

# Hate Crime

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### **Abstract**

The systematic study of hate crime presents an array of conceptual and methodological challenges. This chapter reviews the extant literature, identifies gaps, and proposes potential avenues for future empirical and theoretical extensions. We begin by discussing the concept of hate crime, explicating its definition and measurement. We next review the literature's attempts to establish bias motivation by examining perpetrators' psychological traits or by analyzing offenders' behaviors during the commission of hate crimes. We then consider contextual accounts that draw attention to offenders' social environment as well as to such macro-causal factors as political, historical-cultural, sociological, and economic circumstances that have been put forth in the explanation of hate crime. We conclude by suggesting theoretical and empirical syntheses of these diverse research programs.

### **Hate Crime**

A recent research review on the subject of hate crime, that is, criminal activity motivated by bigotry, concluded that 'the lack of theory with the demonstrated ability to explain or predict hate crime, coupled with the lack of evaluation research, makes it difficult to determine the realized or potential impact of criminal justice programs and policies aimed at preventing and effectively responding to hate crime' (Shively, 2005, p. v).

These lacunae are particularly troubling in light of the enduring importance of bigoted violence in the United States and beyond. Each year, US law enforcement agencies classify several thousand criminal incidents as hate crimes, the majority of which are motivated by racial bias (FBI, 2004). In many European countries, harassment and violence directed against the continent's ethnically distinct immigrant populations has also been a common occurrence (EUMC, 2005; McClintock, 2005; Witte, 1995).

What causes hate crime? Scholarly efforts to answer this question fall into three broad categories. A growing body of literature addresses the psychological characteristics that may predispose an individual to commit bigoted crime. Another branch of scholarship distinguishes between varying types of bias motivation to construct typologies of perpetrators. Finally, a third strand of research, existing largely in isolation from these individual-level accounts, examines how variation in contextual variables, such as unemployment rates, social structures, or political institutions, affects the incidence of hate crime. Although the three literatures are growing rapidly, explanations of hate crime that are both theoretically cogent and empirically supported remain elusive.

In this chapter, we review the extant literature, identify gaps, and propose potential avenues for future empirical and theoretical extensions. The chapter begins by discussing the concept of hate crime, explicating its definition and measurement. We next review the literature's attempts to establish bias motivation by examining perpetrators' psychological traits or by analyzing offenders' behaviors during the commission of hate crimes. We then consider contextual accounts that draw attention to offenders' social environment as well as to such macro-causal factors as political, historical-cultural, sociological, and economic circumstances that have been put forth in the explanation of hate crime. We conclude by suggesting theoretical and methodological syntheses of these diverse research programs and by summarizing the empirical generalizations that emerge from the literature.

### **Brief Overview of the Topic**

The term 'hate crime' (or 'bias crime') first emerged in the United States in the early 1980s. Policy advocates, criminal justice practitioners, and journalists used the new terminology to describe the apparently rising

incidence of bias-motivated attacks directed against homosexuals and racial, ethnic, and religious minorities (Jenness & Grattet, 2001). Despite its widespread use, the term is still shrouded in conceptual ambiguity, and scholars, as well as jurisdictions, have adopted varying definitions as a result (Petrosino, 2003). Within the United States alone, hate crime definitions and statutes differ considerably across states (Shively, 2005); outside of the United States, official definitions of bigoted violence also vary widely.

Historical experiences and legal traditions often inform these differences. In the United States, for example, laws prohibiting cross-burning and the desecration of religious sites preceded the hate crime legislation of the 1980s. While the First Amendment protects hate speech in the United States, Canada, in line with many other Western nations, criminalizes the promotion of genocide and the incitement of hatred on the basis of 'color, race, religion, or ethnic origin where such incitement is likely to lead to a breach of the peace' (Levin, 2002, p. 242). In Germany and Austria, experiences with Nazism have led to the banning of extreme right-wing, anti-Semitic and anti-foreign propaganda, speech, and behavior. Establishing or joining fascist or neo-Nazi political parties, displaying neo-Nazi symbols, and denying the Holocaust are thus prohibited by law. In France, where Republican ideals have long rejected the differentiation of the citizenry into distinct categories based on ethnic or racial identities, bias crime legislation has been slow to develop. Until recently, most convictions related to racist crime referred to violations of laws that placed limits on freedom of expression, dating back to 1881. In 2003 and 2004, following a wave of racist and anti-gay violence, new legislation was introduced that allows for aggravated penalties for a range of offenses, provided racist or homophobic expressions accompany these crimes. The most broad-based definition of racist violence within the European Union (EU) is found in Great Britain, where grassroots and government initiatives to combat racist attacks date back to the early 1980s (Bleich, 2007; EUMC, 2005; McClintock, 2005). Here, all statutory and voluntary agencies that record and report racist incidents adopt the following definition: 'A racist incident is any incident, which is perceived to be racist by the victim or any other person' (Macpherson, 1999, p. 328).

In addition to discrepancies in legal frameworks, differences in data collection mechanisms complicate comparative analyses. In the United States, many law enforcement jurisdictions do not comply with the mandate to collect and report hate crime data (Shively, 2005); in France, government agencies are prohibited by law from recording statistics on the ethnic or racial origin of victims; and in Germany, data collection is skewed towards events that are linked to organized or political forms of racism (EUMC, 2005; Witte, 1995). Moreover, regardless of variation in the nature of collection, cross-national differences in the commitment to the recording of hate crime data can significantly distort comparative investigations. In its comprehensive study on racist violence in Europe, the European Monitoring Centre on Racism and Xenophobia (EUMC, 2005) concluded that countries with the best-developed recording procedures (i.e., Finland, Great Britain, Sweden, and Germany) also exhibit the highest levels of racist violence. In light of these differences, the Center advises researchers to study the incidence of hate crime within countries over time, rather than cross-nationally.

