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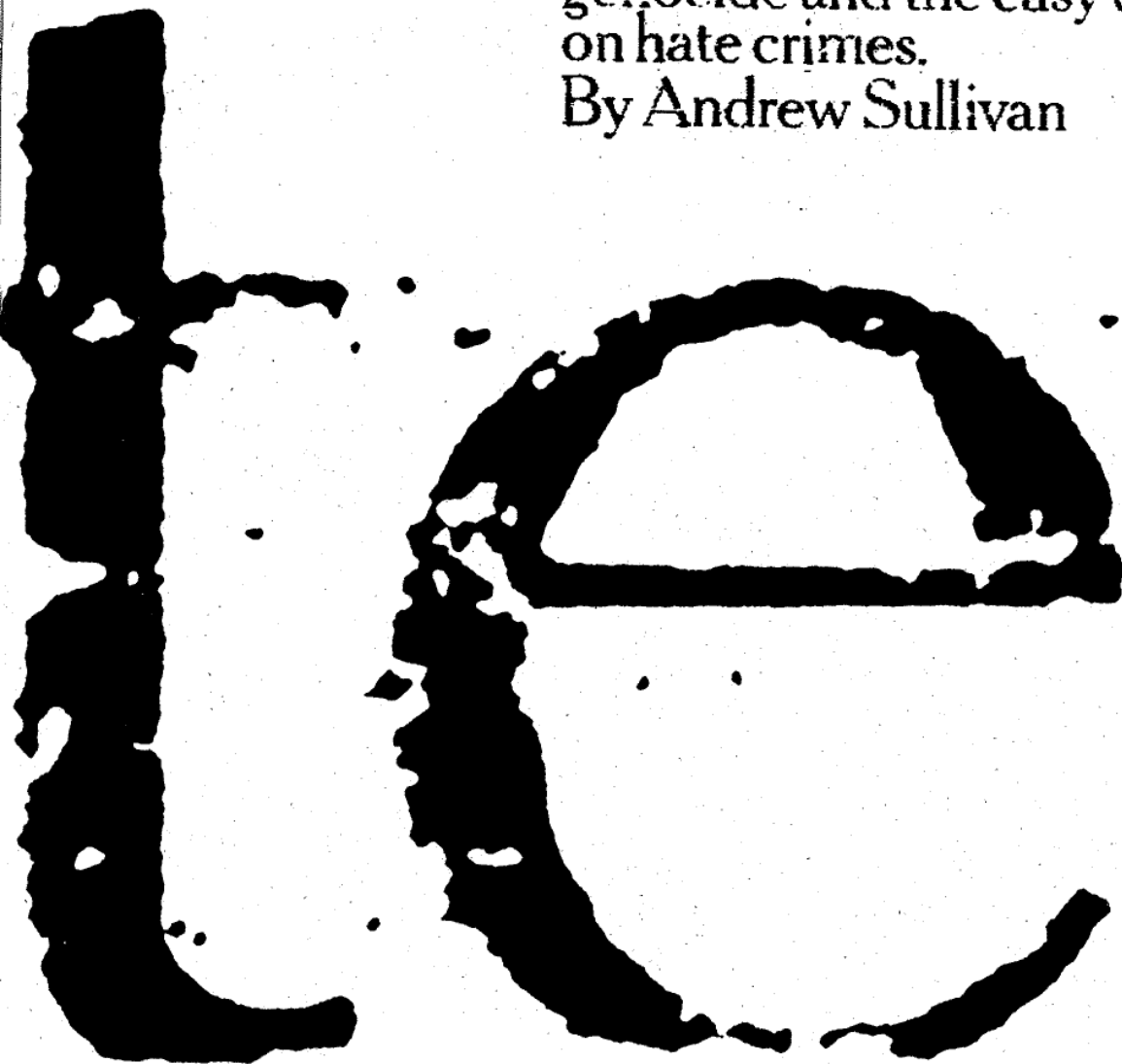
What's So Bad About

I.

I wonder what was going on in John William King's head two years ago when he tied James Byrd Jr.'s feet to the back of a pickup truck and dragged him three miles down a road in rural Texas. King and two friends had picked up Byrd, who was black, when he was walking home, half-drunk, from a party. As part of a bonding ritual in their fledgling white supremacist group, the three men took Byrd to a remote part of town, beat him and chained his legs together before attaching them to the truck. Pathologists at King's trial testified that Byrd was probably alive and conscious until his body finally hit a culvert and split in two. When King was offered a chance to say something to Byrd's family at the trial, he smirked and uttered an obscenity.

An unsentimental reflection on
schoolyard shootings, Matthew Shepard,
genocide and the easy consensus
on hate crimes.

