freedom and dignity” (Young 1995, 83).

In short, violence reaffirms the oppression of the victim and his or her community. This is also acknowledged by Goldberg (1995, 270) who asserts that racist (and other) speech and action may serve ideologically to rationalize relations of domination, or they may serve practically to effect such domination by defining who are its objects and what they may be subjected to. So these expressions may be taken most centrally and generally as the condition of this domination and subjection, the mode and function of . . . oppression.
That racial violence, for example, is oppressive has been readily apparent in my own work with Native Americans. Not surprisingly, the cumulative effect of anti-Indian activity takes its toll. Those I have interviewed describe an array of individual and collective reactions, many of which were indicative of the aggregate impact of normative, systemic victimization. One participant stated the impact very simply: “A lot of it is petty stuff. But it’s the petty stuff that gets to you after a while, because it’s all the time.” Indeed, among the people I have interviewed, there is a generalized sense of feeling weighed down, oppressed, by the ongoing threat of harassment and other racist actions:

You just get tired. You don’t want to have to face it anymore. After a while, you hate to go into town, ‘cause ya know as soon as you cross that line, somebody’s gonna do something—yell at ya, curse ya, maybe chase you back across the river. Sometimes it’s just too much.

The perception of recurrent threats and harassment leaves its victims feeling disempowered. It is, as many expressed it, “overwhelming,” or “tiring,” or “wearing.” These frequently noted sentiments lend some empirical credibility to the use of the term “oppressive violence.”

Rosga (1999) and Hamm (1994) have both argued for an even more politically grounded choice of terminology. They have separately articulated arguments that hate crime might more appropriately be understood as a form of terrorism, whereby

an attack motivated by prejudice targets not only its individual victim, but by its symbolic weight, effectively targets a whole group of marked individuals . . . . It functions, in other words, to reduce complex, multifaceted individuals into one-dimensional, victimized identity categories. (Rosga 1999, 145)

Similarly, Hamm (1994) champions the use of the term “domestic terrorism,” by which he means violence—generally perpetrated by organized extremists—intended to reinforce a “putative norm.” Typically, that “putative norm” refers to existing hierarchies along raced or gendered lines.

“Terrorism”—especially now—is a powerfully evocative term. Both uses of the term capture the dramatic collective impact of bias-motivated violence. The phrase demands the recognition that “hate crime” is intended to reinforce the subordination—perhaps even the invisibility—of the targeted groups. My concern with the term is that in the current climate, there would be significant resistance to using the term to apply equally to the attacks on New York City and Washington, and to individual attacks on minority group members.
Finally, I want to draw attention to the possibility of yet another term. Goldberg (1995), almost in passing, suggests the utility of reconfiguring ‘hate crime’ as a ‘crime against humanity.’ While his rationale for doing so is not fully articulated, it is nonetheless suggestive. He calls for the explicit recognition

not simply that they [the perpetrators] have harmed a particular individual and society abstractly, but also that they have harmed the entire group—the body of particular people with whom the object of the injustice identifies. In this sense, racist wrongs are wrongs . . . against an entire class of people. (1995, 273)

Quite clearly, this is the most politically charged term addressed herein. It is a sweeping indictment of hate crime perpetrators and the collective harm they do. It portrays ‘hate crime’ as akin to human rights violations, or perhaps to genocidal practices. Violence directed at someone because of his or her identity is in fact a denial of personal dignity. Clearly, hate crimes have both the intent and typically the effect of restricting the autonomy and active participation of the Other.

The practical utility of invoking a rights discourse is that it allows for—in fact encourages—recognition of the role of the state as well as of private actors in perpetuating such forms of violence. Additionally, this concept draws force and legitimacy from international law and convention. The 1948 Declaration of Human Rights and subsequent conferences on genocide and an array of rights issues draw attention to the human rights violations that inhere in intergroup violence. Indeed, the very notion of human rights is ‘one of the few moral visions ascribed to internationally’ (Bunch 1990, 486). The literature on violence against women as a human rights violation, for example, fits nicely within this paradigm (see, for example, Bunch 1990, 1995; Chapman 1990). So too does work on anti-immigrant violence (Dunn 1996) and that on social or ethnic cleansing (Bell-Fialkoff 1999; Naimark 2001). Additionally, Ward Churchill (1994; 1996)—a Marxist indigenous scholar—has long argued that the legacy of legal and extra-legal violence against Native Americans must be characterized as a syndrome of crimes against humanity and as genocide.

Moreover, to invoke rights claims generally is potentially transformative, in that the discourse of rights shifts the focus from violations of the person to violations of the body politic. In short, it invokes the collective identity-based nature of both the act and the harm done. Consequently, the exploitation of human rights narratives creates avenues by which the systemic subordination and victimization of minorities can be challenged both in the legal realm and in the marketplace of public ideas.
III. Closing Thoughts

This foray into the semantics of hate is not intended necessarily to lobby for the adoption of any particular alternative terminology for what we currently refer to as “hate crime.” Rather, it is meant to challenge us to think more seriously and critically about the implications of the language we use. Specifically, I have argued that, to the extent that we are critical scholars, it behooves us to name it for what it is: a mechanism of empowerment and disempowerment. The violence of which we speak is not simply about the individual affect of the individual perpetrator. Rather, it is an inevitable outgrowth of a rigidly structured and hierarchical society. It is an act of collective empowerment that relies heavily on the history and persistence of relations of advantage and disadvantage. As Stanko (1990; 2001) and Goldberg (1995) both make clear, racist, sexist, ethnic, homophobic and other forms of bigoted violence draw on available cultural resources to gain motivation, meaning and legitimacy. What I ask is that scholars be thoughtful in choosing terminology, so that the politics of difference that underlie “hate crime” becomes transparent.