Another area of disagreement concerns the scope of protected groups. Within the United States and Europe there is no consensus, for example, about whether hate crime laws should specify sexual orientation as a protected category, although the number of US states that do so has risen steadily.<sup>1</sup> While state statutes vary, the FBI's data collection efforts follow a definition that lists specific target groups and considers any 'criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation, or ethnicity/national origin' a bias crime (FBI, 1999, p. 2). Craig and Waldo (1996, p.113) have provided a more expansive definition that encompasses 'words or actions intended to harm or intimidate an individual because of his or her perceived membership in or association with a particular group.' According to this definition, all individuals, even those belonging to numerically dominant groups, can be considered members of protected groups. This understanding of bias crime also informs the approach to such offenses in Britain, where the authorities have tended to view the incidence of racist crime as an indicator of the state of intergroup relations more generally (Witte, 1995). By contrast, Petrosino (2003, p. 10) has maintained that the conceptualization of hate crime should take into account empirical regularities, such as attacks against economically and politically disadvantaged groups by a more powerful majority and thus classifies 'the victimization of minorities due to their racial or ethnic identity by members of the majority' as hate crimes. To complicate matters further, crime victims themselves sometimes wrongly attribute a bias motive to a non-bias offense.<sup>2</sup>

There is, then, a great deal of disagreement over which acts may count as hate crimes and which individuals may count as victims. From the standpoint of empirical social science, an expansive and general understanding of both crimes and victims would be welcome, as it would allow researchers to test relationships between acts, victims, and perpetrators, which in turn might shed light on the causes of the general phenomenon. Tests could reveal, for example, whether the incidence of verbal abuse or racist graffiti is explained by the same set of variables as physical attacks against ethnic minorities (see Dancygier, forthcoming). An inclusive conception of victim groups could also elucidate how varying local contexts might affect the occurrence of hate crime. Groups that constitute ethnic minorities in national censuses often represent the dominant majority in particular neighborhoods, and empirical investigations could uncover whether the dynamics that are said to produce perpetrators among the national majority population also generate perpetrators among these local majorities. As a practical matter, it remains unlikely that countries with widely varying historical and legal traditions will adopt similarly expansive definitions of hate crime and we would not suggest that social scientific concerns should be the only, or even the main, guiding principle in the adoption of such laws. Nevertheless, policymakers who are interested in combating hate crime and its causes should have an understanding of the potential empirical implications of different legal definitions of such crime.

While definitions may vary, a feature that is common to all prosecutions of hate crime is the challenge of producing convincing evidence. For an ordinary crime to be classified as a hate crime, evidence must indicate the perpetrator's animus toward the victim's putative group. Establishing motivation presents a range of conceptual and epistemological problems (Berk, 1990). Most hate crime statutes require that bigoted animus provide at least part of the offender's motivation, for otherwise crimes such as robbery or sexual assault that carry additional motivations would have to be excluded. While sensible as a practical matter, such a definition also creates ambiguity. Should the harassment of a gay individual that is followed by robbery count as a hate crime, even if economic gain is the apparent proximate motive of the robbery (Berk, Boyd, & Hammer, 2003)? Can perpetrators who exhibited bigoted beliefs towards a social group in the past be convicted of a hate crime if they commit criminal offenses against victims who belong to this group? One proposed assessment of bias motivation takes a perpetrator's history of membership in hate groups into account (Dunbar, 2003).

Alternatively, law enforcement and prosecutors could disregard a perpetrator's bias profile and simply focus on the bigoted character of the attack itself, for example, hate speech articulated during the commission of the crime. However, if bias motivation is crucial in hate crime, what motivations count? Some have suggested that the distinction between reactive and instrumental aggression can be usefully applied to the study of hate crime (Sullaway, 2004). In reactive hate crime, perpetrators are seen to act defensively and without much pre-meditation; they tend to be motivated by a desire to protect their social group from encroachment of an out-group in the form of in-migration (see Green, Strolovitch, & Wong, 1998a) or gang conflict (Levin & McDevitt, 1993). In contrast, those who commit instrumental hate crimes act with greater planning and seek to demonstrate their group's 'social dominance and ... ideological resolve' (Dunbar, 2003, p. 204). Even if we accept both types of motivation as part of our definition of hate crime, data analysts still face the empirical challenge of identifying and measuring these motivations.

As is already apparent, the study of hate crime faces a range of conceptual and empirical challenges that researchers encounter at multiple levels of analysis. Taking stock of existing research, this chapter proposes an integrated multi-level framework that takes these complexities into account. As we will discuss shortly, much research has been dedicated to identifying the psychological characteristics that distinguish perpetrators of hate crime from the population at large. Although this work is intriguing, it remains difficult to connect slow-moving changes in such psychological profiles to the often quite rapidly erupting waves of hate crime. In order to understand how individuals who might be psychologically predisposed to committing hate crimes actually turn into perpetrators, we maintain that scholars also need to take these potential offenders' immediate social environment into account. Families, friends, and neighbors might provide the necessary rewards and incentives that make the commission of hate crime seem attractive.

Moreover, these social groups are in turn embedded in specific institutional settings that affect their support for bigoted violence. For example, if racist attacks are believed to deter victims from acquiring scarce jobs or housing, if law enforcement tends to turn a blind eye towards such offenses, or if media coverage appears to lend legitimacy to these crimes, an examination of economic conditions, policing practices and media

content should accompany an analysis of hate crime. Finally, the behavior of victims also feeds back into the proliferation of bigoted offenses. If the fear of hate attacks leads individuals to seek relative safety in coethnic enclaves, hate crime might be seen to 'work' and perpetrators will continue to use this type of violence as an effective weapon to keep outsiders from settling in 'their' neighborhoods. In the aggregate, such dynamics can contribute to spatial segregation and in fact reinforce the cohesiveness and distinctiveness of the conflicting communities.