By Andrew Sullivan



We know all these details now, many months later. We know quite a large amount about what happened before and after. But I am still drawn, again and again, to the flash of ignition, the moment when fear and loathing became hate, the instant of transformation when King became hunter and Byrd became prey.

What was that? And what was it when Buford Furrow Jr., longtime member of the Aryan Nations, calmly walked up to a Filipino-American mailman he happened to spot, asked him to mail a letter and then shot him at point-blank range? Or when Russell Henderson beat Matthew Shepard, a young gay man, to a pulp, removed his shoes and then, with the help of a friend, tied him to a post, like a dead coyote, to warn off others?

For all our documentation of these crimes and others, our political and moral disgust at them, our morbid fascination with them, our sensitivity to their social meaning, we seem at times to have no better idea now than we ever had of what exactly they were about. About what that moment means when, for some reason or other, one human being asserts absolute, immutable superiority over another. About not the violence, but what the violence expresses. About what — exactly — hate is. And what our own part in it may be.

I find myself wondering what hate actually is in part because we have created an entirely new offense in American criminal law — a "hate crime" — to combat it. And barely a day goes by without someone some-

The modern words that we have created to describe varieties of hate — 'sexism,' 'racism,' 'anti-Semitism,' 'homophobia' — tell us merely the identities of the victims. They don't reveal the identities of the perpetrators or what they think or how they feel. They don't even tell us how the victims feel.

where declaring war against it. Last month President Clinton called for an expansion of hate-crime laws as "what America needs in our battle against hate." A couple of weeks later, Senator John McCain used a campaign speech to denounce the "hate" he said poisoned the land. New York's Mayor, Rudolph Giuliani, recently tried to stop the Million Youth March in Harlem on the grounds that the event was organized by people "involved in hate marches and hate rhetoric."

The media concurs in its emphasis. In 1985, there were 11 mentions of "hate crimes" in the national media database Nexis. By 1990, there were more than a thousand. In the first six months of 1999, there were 7,000. "Sexy fun is one thing," wrote a New York Times reporter about sexual assaults in Woodstock '99's mosh pit. "But this was an orgy of lewdness tinged with hate." And when Benjamin Smith marked the Fourth of July this year by targeting blacks, Asians and Jews for murder in Indiana and Illinois, the story wasn't merely about a twisted young man who had emerged on the scene. As The Times put it, "Hate arrived in the neighborhoods of Indiana University, in Bloomington, in the early-morning darkness."

But what exactly was this thing that arrived in the early-morning darkness? For all our zeal to attack hate, we still have a remarkably vague idea of what it actually is. A single word, after all, tells us less, not more. For all its emotional punch, "hate" is far less nuanced an idea than prejudice, or bigotry, or bias, or anger, or even mere aversion to others. Is it to stand in for all these varieties of human experience — and everything in between? If so, then the war against it will be so vast as to be quixotic. Or is "hate" to stand for a very specific idea or belief, or set of beliefs, with

a very specific object or group of objects? Then waging war against it is almost certainly unconstitutional. Perhaps these kinds of questions are of no concern to those waging war on hate. Perhaps it is enough for them that they share a sentiment that there is too much hate and never enough vigilance in combating it. But sentiment is a poor basis for law, and a dangerous tool in politics. It is better to leave some unwinnable wars unfought.

II.

Hate is everywhere. Human beings generalize all the time, ahead of time, about everyone and everything. A large part of it may even be hard-wired. At some point in our evolution, being able to know beforehand who was friend or foe was not merely a matter of philosophical reflection. It was a matter of survival. And even today it seems impossible to feel a loyalty without also feeling a disloyalty, a sense of belonging without an equal sense of unbelonging. We're social beings. We associate. Therefore we disassociate. And although it would be comforting to think that the one could happen without the other, we know in reality that it doesn't. How many patriots are there who have never felt a twinge of xenophobia?

Of course by hate, we mean something graver and darker than this kind of lazy prejudice. But the closer you look at this distinction, the fuzzier it gets. Much of the time, we harbor little or no malice toward people of other backgrounds or places or ethnicities or ways of life. But then a car cuts you off at an intersection and you find yourself noticing immediately that the driver is a woman, or black, or old, or fat, or white, or male. Or you are walking down a city street at night and hear footsteps quickening behind you. You look around and see that it is a white woman and not a black

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man, and you are instantly relieved. These impulses are so spontaneous they are almost involuntary. But where did they come from? The mindless need to be mad at someone — anyone — or the unconscious eruption of a darker prejudice festering within?