Notes

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References


Toward an Interdisciplinary Field of Hate Studies:
Developing a Framework

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I. The Relevance of Hate Studies

In the last volume of the Journal of Hate Studies, Ken Stern of the American Jewish Committee (AJC) wrote an article addressing the need for what he calls an interdisciplinary field of hate studies. For too long, he argued, academics have studied "hate" in isolation. A social psychologist may have approached the subject looking to study the relationship between an individual hater and the hate group to which he belongs; a political scientist or economist might have studied how economic instability or political disenfranchisement contributed to the behavior of some racist or anti-Semitic. To put it simply, academics from a variety of disciplines have the resources to examine why people hate, but very few (if any) have had the opportunity to participate in a broader dialogue that includes a plurality of voices. A unified field of hate studies would provide a more complete picture of what hate looks like, why it looks the way it does, and finally (and perhaps most importantly) what we can do to help combat it.

The chief strength of this field of hate studies is that it would somehow represent a synergistic whole that encompasses more than a mere sum of its academic parts. By enlisting academics and others with specific expertise, we can do what the interdisciplinary model is designed for: break down the overarching subject of hate (more on a definition later), analyze every constituent subject and related topic therein, and reassemble these various analyses by searching for continuities and connections among them. As Stern has pointed out, the most important process in asking and eventually answering the relevant questions about hate is to create "a framework in which we can address" such questions.²

We must now begin to define the framework for hate studies and, in doing so, to help clarify why an interdisciplinary field is the preferred framework for dealing with hatred. The most obvious place to start this examination is with semantics: What is hate? How are we defining it? And the question that is on everyone's mind: How can we ever define hate? In a sense, it is impossible to answer any of these questions but the last one. Though Stern and others have proposed excellent working definitions of hate, it might be best here to begin from a different standpoint altogether. We need not define what hate specifically means so much as how we can
“position it,” to use Kathleen Blee’s phrase.³ The idea behind a field of hate studies is that we are free to amass as many definitions of hate as we like, as long as we keep ourselves from straying too far afield. Hate is an emotion, yes, but we are primarily interested in what it motivates individuals or groups of people to do to one another. And unfortunately, there is an infinite supply of case studies in hatred.

First and foremost, creating a field of hate studies will facilitate sustained and concentrated interest in studying hate—in gathering case studies, in thinking abstractly and theoretically about hate (its causes and effects), and in solidifying definitions of hate that are useful and up-to-date. There is a tendency to define hate with examples, which is helpful (and certainly understandable), but only to a point; we live in a world with an ever-expanding population capable of all sorts of hatred, bigotry, and persecution. A decade ago, for instance, anti-Americanism and Islamophobia would hardly have been considered relevant in any study of hatred (or for that matter, politics). So what we need is an approach to hate that works on two levels simultaneously—the empirical (i.e. case studies) and the theoretical. Helpful definitions of hate will come only from the dynamic interplay between the empirical and the theoretical—which brings us to the second benefit of creating a field of hate studies.

Questions that loom large in any discussion of a new academic discipline are: Why add it? What unique perspective would this new discipline afford us? To begin with, the study of hate as a concept is nothing new. A number of academic disciplines already deal with studying hatred, if not in the abstract, at least in the form of political, sociological, anthropological, historical, or literary examples. What is original, however, in the creation of hate studies is that it will not only unify a variety of different subjects, but will also integrate the theoretical and the empirical aspects of these subjects in a number of compelling ways.

To address the interplay between the theoretical and empirical, hate studies can involve both academicians and non-academic practitioners—politicians, human rights advocates, law enforcement officials, and so forth.⁴ In this sense, a field of hate studies serves two purposes: it is an academic discipline (that can equip students with a particular body of knowledge, a sort of literacy in the subject) on the one hand, and a virtual think tank (for policy making) on the other.

One rather important issue remains in the discussion of hate studies and its viability, and that is how we will organize the study: what concepts we shall look into and through which lenses. In short, how can we create a framework within which to study hate?
II. What a Framework Really Means

The goal of the interdisciplinary approach is to find commonalities in various fields in order to produce continuities and better insights concerning a given subject. With hate studies, we must be able to show exactly how a unified field will help us learn or synthesize new insights about hate.

What is especially interesting with hate studies is the way in which we can draw the various disciplines together. Typically, each discipline’s contribution to the interdisciplinary field is clear-cut and, in a sense, dictates the concept studied. For example, studying African-American music begins with the study of music and then works more specifically toward a study of African-American music. We are oriented from the general (the discipline, music) to the specific (African-American music), and eventually to the hyper-specific (rap music, jazz, hip-hop, etc.). In the hate studies model, we can work, as it were, from the inside-out—thinking first about the specific concept we want to explore, and then about how that concept might “link up” with other concepts within the field. So although a standard interdisciplinary approach may be to select the fields and subject areas with potential contributions to the study of our topic, our hate studies model operates differently; we shall begin with the concepts we want to study, and only then—after we have defined a framework this way—will we assign specific fields to contribute the relevant analysis. As an example, let us look at a topic like self-hate.