We recognize that no single study can incorporate all of the levels and feedback mechanisms that might be at work in the production of hate crime. However, if research on the causes of hate crime is to make progress, scholars should be cognizant of the interactions between potential perpetrators and the social and wider institutional environments in which they operate. Before moving to a discussion of these macro-level factors, we begin by reviewing the existing scholarship on individual perpetrator characteristics.

## **Individual-Level Accounts**

### **Psychological and Behavioral Traits**

Since one ingredient common to all hate crime definitions is the bigoted motive of the offender, most theoretical accounts of hate crime start with the premise that perpetrators share certain psychological attributes that lead to the expression of prejudice. Individual-level accounts of hate crime tend to assume that certain cognitive and affective processes (e.g., stereotyping, displacement of frustration, feelings of social distance, perceptions that groups are arranged hierarchically) lead hate crime perpetrators to identify targets and to take action against them. Building on Adorno and colleagues (1950), Altemeyer (1981, 1996) developed a Right-Wing Authoritarianism (RWA) scale to show that individuals who fit the RWA profile – submissive to authority, aggressive when aggression is believed to be sanctioned by authority and conventional in their outlook – were most likely to be prejudiced. Others (Heitmeyer, Buhse, & Liebe-Freund, 1992; Hopf, Rieker, Sanden-Marcus, et al., 1995; Maaz, 1991) have also argued that the authoritarian personality comprises a set of character traits that are conducive to bigoted violence. Among authoritarians, we can also distinguish between leaders and followers. While most who score highly on the RWA scale tend to readily submit to authority, a small share of these prejudiced individuals fits the profile of those with a Social Dominance Orientation (SDO) (Sidanius & Pratto, 1999). Dominating authoritarians reject notions of equality and prefer hierarchical systems in which they dominate those who surround them (Altemeyer, 1998, 2004). According to Altemeyer, it is these 'double-highs' who appear to be 'the people most likely to mobilize and lead extremist right-wing movements' (2004, p. 443).

Altemeyer concedes that 'One cannot easily administer personality tests to [members of] extremist groups' (ibid); but even if such tests were possible, a focus on prejudiced attitudes and personality profiles alone is insufficient if the goal is to predict the incidence of hate crime. In their study of alleged perpetrators of hate crime in North Carolina, Green, Abelson, and Garnett (1999) successfully distinguished hate crime perpetrators from ordinary citizens based on the formers' attitudes on interracial marriage, rap music, and immigration. But they also found that only a small subset of respondents whose attitudinal profile fits that of hate crime perpetrators do in fact commit crimes of hate, leading them to conclude that 'no psychological explanation can make sense of hate crime without considering the mechanisms by which individuals are spurred to action' (p. 452).

An alternative, but also indirect, way to assess bias motive is to investigate the observed behaviors and backgrounds of offenders. A quantitative analysis of perpetrators of xenophobic crime and violence in Germany involving 148 suspects concluded that the majority of offenders were teenage boys with low educational attainment who were more likely to be unemployed than their non-violent counterparts, did not come from broken families or from disadvantaged social milieus, and had no particular political or ideological convictions (Willems, Eckert, Wrtz, et al., 1993). In their examination of perpetrators of extreme right-wing, anti-Semitic, and anti-foreigner violence using evidence based on court cases, police records and perpetrator biographies, Wahl and colleagues (2003) observed that the majority of hate crime offenders were not unemployed, but that hate crime offenders in general are more likely to be jobless than non-offenders (and note that unemployment may not be a predisposing factor but often a consequence of generally

deviant behavior), and concluded that a history of aggressive behavior starting in early childhood, socially disadvantaged and violent parents, and low educational achievement are some of the distinctive features of the perpetrator population. While Wahl noted that most perpetrators have a history of delinquency, Levin and McDevitt (2002) found that most hate crime offenders in the United States are young males without a previous criminal record.

Ethnographic work that traces the biographies of individual hate criminals and xenophobic groups suggests the weakness of relying on socio-demographic predictors alone. In his study of skinhead subculture in the United States, Hamm (1993, 1994) interviewed 36 violent skinheads. Similar studies exist for Germany, which witnessed a rise of violent neo-Nazi activity in the early 1990s. A common finding of these studies is the accidental nature of involvement in racist groupings, the importance of family dynamics and youth rebellion, the lack of political or ideological commitment, and a resistance to formal organization (Bitzan, 1997; Hopf, Rieker, Sanden-Marcus, et al., 1995; Müller, 1997; Ross, 1996; Sichrovsky, 1993).

Attempts have also been made to link variation in perpetrator characteristics to observed differences in the manifestation of hate crime. Dunbar (2003) developed a multidimensional Bias Motivation Profile (BMP) that measures offenders' history of bigoted aggression, their membership in groups or gangs that advocate a hate-based ideology, their display of iconography that conveys this worldview (e.g., neo-Nazi garb, tattoos, literature), and the occurrence of hate speech during the attack. His analysis of the records of 58 convicted hate criminals in Los Angeles County, California, suggested that offenders who rank high on the BMP index are more likely to attack their victims in a pre-meditated, goal-oriented way, seeking to establish social dominance through racist crimes.<sup>3</sup> Interestingly, none of these highly biased motivated offenders committed hate crimes based on the sexual orientation of their victims. In their statistical analysis of hate crimes and other forms of assault in 11 US states, Messner, McHugh and Felson (2004) also found a difference between these two types of crimes; whereas alcohol and illicit drug use tended to be common among offenders who commit racially-motivated crimes, such intoxication was absent among perpetrators of non-racial bias crime.

