

## International Journal for Crime, Justice and Social Democracy



## Book Review

### Jennifer Scheppe and Mark Austin Walters (eds) (2016) *The Globalization of Hate: Internationalizing Hate Crime.* Oxford University Press.

**Scott Poynting**

Queensland University of Technology; Western Sydney University, Australia

This valuable volume deals globally with hate crime and with 'hate crime'. That is, it maps internationally both the phenomenon and the concept: the inscription of hate crime in theory and in law; and in policy and punitive and preventative practice. It is fair to observe that it does more of the latter than the former: the 'internationalizing' in the title refers largely to moves to unite, worldwide, approaches to the problem of hate crime, and the many limits that exist to unifying legal and policy responses to hate crime globally is a recurring theme of the book.

This collection not only offers a useful internationally comparative compendium of historical approaches to hate crime but also surveys the current state of play especially in relation to internationalising these approaches, and examines possibilities and parameters for the way forward. If here 'a hundred schools of thought contend', this feature delivers a positive resource. In any case, it reflects the legislative and policy reality that is set out in the book. Some chapters do contend a position forthrightly, though few of the contradictions between approaches of different chapters are brought into contention with each other. The editors tread lightly and politely; there is little explicit dispute between contributions. Yet readers seeking resolutions to the contradictions will find material aplenty to help that development.

Jon Garland and Corinne Funnell, in the first chapter, outline some key challenges in conceptualising and combating hate crime. One of the definitional problems is whether a crime only partially motivated by hatred can be designated a hate crime: who determines that motivation, and how? Another is the extent to which hate crimes are identified by the categories of victims. Also, can a less socially powerful group be said to commit 'hate crime' against a more powerful or even dominant group? The conundrums persist throughout the book, as the policy consequences vary greatly between jurisdictions. This chapter also considers how, and how much, hate crime is recorded in various nations, and the range of legislative measures taken against hate crime by respective states. Again, these contrasts and their significance are developed throughout this volume.

Must a hate crime be a crime according to the nation in which it is committed? If so, that would discount much hate crime committed by nation states, since the state tends to define its

wrongdoings as lawful. Such questions exercise Thomas Brudholm in Chapter 2, who argues, in the end, for the utility of a narrower definition of hate crime, and that human rights violations, while of vital interest to hate crime scholars, do not constitute hate crimes.

In Chapter 3, philosopher David Brax offers a seven-fold framework for conceiving hate crime in moral terms. The first, quite properly, is harm. Brax then discusses intent, motivation (which is distinct), discrimination, vulnerability of victims (the less powerful), message crime, and punishment/rehabilitation. Different emphases on various of these factors and their combinations will inform quite different policy responses: a conclusion indeed borne out as the book unfolds.

Chapter 4 offers an examination by criminologists Barbara Perry and Ryan Scrivens of the Internet as a medium for and, moreover, a site of far-right white supremacist hate crime. As the web is indeed worldwide, we see here the truly globalised nature of this form of hate crime, constructing an international community of identity on behalf of whom white supremacist hate crime is perpetrated. There are challenges here, to be sure, for regulation of the Internet and interventions against online mobilisation of hatred. Bakalis, in Chapter 16, examines some of the parameters.

Kathryn Benier, in Chapter 5, considers the increasingly globalised perpetration of acts of terrorism as triggers and pretexts for hate crime. This pattern is clear. What needs to be clarified, it seems to me, is some of the terms that we use. Such hate crime cannot be 'retaliation', since hate crime is directed at a community of victims who are, almost by definition, not the perpetrators of the terrorist acts in question. I agree with Benier that hate crime and terrorism are distinct classes of phenomena, though they share the 'message' function. Nevertheless, the designation of terrorism as an 'upward crime' (p. 80), while suggestive, overlooks state terrorism, which is anything but.

Paul Iganski and Abe Sweiry begin Chapter 6 with the opposite assertion: a conflation of the Charlie Hebdo killings and hate crime. (Schweppe and Walters, in their Introduction, also refer to the 'hate-motivated attacks in Paris at the beginning and end of 2015' (p. 2), subsuming terrorist political violence under hate crime.) This is surely a case of terrorism which is unhelpful to conceptualise as hate crime. Granted, the associated murderous attack on the kosher supermarket in Paris, given that this involved the targeting of Jews, indeed qualifies as hate crime. Yet the inference that 'the conflict [sic] between Israelis and Palestinians has become a global phenomenon' leading to 'a crude form of political violence' in which 'Jews are seemingly targeted as representatives for the State of Israel and attacked as proxies for the Israeli Defence Force' (p. 99) is altogether without evidence of the extent of this sort of motivation. 'Seemingly' will not do. There is a coyness bordering on dog-whistling hovering over this assertion. Without empirical research into the causalities, beyond statistical conjunctions, we are left to speculate as to the causes, and as to the perpetrators and their motives. White supremacists perhaps? A longstanding culture of anti-Semitism? Or might it be you-know-who? The chapter's point that hate hurts globally is a valid one. Despite its global ubiquity, there is no mention of Islamophobia in this chapter.

The six chapters outlined above comprise but the first part—'The Global Dimensions of Hate Crime'—of the three-part volume, and the key terms and issues of the volume are laid out here. Part II, 'Global Issues, National Experiences', gathers some very interesting (mostly national) case studies to explore the issues empirically. The chapter on South Africa as a transitional society (Chapter 8 by Duncan Breen et al.) and the one on Turkey and 'legitimate victims' (Chapter 9 by Bengi Bezirgan) are welcome additions in a volume that is otherwise centred on Europe (especially) and North America. The intractability of the state is one 'issue' explored: in the first instance, by Amanda Haynes and Jennifer Schweppe (Chapter 10) in the case of the Republic of Ireland. The dimensions of this intransigence are well set down here, but this leaves me

wondering about the historical and political reasons. Additionally, Chapter 11 (Piotr Godzisz and Dorota Pudzianowska) details depressingly the complete lack of interest of the Polish State in dealing with homophobic hate crime; here the confluence of culture (and presumably church) and state are more strongly suggested, but not delineated.

Part III, 'International Responses to Hate Crime', consists of six chapters dealing with attempts to internationalise such responses. For some of the reasons outlined in Part II—state intransigence, assertion of national autonomy, the weight of traditional culture, nationalism and national minorities, problems of states in transition, national obsessions with 'free speech', among others—these have not been overwhelmingly successful. Mark Austin Walters' chapter (18, on restorative justice) offers some promise and some hope, given the relative failure of bureaucratic approaches and the problems of nationalism and the state.

'There remains a lack of consensus internationally as to what hate crime encompasses', summarise Schweppe and Walters in their conclusion (p. 314). Nevertheless, they observe general agreement around the definition as expressed by the Organization for Security and Co-operation in Europe (OSCE), that 'hate crime refers to criminal incidents that are at least partly motivated by prejudice, bias, bigotry, or identity-based hostility' (p. 314). But that, as throughout the book, raises as many questions as it settles, and answers to the biggest question of what can be done about it remain elusive. Given the diversity of the problem, and its many sites, perhaps the search for overarching solutions, internationally codified and legislated, might have to defer to more local and specific movements for progressive change.

*Correspondence:* Adjunct Professor Scott Poynting, Queensland University of Technology, 2 George Street, Brisbane 4000 QLD, Australia; School of Social Sciences & Psychology, Western Sydney University, Locked Bag 1797, Penrith South DC NSW 2751, Australia. Email: s.poynting@gmail.com