Take (a) self-hate (experienced by a victim of hate) and (b) the identity crisis (if we can call it that) experienced by a member of a given hate-group. Ordinarily, a study would investigate these two concepts separately, treating concept (a) as one specific to the object of hate and concept (b) as one specific to the subject of hate. With a unified field of hate studies we could make a more detailed connection. We could link concepts (a) and (b) through the notion of assimilation. The member of a hate group may hate in order to conform to the in-group (to stay assimilated), and a self-hating victim may punish himself as a way of internalizing his struggle to assimilate an identity dictated by the dominant culture. We now must provide the “interdisciplinary route/itinerary”—in other words how we are going to move from concept (a) to concept (b) and then, critically, to a synthesis (ab). We might begin with psychoanalytic theory to study self-hate; history to index various incidents of self-hate that would prove useful as case studies; sociology to contextualize such self-hate; psychology to identify the characteristics belonging to the self-hating minority and the assimilative group-hater; and so on.

The idea behind nearly every academic discipline is to keep the theoretical and empirical—the abstract and the concrete—entwined so that think-
ers can use abstract models to explain real-world scenarios and, of course, vice versa, to use examples from the world as springboards for thinking deeply about a concept. Hate studies not only affords us the opportunity to work critically as thinkers, but also promises to keep our work practically oriented. So long as there is hate in the world, there will be a concerted and determined effort to study, diagnose, and combat it.

III. HATE STUDIES: AN ORGANIZATION-SYNTHESIS

Ken Stern initiated the first step in creating a field of hate studies; he outlined the unique contributions of different disciplines by discussing why and how these disciplines would enhance our study of hate. The fields Stern envisioned included history, psychology, social psychology, sociology, religion, and political science—subjects that seem especially compatible in an interdisciplinary approach. If we are to fully realize the perspectives and contributions of these subjects, our next step must be to define the actual concepts that will comprise our theoretical framework, allowing us to organize the disciplines in a useful way.

A. Defining Hate in Terms of Subject and Object, the Hater and Victim

The most common conclusion among social scientists regarding an individual's or group's capacity to hate an "other" is that such hate hinges on a threefold process: the objectification, dehumanization, and demonization of a particular person based on his/her race, nationality, religion, sexual orientation, gender, and so forth. This triad—objectification, dehumanization, and demonization—is a prominent topic in a variety of disciplines, and to parse its relevance to hate studies, we must approach it against the backdrop of hater as subject and "hated" or victim as object.

1. A Little on the Subject

T.W. Adorno, in his oft-cited Authoritarian Personality, argues that hatred is more about the hating subject than the hated object. His suggestion has shaped a body of sociological literature dealing primarily (almost exclusively) with the subject—that is, the hater—in hate paradigms. Who is he—culturally, economically, philosophically, educationally? And how does his background make him more or less inclined to hate a particular object? Studying the subject is, of course, only one element in assessing why people hate and how they do so. Sociologist Kathleen Blee has insisted that to understand hate completely, we must study it as both an individual and a social phenomenon. She fears that studying hate is somehow treated as an
inquiry into either the hating individual or the politics of a group, but rarely as an inquiry into both simultaneously. Her call, and one we should take very seriously, is to look at the complete picture, “positioning hate” in a context that treats bigotry as a subject for psychologists and sociologists alike.

Others have studied the hater-subject from another perspective entirely, examining the role dehumanization plays among subjects and objects (victims). In Prophets of Deceit: A Study of the Techniques of the American Agitator, Leo Lowenthal and Norbert Guterman treat the idea of dehumanization in different terms altogether.7 They write of “distance”—the distance between subject and object literally and figuratively. Most interesting about their work is that they invite us to compare the distance erected between hater and hated to the distance between a so called agitator8 and his followers. The idea, for Lowenthal and Guterman, goes something like this. An agitator or leader of a hate group gains his power and authority by browbeating his listeners—not dialoguing or discussing with them, but talking at them—“breaking them down” and desensitizing them to their own humanity. We can see how this process, whether intended or not, serves as preparation for the eventual dehumanization of a victim. In fact, the similarities in how leaders of some hate groups recruit and condition their followers and how those followers, in turn, “hate” a given victim are staggering. Defining hate in terms of subject and object, hater and victim, will provide us with the opportunity to make connections like these, studying the subject in the context of (a) his individual psychology and (b) his relation to a group (whether that group involves other hating subjects or hated objects).

Inherent in the subject-object dichotomy are four related but more specific areas of investigation. They are: (1) Creating/Constructing an Other; (2) Motivations of Hate (from a theoretical standpoint); (3) Hate and Action; and (4) Techniques and Strategies in Hate Dissemination.