In sum, scholars have demonstrated that hate crime perpetrators have statistically distinct attitudinal and behavioral profiles that set them apart from ordinary citizens, but these characteristics alone would greatly over predict the number of hate criminals. Moreover, scholars have observed variability among offender profiles that may be associated with variation in the type and quality of hate crimes. One of the most interesting findings is the fact that hate crime perpetrators, while often hostile to minority groups, seldom have a broad ideological outlook that calls for the suppression of these groups. Research has sought to illuminate these more nuanced bias motivations by investigating the modus operandi of hate crimes and categorizing offenders into different motivational classes.

### **Typology of Hate Crime Motives**

Typologies are common in research that attempts to gain an understanding of bias motivation (Franklin, 2000; Levin & McDevitt, 1993; McDevitt, Levin, & Bennett, 2002; Willems, 1995). These typologies attempt to account for the interplay between psychological and environmental conditions. Based on their analysis of 169 case files recorded by the Community Disorders Unit of the Boston Police Department over an 18-month period, McDevitt and colleagues (2002) classified offenders into four types. The most common type (66 percent of cases) was thrill-seekers who often left their neighborhood to attack victims that they perceived to be 'different' in acts that were 'triggered by an immature desire to display power and to experience a rush at the expense of someone else' (p. 308). Defensive hate crimes, in which perpetrators attack to protect their turf and resources from the intrusion of unwelcome outsiders constituted the second most common type of offense (25 percent).<sup>4</sup> The least common types of attacks identified by McDevitt, Levin, & Bennett, were retaliatory crimes (8 percent) that were part of a cycle of intergroup violence, and mission crimes (less than one percent) which were solely inspired by racial animus and the desire to purge the hated out-group. Franklin's (2000) typology of antigay behavior among young adults produces some analytical overlap; the author identified four factors – peer dynamics, antigay ideology, thrill-seeking, and self-defense – that accounted for two-thirds of the variance in motivations for hate crimes based on sexual orientation. Finally, Willems' (1995) typology of German perpetrators consisted of right-wing activists, ethnocentric youth, criminal youth, and fellow travelers; these offender types varied in their socioeconomic backgrounds, in their general propensity to commit violence and in their desire to express racial superiority through the commission of

hate crimes. For example, while the typical right-wing activist tended to be rather successful in school and later employment and committed racially-motivated crimes if such acts were inspired and legitimized by racist ideologies, the average criminal youth generally needed no legitimization to resort to such violence, did not always share racial animus, and featured education and job records that were marked by failure.

These typologies suggest that in addition to psychological predispositions, contextual factors provide important triggers in the commission of hate crimes. We next turn to a discussion of accounts that focus on environmental conditions to explain the incidence of bias-motivated crime.

### **Contextual Accounts**

A growing body of social scientific literature has addressed the importance of contextual variables in determining the occurrence of hate crime. A set of accounts points to the importance of would-be perpetrators' immediate surroundings, focusing, for example, on the importance of peer-group dynamics in turning adolescents into hate criminals. While these analyses still take the individual as the level of analysis, macrocausal accounts correlate broad, societal forces with the incidence of bias-motivated violent crimes. These macrosociological theories highlight amorphous and expansive phenomena such as modernization, integration, or economic recessions as essential building blocks in the production of hate crime in modern societies. Many of these accounts offer multi-causal narratives that draw on a variety of social forces, but we can nevertheless distinguish four types of macro-level accounts of hate crime: political, historical-cultural, sociological, and economic.

### **Small Group and Information Environment**

The above discussion of the psychological and behavioral profiles of hate crime offenders and the investigation of the various motives that underlie their acts suggests the potential significance of perpetrators' immediate social surroundings. Scholars have identified a variety of social mechanisms (e.g., contagion, conformism, extremification of attitudes, disinhibition, and yearning for group acceptance) that can be present in small-group dynamics and that may in turn induce individuals to commit crimes of hate (Rieker, 1997; Wahl, 1997; Watts, 1996; Willems, Eckert, Wrtz, et al., 1993). Peer pressure and strong group norms tend to be common elements in hate crimes committed by members of white supremacist groups (Hamm, 1994; Kleg, 1993). Ethnographers have also found community norms, and the failure of a community to condemn acts of bigoted violence, to be important in legitimizing or even encouraging bias crime (Rieder, 1985; Sibbitt, 1997; Suttles, 1972). The reciprocal relationship between perpetrators and the communities that produce them thus suggests that efforts to prevent hate crimes need to adopt a multi-pronged approach (Bowling, 1993; Sibbitt, 1997).

European researchers have argued that the media may provide additional legitimization for the commission of hate crimes and point to two causal paths. First, media coverage of hate crime, especially if conveyed in a sensationalist manner, can have a demonstration effect that may lead to contagion. Several quantitative time-series analyses based on the German case, where a wave of spectacular xenophobic attacks received extensive media coverage in the early 1990s, showed not only that reported incidents of racially-motivated violence soared after these key events but that the types of violence were also replicated (Esser & Brosius, 1995, 1996; Karapin, 1996; Leenen, 1995; Quinkert & Jäger, 1991). Second, linguistic, semiotic, and communications experts have stressed how media coverage of these events may also identify target groups and propagate stereotypes about these groups that lend meaning and motivation to attacks directed against them (Jäger & Kretschmer, 1998; Scheffer, 1997). These effects can be quite localized. Ray and Smith (2004) argued, for example, that the local media's disproportionate coverage of Asian-on-White hate crime provided fertile ground for anti-Asian right-wing mobilization in Oldham, a town in northern England that witnessed inter-ethnic rioting in 2001. Politicians and political organizations may also appropriate the media for their own electoral ends by relying on the media's dissemination of hate-mongering political discourse to stoke existing xenophobic sentiments (Karapin, 1996; Koopmans, 1996; Koopmans & Olzak, 2004; Leenen, 1995; Thränhardt, 1995; von Trotha, 1995).