2. Creating or Constructing an “Other”

In this context, we might enlist sociologists, social psychologists, political scientists, and historians to examine the dynamics of in-group and out-group relations. Social scientists and philosophers over the years have used different terms to describe what is essentially the “Us and Them” binary, the idea that there will always be a perceived “other” onto which the social or political in-group projects assumptions.
3. Hate Motivations from a Theoretical Standpoint

There are several theoretical models that describe why and how people are inclined to hate. Two in particular have been historically opposed. There is Adorno’s “authoritarian personality” model, which explains an individual’s capacity to hate in terms of the predispositions of his personality. An authoritarian personality, according to Adorno, is the type of person that gravitates toward hate and is capable of inciting others to do the same. On the other hand is Hannah Arendt’s slightly more controversial “Banality of Evil” model. According to Arendt, individuals hate because they are too weak to resist entrenched bigotry or mainstream sentiments. Her book *Eichmann in Jerusalem* describes, in Adolph Eichmann, not the barbaric killer we all imagined, but a simple, relatively average citizen who persecuted Jews in order to conform (literally to follow orders) to the popular Nazi logic of the 1930s and ‘40s. Of course, the work of Adorno and Arendt makes up only a small part of the analysis that exists on why people hate. There was the famous Robbers-Cave experiment conducted in the 1950s that demonstrated how arbitrarily individuals form identity groups and how quickly these individuals antagonize members of groups other than their own. Other experiments have shown that individuals will forge identities over things as trivial as coin flips – forming groups around who flips “heads” and who, “tails,” at random. These experiments point to a phenomenon slightly more complex than the visions of Adorno and Arendt: that hate, as social psychologist James Waller explains, is a natural human inclination—a fundamental and unavoidable part of the human experience.

4. Hate and Action

With expertise in the philosophy of emotions, Aharon Ben Ze’ev—currently the President of Haifa University—has explored the paradox of hate: that while a hater may have specific goals for the eradication of a certain victim, the hater rarely manages to carry out his ultimate plan successfully. Ben Ze’ev encourages us to think about the relationship between hate and action. What are the stated goals of a given hate group? Are these goals ultimately realizable? And on a political note: Might a group benefit from the irresolution of its goals? Bound up in these questions are, of course, even more intricate ones. Research shows that haters can sometimes (and in fact often do) hate in isolation—that is, without a tangible victim at all. White supremacists, for example, may subscribe to anti-Semitism as part of their accepted ideology even though many have rarely, if ever, encountered a Jew. We might, then, prefer to think of hate as a kind of action. Renae Cohen has advanced some interesting ideas on the matter,
positing that hate "is sometimes an emotion, sometimes an attitude, and
sometimes a behavior...with two intersecting dimensions: passive to
active, and thought to behavior." 13 Her intuition gets at hatred as a com-
posite of emotions, attitudes, and actions. Hatred is action, and yet it is also a
posture and a mindset.

5. Techniques and Strategies in Hate Dissemination

There is an abundance of literature—historical, sociological, anthropo-
logical, and political—concerning how hateful ideologies gain traction in
societies. The crux of this topic is the idea that hate is a process rather than
a static attribute. Human beings are inclined to hate by their very nature.
But when hate becomes the outgrowth or the linchpin of ideology, individu-
al haters participate in a process, conditioning themselves and others to
hate specific groups of people in prescribed ways.14

B. Questions of Identity

An examination of identity—what it means and implies—is central in the
study of hate.

When hate becomes a part of someone’s identity, that person cannot
help but define himself (if only in part) in terms of the group he hates. The
belief structure of any bigot is contingent upon having a victim available to
victimize, even if that victim remains an abstract concept. To put it
crudely, what is a neo-Nazi without a Jew? A Klan member without an
African-American? A hater is in a sense bound by the group or people he
hates, since hating is a crucial part of his identity.

Conversely, the victim straddles two contradictory identities at once.
In one sense, he is utterly anonymous, dehumanized, and stripped of any
life aside from, say, his race or his religion. But at the same time, the
victim confronts a profound sense of identity. In being targeted by a bigot,
one’s identity is affirmed—peremptorily and violently, yes—but unequivo-
cally nevertheless.

Identity is complex. We each have multiple identities at once, and
these different identities do not always fit neatly or compactly together to
form some overarching sense of self. That said, I do not want to oversim-
plify; studying identity, especially as it relates to hate, involves an almost
impossible unwrapping of what it means to be a citizen, a man or woman, a
family member, a professional, an ideologue, a religious believer, someone
with a race, with a history, or even someone without some of these attrib-
utes. And of course, circumstances complicate not only each layer of one’s
identity, but also the relationships among them. Economic disempower-
ment is often cited as a defining situation in the evolution (or devolution) of one’s identity, though there are of course many other events—at once personal and political, economic and abstract—that shape an individual’s sense of self, and more importantly, the relation between that self and an other. For now, we can only sort out some questions. How does ideology impact identity? How does victimhood impact identity? How might self-hate emerge for a victim struggling to assimilate into the dominant culture? How might some—like Arendt’s Eichmann—hate in order to assimilate mainstream beliefs? What types of institutions are pressuring individuals to assimilate? And what sorts of things are these institutions pressuring individuals to do in order to assimilate? This question in particular is of incalculable importance now with the rise of fundamentalism throughout the Middle East. (Whose approval are suicide bombers seeking? Whose encouragement are they getting?)

We might think of assimilation and its relation to nationalism or to religion, exploring the attitudes certain cultures or religious groups have about cultures and people other than their own. When Sartre wrote Antisemite and Jew, for example, being French meant, in large part, being anti-Semitic. French nationalism fostered a certain social permissiveness concerning hatred of the Jews; anti-Semites were tolerated, even condoned to an extent.