Despite their intuitive appeal, the main empirical limitation of studies that attempt to causally relate media

coverage to waves of racist violence is the missing link between the dissemination of media messages and changes in the attitudes and behaviors of those who receive them. It is still unclear, for example, whether media coverage of interethnic violence or anti-immigrant rhetoric leads to an overall increase of prejudice in the general population, thereby expanding the pool of potential offenders, or whether such coverage provides the necessary trigger to turn already prejudiced individuals into perpetrators of bigoted violence. Based on the diverse perpetrator profiles reviewed earlier, both mechanisms might be at work.

### **The Political Setting**

The media's decision to cover hate crime might in turn be tied to political trends. While politicians may use the media to promote their xenophobic message, what conditions allow political actors to promote hate in the first place? Most political accounts assume the existence of grievances, whether they are rooted in frustration, fear, or disdain, and seek to identify the circumstances under which these grievances are mobilized as social movements. Koopmans (1996) argued that the varying incidence of racist violence in Western Europe is partly a result of cross-national variation in opportunity structures. Assuming that violence is a relatively costly behavior, its incidence will be reduced 'where less costly alternatives are available, that is where extreme right and racist parties play a significant role within the political system' (p. 207). As a result, countries where strong, well-organized right-wing parties have established themselves (e.g., the National Front in France) are said to effectively substitute anti-minority political organization for anti-minority violence. Similarly, in a comparison of three Eastern German towns that saw comparable levels of skinhead organization but varied in their incidence of anti-foreigner rioting, Karapin (2002) attributed the occurrence of such attacks to the failures of the local political process to provide non-violent channels for the expression of immigration-related grievances. While political neglect of the majority's grievances is seen to contribute to anti-minority violence, a rise in minority political power produces similar effects. Examining anti-Semitic attacks targeting persons and property in pre-World War II Germany, King and Brustein (2006) showed that the increasing electoral strength of leftist parties (which were frequently perceived to be run by Jewish leaders) predicted this type of violence.

State actors have also been more directly complicit in the production of hate crime. Some scholars have argued that the ability and willingness of politicians to make inflammatory, anti-immigrant statements, rather than the influx of immigrants as such, heightens the salience of the 'immigration problem' and legitimizes racist violence (Karapin, 1996; Koopmans, 1996). In a similar vein, Koopmans and Olzak (2004) claimed that the legitimacy and resonance of racist violence as communicated by political parties and other public actors contribute to the spread of these attacks in Germany, but their results varied across victim groups (long-established immigrants versus asylum seekers) and location (eastern versus western states). Finally, political accounts have also stressed the timidity, incompetence, organizational bias or even ideological complicity of the police and the courts in failing to comply with hate crime legislation and to prevent racist violence (Hess, 1997; Ireland, 1997; Karapin, 2002; King, 2007; Weitekamp, Kerner, & Herberger, 1996). In short, both elite manipulation and political opportunity structures are said to independently influence the incidence of hate crime, although it is less often specified what opportunity structures are conducive to elite encouragement of racist violence.

### **Historical and Cultural Accounts**

The centrality of political discourse in the production of hate crime is also a common theme in historical-cultural explanations. These accounts focus less on the short-term manipulation of xenophobic sentiments by elites, but contend that slow-moving, long-term cultural traditions and behavioral patterns are causally related to both hateful discourse and to hateful crimes. A central problem of this line of research is that the political-cultural variables that are said to produce variation in the occurrence of hate crimes are also correlated with the ways that these crimes are recorded, presented and interpreted. Koopmans' (1996) finding that France produces fewer perpetrators of racist violence than Germany or Britain may thus simply be an artifact of France's republican tradition referred to earlier which discourages any racially or ethnically-based data collection efforts.

More generally, it remains unclear how broad structural forces influence individual-level behavior. Perpetrators of hate crime may borrow from available cultural repertoires, but there is no consensus as to



what extent a country's racist past may influence its citizens' propensity for committing hate crimes in the future. The anti-immigrant violence that swept through Germany in the early 1990s (especially the former East) and the concomitant resurgence of right-wing parties has thus been linked to the country's Nazi past by media pundits as well as by some academics (McFalls, 1997; Tuttle, 1994; von Trotha, 1995), while other scholarship has dismissed the claim that the outbreak of racist violence should be understood as a revival of Nazism (Merkl & Weinberg, 1997; Prowe, 1997).

### **Sociological Explanations**

Another slow-moving dynamic that is said to underlie modern societies' allegedly increased propensity for violent hate crime can be found in modernization theory, originally inspired by Durkheim. From this perspective, bias-motivated crime is seen as a variant of youth violence and delinquency more generally, behavioral reactions to the dislocations inherent in rapid social, economic and cultural change. The forces unleashed by globalization, for example, and the insecurities it engenders among a citizenry that is asked to adapt to economic and technological change, cause threatened individuals to search for convenient scapegoats among their country's minority populations. Those who perceive themselves to be losers as a result of these transformations are said to be likely to turn to hate crime, but two causal paths may connect modernization to the eruption of such violence: (1) anomie and social disintegration experienced by individuals or (2) solidaristic banding together of communities in response to perceived outside threats. These processes were deemed to be at work in the hate crime wave experienced in post-unification Germany, as the transition from communism and national unification ushered in large-scale economic dislocation, the collapse of social norms and authority, and the potential for social and spatial mobility (Boers, Ewald, Kerner, et al., 1994; Hagan, Merkens, & Boehnke, 1995; Heitmeyer, Buhse, & LiebeFreund 1992; Watts, 1996).