C. Self-Hate

Self-hate has been remarkably underexplored within the context of hatred and bigotry. In a sense, we might think of self-hatred as an outgrowth of prejudice perpetuated by a victim as he struggles to assimilate the dominant culture. Psycho-analytic work is extensive on the subject, though there is a dearth of analysis from fields like literature or comparative literature, the performing arts, history, sociology—in short, fields with a lot to contribute in the form of case studies. It is impossible to discuss self-hate without psychologizing, and we can fully realize the potential of hate studies by using its framework to integrate existing psychoanalytic accounts with other inquiries into self-hate coming from literature. Again, our governing premise remains. We will begin with the concept—self-hate—and use the relevant disciplines (here psychology/psycho-analysis and literature) to present and explicate a case study. Who better an example of the self-hater than Philip Roth’s infamous Alexander Portnoy, pioneer of the “complaint genre”—a genre that joins our interests in literature with our interests in psychology? Portnoy is a stereotype, yet he possesses such bewildering idiosyncrasies that he resists easy classification. He may be fictional but he is
real enough to some of us, the creation of a real live Jewish-American mind. Here he delivers a characteristic tirade:

[W]eep for your own pathetic selves, why don’t you,
and sucking on that sour grape of a religion! Jew Jew Jew Jew Jew Jew!
It is coming out of my ears already; the saga of the suffering Jews!
Do me a favor, my people, and stick your suffering heritage up your
suffering ass—I happen also to be a human being!

*Portnoy’s Complaint*  

With these words, Alexander Portnoy tries once and for all to sever ties to his people. “I happen also to be a human being,” he exclaims, distancing himself (albeit in vain) from his Jewishness, an identity that he cannot evade whether he believes he can or not. Of course, Portnoy’s excoriation of the Jews is laden with irony. For one, the entire book, as its very title reinforces, amounts to a long and extended complaint, in effect a sustained “weep[ing] for [Portnoy’s] own pathetic self.” Even as he expresses exasperation with his people for their “saga of suffering,” he somehow conforms to (and participates in) the very stereotype he is so determined to antagonize. He is stuck, as it were, between a rock and a hard place. On the one hand is his Judaism, which he cannot help but resent for all the anxiety it causes him, and on the other a world of indistinguishable gentiles—the “All-American goy[s] . . . their fathers . . . never use double negatives, and their mothers the ladies with the kindly smiles and wonderful manners who say things like, ‘I do believe, Mary, that we sold thirty-five cakes at the Bake Sale’” (145-6). Portnoy, it seems, is in an impossible position. He simply cannot reconcile his unconscious attachment (bordering on obsession) to the Jews with his competing impulse to be a human being first and a Jew second, if at all. Put simply, if he is a Jew, then he is at least someone with a distinct identity even though that identity exasperates him, whereas if he were a gentile, he would be (in his eyes at least) “just like everybody else,” a severe blow to a narcissist like Portnoy.

Portnoy presents a fascinating case study in self-hatred because his deep psychological problems have observable literary effects, as though his writing represents an ongoing symptom of a classic paralysis in identity. Moreover, Roth (with his neurotic Portnoy) shows us the nexus of hate and culture played out in an individual who hates himself and his people for the apparent incompatibility between their cultural identity (Jewishness) and a more mainstream “American” (secular if not at least gentile) identity. Self-hate is a proxy for what is a profoundly cultural struggle, assimilation—a reconciliation of multiple (sometimes competing) components of one’s identity. Portnoy is several people at once—a Jew, an American, an American Jew, a man, a son, a human being—and he cannot be happy until he
learns to manage his multiple identities, to reassemble them into his own unified personhood.

Our discussion of self-hatred extends beyond the confines of fiction, though Portnoy’s neurosis may serve as a helpful model as we turn to Jewish Americans who use their Jewishness as a bid for credibility in their persistent attacks on Israel. Academics like Norman Finkelstein and Noam Chomsky suffer from a particularly insidious form of self-hate since they both use their identity as Jews to galvanize the far left behind what is nominally anti-Zionism but functionally anti-Semitism. The two demonstrate the reality and pervasiveness of self-hate on a scale that Roth may help us to anticipate but never fully comprehend. Finkelstein and Chomsky have catalyzed a new breed of anti-Semitism (if we can call the bigotry they practice “new”) that stems from the explosive mixture of leftist ideology, academic obfuscation, and—above all—intense self-hatred.

IV. CONCLUSION: HATE AND CULTURE

A unified, interdisciplinary field of hate studies may be the most direct and effective way for us as intellectuals to understand what hate and culture truly mean and why their pairing is so inevitable. A field that draws from philosophy, psychology, anthropology, religion, political science, and literature (to name a few) provides us with the widest range of academic resources available to explore in full the cross-section of hate—its role in the human experience and its impact on cultural life. I hope the outline I’ve begun to sketch will further the genesis of a hate studies program, offering the rudiments of an organization that will work. I must stress, though, that if we are truly serious about the prospect of creating and eventually implementing a hate studies field, we must have a clearly defined framework in mind. We must continually reassess our goals, our expectations in achieving those goals, and our specific interests in terms of a course of study. We need to unify the discipline around something, and for us to do so, we will have to think deeply about what it is exactly that we want a variety of academic disciplines to investigate. If hate is a part of the human experience, we must marshal any and all the tools that can help us understand why such a common human emotion can bring about such destructive and catastrophic behavior.
NOTES

1. I put *hate* in quotes because the word is very much open for definition. In fact, there has been a bit of contention over what exactly hate means and how best we might define it. For now, I would like to leave it as is—undefined—and I will return to the question of definition later.


4. A fine example of such collaboration is ODHR’s—that is, Office for Democratic Institutions and Human Rights–Law Enforcement Training Program for Combating Hate Crimes.

5. It is worth stressing that the disciplines at play need not be limited to the social sciences nor, for that matter, to the humanities. There are several literary examples that might elucidate the processes of objectification and dehumanization. Weisel’s *Dawn*, Ellison’s *Invisible Man*, Wright’s *Native Son*, Shakespeare’s *Merchant of Venice* come to mind, to name only a few. Scientists should not be excluded either. The field of neuroscience might even help us approach the topic of hate and action in a novel way, leading us to explore exactly how someone hates (chemically or physiologically).


8. The word agitator, for Lowenthal and Guterman, is nearly synonymous with demagogue here. We may treat the agitator as the leader of a hate group, someone who articulates and advocates an ideology of hate.


12. Ben Ze’ev looks at hate and action against the backdrop of a more particular comparison—the comparison between the goals of a hate group and those of a reform movement. The reform movement, Ben Ze’ev, explains, works more concertedly towards change, whereas a hate group may speak abstractly about the need for change but is never fully geared or prepared to enact such societal change.


BOOK REVIEW:

Encyclopedia of Genocide and Crimes Against Humanity

Steven K. Baum

When Israel Charny edited ABC-CLIO’s 2-volume, 720-page Encyclopedia of Genocide and Crimes Against Humanity in 1999, it was not clear that such an extensive work was needed by the field, or that it would be welcome. Although admirable in containing contributions from about 100 contributors and forewords by Archbishop Desmond Tutu and Simon Wiesenthal, the two-volume set was a little too detailed at times and was somewhat cumbersome to use. Now, in its third printing, the work has found both its place and its stride. Despite its flaws, the encyclopedia fills a void and is appreciated by scholars in the field.

So when a second encyclopedia—one with double the page count and almost double the price of the Encyclopedia of Genocide—was released last year, I was concerned that Macmillan Reference was being redundant. That concern has been allayed admirably. Dinah L. Sheldon of George Washington Law School, along with board editors Howard Adelman, Frank Chalk, Alexandre Kiss, and William Schabas, has succeeded in producing the most comprehensive and simple-to-use encyclopedia yet on the subject of genocide. The three-volume set contains 350 entries, 250 illustrations, an outline of contents, cross-references, a glossary, a primary source appendix and a subject index, a filmography section, and multiple legal and judicial decisions (e.g. UN General Assembly Resolution on Genocide, Amistad, etc.). Its alphabetically arranged headings from A (Advertising) to Z (Zunghars) are divided into 13 sections: biographies, crime and punishment, cultural representations, history, Holocaust biographies, instruments, international and national laws, international institutions, investigations and evidence, people, prevention and reaction, reparations, and theories and explanations.

The encyclopedia is intended for general readers with a high school or college level education (preface vii), but only the most sophisticated high school student would appreciate this text, which at times reads like a Who’s Who of genocide scholarship: Robert Jan van Pelt on Auschwitz, Michael Marrus on multiple aspects of the Holocaust, Fred Schweitzer on Anti-Semitism, Ben Kiernan on Pol Pot, Dennis Papazian and Vahakn Dadrian on the
Armenians, Nechama Tec on rescuing, John Roth on philosophical underpinnings, Robert Melson on comparative genocide, and William Schabas and Dinah Shelton on law.

The latter topic is decidedly the leaning of the encyclopedia, which raises some questions. It is not that legal, judicial crimes against humanity and social justice are not subjects pivotal to the study of genocide. But one wonders what the emphasis might have been if, for example, a sociologist or social scientist were making editorial decisions.

One wonders why, in a master reference work on genocide, the fairly extensive empirical research on prejudice is missing, and why the field of hate studies and hate crimes has become the poor stepchild, excluded from genocide studies per se. At the same time, genocide scholarship works—including those by Staub, Browning, and Bartov—were not routinely cited or emphasized. Conspicuous by omission too are the Sassoon Center/SICSA Hebrew University scholars Wistrich, Bauer, and Volovici. This presentation makes it appear as if all three scholar groups—genocide, hate studies, Holocaust—have nothing in common.

The failure to overlap these fields may explain the omission of entries by theologians such as Franklin Littell. Choosing to use a decision theorist (K.R. Monroe) to explain psychology rather than to amplify her area of expertise—altruism—is also intriguing.

Sometimes there are outright mistakes—unchecked statements such as, “Psychological study of the so-called altruistic personality has not turned up anything remarkable” (p. 139). Such statements may not have been vetted, and, if they were, no contrasting literature was cited. All this may be nitpicking. The tome contains almost 1,500 pages; there are bound to be errors and omissions. There are also unexpected topics, such as Infanticide, Banality of Radical Evil, and the David Irving libel trial, all of which are well-written, as are the entries in general.

Most encyclopedias are not page-turners. They will sit on the shelf and be available in times of need. You want them to be clear and precise. Shelton’s Encyclopedia is one up from that: it is not only available and well-written, but is also interesting.
BOOK REVIEW:

Do Unto Others: Extraordinary Acts of Ordinary People

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Martin Buber observes in *Between Man and Man* that if we consider the individual alone, then we see that individual as we see the moon, only as an object in isolation. If we consider only the aggregate, then we see individuals as we see stars in the Milky Way, as a large vague cloud (Buber, 1965). Only by studying individuals with other individuals can we understand both the personal stories and the general themes. *Do Unto Others: Extraordinary Acts of Ordinary People*, Samuel Oliner’s well-researched and readable analysis of altruism, presents just such an expository collage of narratives and themes. Oliner profiles individual acts of altruism and places these profiles in the context of others, with repeated particulars conveying the resonant patterns of altruistic behavior. Through its firm embrace of complexity, its adherence to balance, and its commitment to clear, direct explication, *Do Unto Others* makes a distinctive contribution to our understanding of altruism.