Modernization, in the guise of more egalitarian gender roles, is thought to play a role in antigay violence. Alden and Parker (2005) merged US census data and opinion data from the General Social Survey with records from the Uniform Crime Report (UCR) to investigate whether gender stratification, attitudes towards homosexuals, and views on gender roles at the city level affect the occurrence of hate crimes based on sexual orientation. Their analysis found that as a city's level of gender inequality decreases (measured as the ratios of male to female median incomes and unemployment rates), the likelihood of hate crimes based on sexual orientation increases, a result which the authors attributed to men's enhanced need to assert their masculinity as the economic gender gap narrowed. Interpretation of Alden and Parker's results, however, is ambiguous because social structure was predictive while attitudes were not. Measures of city-wide attitudes towards homosexuals did not predict antigay crime in a consistent manner, and gender role ideology had no effect.

While Alden and Parker's approach goes beyond many other accounts that stress broader sociological trends by actually measuring variation in collective opinions about gender roles and homosexuality, this lack of correspondence between aggregate attitudes and acts points to the general difficulty of empirically connecting social phenomena with individual-level actions in a cross-sectional setting. It also highlights the need for an improved understanding of how the behavior of the victim community affects the production of hate crime. Variation in the attitudinal variables that Alden and Parker use to explain antigay attacks (i.e., measures of homophobia and support for gay civil liberties) are also likely to produce variation in the extent to which homosexuals disguise or reveal their sexual orientation. As an empirical matter, widespread anti-gay attitudes might increase the fear of anti-gay attacks, reduce the visibility of homosexuals and in turn lower the incidence of homophobic crime, leading to anti-gay attitude estimates that are biased downwards.<sup>5</sup> As a policy matter, areas that feature lower victimization rates might only appear to be more tolerant of homosexuals.

### **Economic Conditions and Competition over Resources**

Economic accounts often do address victim behavior by directing attention to the real or perceived competition for material goods between perpetrators and their targets. Similar to sociological accounts, economic explanations of hate crime also consider economic dislocation and unemployment to be crucial variables. They tend to understand bigoted violence as a weapon in the competition over scarce resources, but also as a behavioral outcome of displaced frustration. Hovland and Sears (1940) thus understood the

inverse correlation between anti-black lynchings and cotton prices, originally identified by Raper (1933), to mean that economically displaced Southern Whites released their frustrations through violent attacks against a vulnerable minority. Tolnay and Beck's (1995) research also reported a statistical link between lynching and cotton prices, but the authors posited that competition over resources, rather than economic frustration, was the root cause of these heinous crimes. These divergent interpretations reflect the fact that neither study had access to micro-level data that would provide insights into the perpetrators' economic or psychological outlook. Not only are the mechanisms that connect economic downturns to lynchings in dispute, but scholars have begun to question also the aggregate relationship between economic conditions and bigoted violence. Green, Glaser, and Rich (1998b) showed that when the famous lynching data set compiled by Raper (1933) was extended into the early years of the Depression, the correlation between lynchings and economic downturns largely vanished. Green et al. also pointed out that over-time fluctuations in macroeconomic conditions were poor predictors of anti-gay hate crimes in the contemporary period. These results, together with a fresh look at the laboratory experiments that originally gave rise to frustration-aggression theories, led the authors to speculate that the frustration-aggression nexus may decay over time. These experiments using animals found initial aggressive responses that disappeared in a matter of seconds (Azrin, Hutchinson, & Sallery, 1964; Miller, 1948; Roediger & Stevens, 1970). The authors speculate that sustained racist violence may be due to political campaigns that blame minorities for economic misfortunes.

In the German context, scholars also disagree about the extent to which economic forces contributed to the occurrence of right-wing violence. Krueger and Pischke (1997) assembled a data set recording different types among 1,056 anti-foreigner crimes at the county level, based on reports by 15 (Western) regional newspapers covered from 1991 to 1993. They found that the relationship between unemployment and these crimes disappeared once differences between East and West Germany are controlled for. Falk and Zweimller's (2005) study, however, produced different results. According to their analysis of over 40,000 officially recorded crimes that occurred in Germany between 1996 and 1999, there was a robust relationship between unemployment and extremist crimes, even when economic and demographic covariates (e.g., the rate of youth unemployment, the level of schooling and the percentage of foreigners) were included. Moreover, the observed differences in the occurrence of right-wing violence between Eastern and Western states were due to nonlinear effects. At modest levels of unemployment, levels of right-wing crime were low, and the authors only found a weak statistical link between unemployment and such crime; but beyond a critical threshold of unemployment, additional increases in the share of jobless were strongly associated with an increase in right-wing criminal acts. The inconsistencies between these studies are striking but may simply be due to methodological differences. To name but a few, the two studies covered different time periods, operated at different levels of aggregation (county versus state), and used different data sources (newspaper reports versus official data from the Federal Criminal Police Office, the Bundeskriminalamt).

In the study of ethnic conflict more generally, realistic group conflict theory posits that power differentials among groups, which in turn lead to differential outcomes in the distribution of material resources, drive intergroup hostility and violence (LeVine & Campbell, 1972). But the primacy of these real differences nevertheless leaves a number of variables and mechanisms unspecified. There may, for example, be many dimensions of competition (e.g., employment, housing, or political office). Does competition have to be zero-sum in nature and thus only affect goods that are subject to relatively fixed supply, such as housing? It is also unclear whether the dominant group uses violence preemptively in the face of a small, but growing, in-migrating group, or whether attacks are more common when intergroup power differentials are small (see discussion in Green, Glaser, & Rich, 1998a, p. 373–378). Finally, whether individuals perceive themselves to be in competition with another group may reflect not only the 'real' competition between them but the imagery of competition that political entrepreneurs generate when seeking to make such differences salient (Green, Glaser, & Rich, 1998b; Olzak, 1989). These interdependencies suggest that accounts focusing on competition over resources should incorporate variables relating to the small-group and information environment as well as to the wider political setting referred to earlier.

### **Toward A Research Synthesis**

While psychological and social-psychological explanations are useful in highlighting the internal processes and small-group dynamics that may push individuals (with or without previously-held bigoted beliefs) to commit crimes of hate, they generally fail to place these violent acts into the larger social context in which they

occur. Conversely, macrocausal accounts stress the political, cultural, sociological and economic conditions that may or may not be empirically related to broader patterns of racist and homophobic violence but neglect to investigate how these structural forces turn ordinary citizens into hate criminals. If we want to gain a deeper understanding of the routine, unorganized occurrence of hate crimes, syntheses of theoretical perspectives and empirical methods at different levels of analysis will be crucial.

An integrated analysis of hate crime that takes into account macro-structural, contextual and individual-level dynamics will not only have to be sufficiently rich theoretically to encompass broad dynamics as well as micro-processes, but will also have to employ a variety of methodologies. Survey research and quantitative ecological studies should be supplemented with interviews with perpetrators and victims, as well as local ethnographies that capture the 'relationships between victim, offender, and statutory agents' and help situate hate crime incidents 'in the context of family, 'community' and neighbourhood, race, class, and age divisions' (Bowling, 1993, p. 244).

Some existing accounts of hate crime propose such integrated theoretical frameworks but fall short of employing multiple levels of data collection. Using hate crime data from New York City, Green and colleagues' (1998a) 'Defended Neighborhood' model demonstrated that in-migration into previously ethnically homogenous areas by an ethnically distinct group triggered a reaction by members of the dominant group against the perceived invasion. Here, hate crime was a tactic by which the old guard defended its collective identity, way of life, and status. Dancygier (forthcoming) extended this model by taking into account differences between groups. In her analysis of racist crime in Greater London, Dancygier showed that this defensive logic only held in areas where the in-migrating group commanded the political and social resources to threaten the status of the once dominant group.

These studies are solely ecological in nature, but they suggest empirical implications that can be tested at various levels of analysis. For example, statistical data could be complemented with information on perpetrators to establish whether hate crimes that occur in homogeneous areas experiencing rapid demographic change are more likely to be committed by what McDevitt, Levin, & Bennett (2002) would classify as 'defensive' perpetrators. Ethnographic work could also illuminate whether perpetrators who allegedly act in their groups' collective interest do indeed enjoy community support and side-payments, as Pinderhughes' (1993) work suggested. Sibbitt's (1997) detailed case studies of two London boroughs with histories of racial harassment has found, for example, that there often exist reciprocal relationships between local communities and the hate crime offenders that arise in their midst, suggesting that 'the views of the 'perpetrator community' also need to be addressed in efforts to reduce racial harassment' (pp. vii-viii).

Another way to broaden these ecological studies would be to incorporate insights gleaned from the ethnic conflict literature. A variety of studies have drawn attention to the importance of group structures and elite behaviors in guiding their members' relations with an out-group (e.g., Brass, 1997; Fearon & Laitin, 1996; Varshney, 2002). For example, ethnic groups with strong social networks may exhibit a greater capacity and willingness to monitor and sanction violent attacks perpetrated by their own against an ethnic out-group, thus reducing the incidence of inter-group violence as would-be offenders expect punishment; but these self-monitoring networks may also be more easily captured by entrepreneurs intent on fomenting ethnic tensions (Fearon & Laitin, 1996). Hate crime scholars have also observed differences in retaliatory behavior that might be due to group-level processes.

Using an experimental method in which African-American and White males were exposed to videotaped assaults that varied the race of victims and perpetrators, Craig (1999) observed that African-American respondents were more likely to indicate a desire for revenge, noting that they would return to the scene of the crime with friends if caught in a similar situation.<sup>6</sup> Garofalo (1991) also provided evidence of retaliatory behavior between African-American and White offenders and victims in his study of hate crime in New York City, but noted that such reciprocity does not exist between Hispanics and Whites.

In sum, the study of hate crime has generated many promising leads but remains disjointed, due in large part to a paucity of reliable data. Rarely are incident reports gathered in ways that make them comparable across jurisdictions; even over time comparability is jeopardized by changing reporting standards and practices. The lack of reliable incident reports could in principle be overcome by surveys that measure both the incidence

of hate crime and target groups' perceived risk of victimization, but these surveys remain rare. If the study of hate crime is to move forward, scholars in a wide range of disciplines must collaborate to generate the necessary individual and contextual data. This initiative requires more active involvement with interest groups and government agencies that collect hate crime data and interview crime victims.

Data collection efforts would also benefit from greater attentiveness to issues of sampling. Researchers, understandably, are drawn to areas where hate crimes occur with sufficient frequency to allow for meaningful description. The drawback of this approach is that the sample is drawn based on outcome variable rather than on the independent variable, such as economic or political competition. A more defensible research design would involve sampling locations in which a natural experiment has occurred, that is, where the independent variables have changed for exogenous reasons. Thus, when a moderate group leader retires and is replaced by someone who articulates xenophobic positions, does hate crime increase, as predicted by a theory of leader-generated norms, or does it decrease, as predicted by theories suggesting that open expression of xenophobic sentiments obviates the need for more xenophobic criminal behavior?