As a social scientist, Oliner is comfortable with multiple ways of knowing. At its best, *Do Unto Others* effectively integrates personal narratives, empirical analysis, and theory with prose that is straightforward and free of jargon, allowing the reader to move deftly through profound subject matter. The three stated purposes of the book are to discuss heroism in different contexts, to find commonalities across different settings, and to consider the implications for moral education. In this regard, the book recalls and complements the remarkable work *Rescuers: Portraits of Moral Courage in the Holocaust* (Block & Drucker, 1992). Whereas *Rescuers* depicts a series of detailed, individual portraits, *Do Unto Others* interweaves many different cases in order to identify common patterns, moving gracefully between the nomothetic and the idiographic, providing typologies of altruistic and heroic acts and the shared traits of people who perform these acts.

In short, altruistic behavior is voluntary, unrewarded helping of another, with *heroic* altruism including a high degree of risk or self-sacrifice. *Do Unto Others* tells us that altruism begins in infancy as an innate
predisposition and is nurtured in a healthy relationship with one’s parents. The concentric influences of peers, school, community, and society reinforce and expand the young person’s altruistic qualities, which can then become internalized “normocentric” values. To realize the force of these normocentric values, consider the reaction of two communities to the treatment of Ryan White, the courageous teenager who contracted AIDS from a transfusion of blood in the mid-1980s. When his disease became known, Ryan’s home town of Kokomo, Indiana ostracized him. Students harassed him in the hallways and on the sidewalks, parents withdrew their children from school, and school officials barred him from attending classes. Ultimately, Ryan left Kokomo and moved to Cicero, Indiana, where the townspeople and the students and teachers in his high school welcomed him and his family warmly. Kokomo and Cicero, two Midwestern towns in the same state undergoing the same struggle with AIDS, nurtured two different sets of normocentric values—and correspondingly different displays of altruistic behavior among their citizens.

Central to the development of moral individuals, according to Oliner, are empathy and a willingness to act—or efficacy. Such individuals learn optimism, certainty, moral autonomy, concern for others, and respect for time-honored moral principles, most notably the Golden Rule. Significantly, the title of the book refers to the Golden Rule in the positive form, which has multiple sources, including Leviticus 19:18 (“Love your neighbor as yourself”) and Matthew 7.12 (“Whatever you wish that men would do to you, do so to them”). In contrast, Rabbi Hillel offered the negative form: “What is hateful to you do not do to your fellow.” In normal times, the negative form provides more freedom—by instructing people to avoid immoral acts and allowing them to choose any behaviors that are not hateful. Though more constraining than the negative, the positive form is more proactive, telling what altruistic acts should be performed. Moreover, in times of crisis, simply not hurting people is morally insufficient, and in fact defines the role of the bystander. In malevolent societies, to “do unto others . . .” is to be a rescuer.

The book opens with a compelling account of the Polish rescuer, Balwina Piecuch, who hid the young Samuel Oliner from the Nazis and saved his life. It then explores heroic and conventional altruism, dividing altruistic people into eight types, with each chapter devoted to one type. A brief concluding chapter identifies general lessons.

Oliner begins his discussion of the eight types of altruistic behavior by focusing on the heroic deeds during the attack on the World Trade Center. I was briefly put off by the jingoistic title, “Let’s Roll,” which for me connoted an unfortunate bumper-sticker simplicity that was uncharacteristic of this thoughtful chapter. The following chapter skillfully depicts non-Jewish
heroic altruists who saved Jews in Nazi-occupied Europe. Underlying their heroic altruism are ethical beliefs about justice and fairness and an active response to persecution. When asked why he rescued Jews, the courageous Giorgio Perlasca provided a response that is typical of these rescuers: There was no other choice. Among those profiled are the so-called “Japanese Schindler,” Sempo Sugihara, who saved thousands of Polish Jews by writing transit visas, Carl Lutz, who attempted to save more than 100,000 Jews, and Georg Duckewitz, who contributed to the saving of 7,200 Jewish lives in Denmark. With the emphasis on action, Oliner says that success came about from the “daily practice” (pp. 61) of saving Jews. In that regard, I wished for more information about the extraordinary efforts of Bulgaria to save Jewish people.

Chapter 4 presents a representative set of brief biographies of Jewish rescuers in Nazi-occupied Europe, profiling equal numbers of men and women and building a strong case for the prevalence of Jewish resistance. Oliner is adept at drawing on statistics to sharpen a point or underscore a theme extracted from analysis of the narratives, concluding, “The myth of Jewish passivity does not bear out because there was a disproportionate number of Jewish resisters against the Nazi oppressors in all of Nazi-occupied Europe” (p. 89). In fact, much of the early Holocaust research understated the extent of Jewish resistance, which could take a variety of forms, great and small, and in many instances can be found only in survivor testimony.