An ideal design would be one that looks not only at ecological outcomes, such as the number of hate crimes in different locations, but also tracks individual-level sentiment. Scholars remain uncertain whether hate crime constitutes a barometer of opinion in a given group or whether, instead, hate crime represents the behavior of a small number of rogue actors whose behavior is out of step with opinion within the same putative group. Hate crime perpetrators are often characterized as apolitical, but the question is whether the number of would-be hate crime perpetrators declines as public opinion becomes more tolerant. One reason that hate crime grabbed so much scholarly attention during the 1980s is that the apparent surge in hate crime ran counter to long-term trends of increasing tolerance as registered in public opinion polls. Even to this day, it remains unclear whether the trends in hate crime exposed the flawed manner in which opinion polls gauge prejudice; it could be argued, on the contrary, that the climate of tolerance set the stage for a backlash among hate criminals.<sup>7</sup>

## **Summary and Conclusion**

In conclusion, the hate crime literature has only begun to make headway toward the overarching objective of formulating and testing explanations. Most research tends to be descriptive. Only a handful of studies have attempted to analyze quasi-experiments in which some structural factor, such as demographic change or economic dislocation, alters the rate of hate crime. Little or no research has attempted to evaluate the impact of policy interventions designed to reduce the quantity or severity of hate crime. We do not know, for example, whether attempts to publicize hate crime laws and the social norms that they embody have any effect on behavior. Ironically, hate crime research emerged with the advent of hate crime laws, yet this research area has yet to gauge the psychological or systemic impact of these laws.

Despite these important gaps, research has furnished a number of empirical findings that must inform any theory about the nature and origins of hate crime. First, it appears that relatively few hate crime perpetrators have a coherent political or racist ideology. Hate crimes seem to emanate from conditions that mobilize outgroup bias rather than propagate a coherent bigoted worldview. Second, these conditions seem to involve the perpetrator's local or small group environment. Broader macroeconomic conditions do not play a simple and direct role in mobilizing action; instead, the articulation of grievances and selection of targets seem to reflect the political environment and behavior of group leaders. Where community leaders cannot pursue a bigoted agenda through legitimate political channels, as is often the case when they attempt to maintain residential or workplace segregation, they may advocate or tacitly condone illegal tactics, such as violence and harassment. Third, it appears that hate crimes tend to occur when one group's hegemony over a given domain is threatened by the perceived encroachment of another group. Although turf defense is by no means the sole source of hate crime, this type of hate crime allows perpetrators to, in their own minds, stand up for their community and its core values, which in turn helps explain why hate crime perpetrators frequently lack a criminal background and fail to express remorse when apprehended. Finally, serious hate crimes occur relatively infrequently, even if one assumes a severe underreporting problem. But the incidence of hate crime may in turn severely understate its systemic consequences, for potential victims alter their behavior in ways that reduce the risk of attack. It appears that hate crime 'pays,' in the sense that the specter of hate crime does alter the way in the vast numbers of people live their daily lives.

## Notes

1 As US legislators have often been reluctant to be seen as sympathetic to homosexuals' interests or as legitimizing the gay 'lifestyle' (Berrill and Herek, 1992: 291–93; Haider-Markel & Meier, 1996; Jenness & Broad, 1997, p. 42), by the early 1990s, fewer than half of all states with hate crime statutes included sexual orientation as an applicable target category (Wang, 1994). Today, this number has increased to 30 (Shively, 2005), but public opinion is still divided. Surveying 630 Indiana voters, Johnson and Byers (2003) report that those respondents who oppose the inclusion of homosexuality as a target category also tend to oppose penalty-enhanced hate crime laws.

2 These ambiguities have important consequences for survey research, for respondents may use different standards for evaluating whether or not they have been the victim of a hate crime. As Herek, Cogan, & Gillis (2002) point out, 'directly asking respondents if they were the victim of a hate crime or bias crime is problematic because those terms may have different meanings for different respondents' (p. 337). In their sample of 450 lesbian, gay, and bisexual adults, the authors found that a small share of incidents that were thought to be motivated by the victim's sexual orientation were in fact not hate crimes.

3 It is noteworthy, however, that Dunbar's sample may differ from the typical perpetrator profile proposed by others. Perpetrators in his sample were also more likely than ordinary citizens to have a history of psychiatric treatment and educational problems; only a small minority of offenders was in fulltime employment (almost half were unemployed); 87 percent had been previously convicted when the crime was committed; the majority had a history of substance abuse; and the mean age was 24.5.

4 Note that this type of individual-level behavior is consistent with Green, Strolvitch, & Wong's (1998a) 'Defended Neighborhood' model, in which previously homogeneous white areas that experience an influx of nonwhite minorities were found to be most likely to witness a high incidence of hate crimes.

5 Another severe limitation of Alden and Parker's study, which is acknowledged by the authors (2005, p. 337), is that there is no attempt to control for the size of a city's gay population. The fact that San Francisco observed more than 200 times as many anti-gay crimes than Knoxville, Tennessee, obviously cannot be explained solely by variations in these cities' levels of homophobia or views on gender equality.

6 While Craig's (1999) study is innovative, Sullaway (2004) points out that it suffers from methodological problems; e.g., the videotaped assault would not in fact be considered a hate crime according to statutes in California, the state where the study was conducted.

7 Hewitt's (2005) study of racism in South London illustrates how multiculturalist policies are seen by some whites to be benefiting ethnic minorities at their expense, fostering racist resentment and violence.

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- hate crimes
- hate
- crime
- perpetrators
- right wing politics
- racism
- offenders

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