The well-researched chapter 5, based in part on 214 interviews of Carnegie heroes, further explores the distinctive traits of heroic altruists: normocentrism, social responsibility, empathy, strong spiritual beliefs, a belief in reciprocity, well-defined moral principles, efficacy, and sometimes blunt impulsiveness. The following chapter on military heroes directly confronts the conflict between the moral principle of not killing and the practical necessity of killing during times of war. Fierce devotion to one’s group, so antithetical to rescuing the other, is a necessary component of heroism under fire.

The moral leaders of chapter 7 are a diverse group—beginning with Dr. Wendy Ring, a general practitioner who established a mobile clinic in Humboldt County, California to provide medical care to the homeless and the poor. Ring displays the qualities of all those in this category: empathy, humility, the ability to carry out her goals, sustained commitment, a willingness to set aside self-interest, and idealism tempered with a sense of realism. The moral leaders who follow include Mahatma Gandhi, the Dalai Lama, Martin Luther King, Jr., Nelson Mandela, Elie Wiesel, Mother Teresa, Jonas Salk and Albert Sabin, Rachel Carson, Chico Mendes, and Julia “Butterfly” Hill, a young woman who saved an ancient redwood tree
by living in it for two years. Even with the legendary moral leaders of our time, Oliner does not deify. He recognizes these women and men as flawed and striving human beings, not demigods. In fact, one of the overarching themes of the book is the interdependence of altruistic exemplars. Martin Luther King, Jr., for example, looked to Gandhi as a role model for moral action, with help from Bayard Rustin. While in prison, Nelson Mandela developed a sustaining relationship with his warden, James Gregory, who guarded him from 1966 until his release 24 years later.

The chapter on philanthropy offers several overlapping typologies, which begin to stack up: Maimonides’s eight levels of giving are followed by seven types of philanthropists, four levels of philanthropy, two factors influencing people to give away money, and seven levels of corporate giving. The chapter is difficult to diagram, but useful for pointing readers to recent, primary sources on philanthropy. Drawing on different religious traditions, Oliner concludes with clear requirements of philanthropy, emphasizing “the results of giving to alleviate suffering” (p. 193). In his study of volunteers, Oliner focuses on the hospice movement, categorizing the various reasons for volunteering (and not volunteering). Cogent reporting of his survey results highlights this brief chapter, though it could be strengthened with the inclusion of at least a few profiles of moral exemplars; Jimmy and Rosalynn Carter come to mind as potential candidates. The brief concluding chapter lists the “common components” of heroic and altruistic behavior, with a view toward prescription, how to foster goodness and facilitate moral action.

As a social scientist, I am tempted to use Ockham’s razor to reduce Oliner’s eight types of altruistic and heroic acts to four: 1) heroic responses in crisis (heroes in the World Trade Center attack and Carnegie heroes), 2) courageous resistance against tyranny (non-Jewish rescuers in Nazi-occupied Europe and moral leaders), 3) fierce devotion to one’s group in the face of death—a devotion that can involve the killing of others (Jewish rescuers in Nazi-occupied Europe and military heroes), and 4) sustained, unselfish giving for the good of others (philanthropists and volunteers).

Considering the rarity of fully developed altruism, is Oliner’s book Panglossian? After all, “tiny” is too large a word to characterize the proportion of people who helped Jews in Nazi-occupied Europe. Indeed, the author may occasionally err in the service of optimism. For example, South Africa’s Truth and Reconciliation Commission (TRC) was not established “to forgive” (p. 154), as Oliner says, but to promote full disclosure of the crimes of apartheid and to begin the process of reconciling the perpetrators and the victimized. Forgiveness was left to the families and was explicitly not mandated by the TRC. In general, however, Oliner answers questions of sanguinity with balance—by presenting goodness against a backdrop of
inhumanity. In the first chapter, for example, we learn about Oliner’s rescue from the Nazis, but we also hear about the murder of his family and about a cruel and opportunistic Polish man named Krupka, who crippled the Jews he captured “just for fun” before delivering them to the Gestapo (12). Similarly, the chapter on Carnegie heroes begins with the case of a “bad Samaritan,” David Cash, who walked away and did nothing while his friend Jeremy Strohmeyer sexually assaulted and murdered a seven-year-old girl.

Nevertheless, readers may still wonder about the abundance of cowardice and indifference and the dearth of moral leadership and heroic altruism. In part, Oliner’s disciplined hopefulness deflects this concern. There is more altruism than most people are aware of, and how much of it one finds depends on where one looks. Oliner’s final self-reflection explains his perspective: “Perhaps my own personal losses have turned me in the direction of studying the nature of goodness, for the dark beginning made me yearn for light” (p. 211).

Susan Sontag describes compassion as “an unstable emotion” that must be “translated into action” to survive (Sontag, 2003, p. 101). Significantly, Oliner’s book begins with the word “Do” – and continues by documenting the value of translating compassion and empathy into action. Ultimately, reading about these extraordinary acts of altruism creates an ebullient sobriety, a strong and careful desire to educate others and to apply Oliner’s findings to existing problems in the world. We know what needs to be done, we know it’s possible, but we also know the difficulties that lie ahead. Oliner bestows this responsibility by refuting the need for superhumanness and reiterating the theme of possibility. “Goodness, like evil,” he says, “is teachable, and the results of such teaching are measurable” (p. 211). By the end, the book has accomplished the main goal of a moral exemplar: offering inspiration through example.

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