In 1993, in San Jose, Calif., two neighbors — one heterosexual, one homosexual — were engaged in a protracted squabble over grass clippings. (The full case is recounted in "Hate Crimes," by James B. Jacobs and Kimberly Potter.) The gay man regularly mowed his lawn without a grass catcher, which prompted his neighbor to complain on many occasions that grass clippings spilled over onto his driveway. Tensions grew until one day, the gay man mowed his front yard, spilling clippings onto his neighbor's driveway, prompting the straight man to yell an obscene and common anti-gay insult. The wrangling escalated. At one point, the gay man agreed to collect the clippings from his neighbor's driveway but then later found them dumped on his own porch. A fracas ensued with the gay man spraying the straight man's son with a garden hose, and the son hitting and kicking the gay man several times, yelling anti-gay slurs. The police were called, and the son was eventually convicted of a hate-motivated assault, a felony. But what was the nature of the hate: anti-gay bias, or suburban property-owner madness?

Or take the Labor Day parade last year in Broad Channel, a small island in Jamaica Bay, Queens. Almost everyone there is white, and in recent years a group of local volunteer firefighters has taken to decorating a pickup truck for the parade in order to win the prize for "funniest float." Their themes have tended toward the outrageously provocative. Beginning in 1995, they won prizes for floats depicting "Hasidic Park," "Gooks of Hazzard" and "Happy Gays." Last year, they called their float "Black to the Future, Broad Channel 2098." They imagined their community a century hence as a largely black enclave, with every stereotype imaginable: watermelons, basketballs and so on. At one point during the parade, one of them mimicked the dragging death of James Byrd. It was caught on videotape, and before long the entire community was depicted as a caldron of hate.

It's an interesting case, because the float was indisputably in bad taste and the improvisation on the Byrd killing was grotesque. But was it hate? The men on the float were local heroes for their volunteer work; they had no record of bigoted activity, and were not mem-

bers of any racist organizations. In previous years, they had made fun of many other groups and saw themselves more as provocateurs than bigots. When they were described as racists, it came as a shock to them. They apologized for poor taste but refused to confess to bigotry. "The people involved aren't horrible people," protested a local woman. "Was it a racist act? I don't know. Are they racists? I don't think so."

If hate is a self-conscious activity, she has a point. The men were primarily motivated by the desire to shock and to reflect what they thought was their community's culture. Their display was not aimed at any particular black people, or at any blacks who lived in Broad Channel — almost none do. But if hate is primarily an unconscious activity, then the matter is obviously murkier. And by taking the horrific lynching of a black man as a spontaneous object of humor, the men were clearly advocating indifference to it. Was this an aberrant excess? Or the real truth about the men's

feelings toward African-Americans? Hate or tastelessness? And how on earth is anyone, even perhaps the firefighters themselves, going to know for sure?

Or recall H.L. Mencken. He shared in the anti-Semitism of his time with more alacrity than most and was an indefatigable racist. "It is impossible," he wrote in his diary, "to talk anything resembling discretion or judgment into a colored woman. They are all essentially childlike, and even hard experience does not teach them anything." He wrote at another time of the "psychological stigmata" of the "Afro-American race." But it is also true that, during much of his life, day to day, Mencken conducted himself with no regard to race, and supported a politics that was clearly integrationist. As the editor of his diary has pointed out, Mencken published many black authors in his magazine, *The Mercury*, and lobbied on their behalf with his publisher, Alfred A. Knopf. The last thing Mencken ever wrote was a diatribe against racial segregation in Baltimore's public parks. He was good friends with leading black writers and journalists, including James Weldon Johnson, Walter White



Laramie, Wyo.: After the murder of Matthew Shepard, it became the "epicenter of homophobia."

and George S. Schuyler, and played an underappreciated role in promoting the Harlem Renaissance.

What would our modern view of hate do with Mencken? Probably ignore him, or change the subject. But, with regard to hate, I know lots of people like Mencken. He reminds me of conservative friends who oppose almost every measure for homosexual equality yet genuinely delight in the company of their gay friends. It would be easier for me to think of them as haters, and on paper, perhaps; there is a good case that they are. But in real life, I know they are not. Some of them clearly harbor no real malice toward me or other homosexuals whatsoever.

They are as hard to figure out as those liberal friends who support every gay rights measure they have ever heard of but do anything to avoid going into a gay bar with me. I have to ask myself in the same, frustrating kind of way: are they liberal bigots or bigoted liberals? Or are they neither bigots nor liberals, but merely people?

III.

Hate used to be easier to understand. When Sartre described anti-Semitism in his 1946 essay "Anti-Semite and Jew," he meant a very specific array of firmly held prejudices, with a history, an ideology and even a pseudo-science to back them up.

He meant a systematic attempt to demonize and eradicate an entire race. If you go to the Web site of the World Church of the Creator, the organization that inspired young Benjamin Smith to murder in Illinois earlier this year, you will find a similarly bizarre, pseudorational

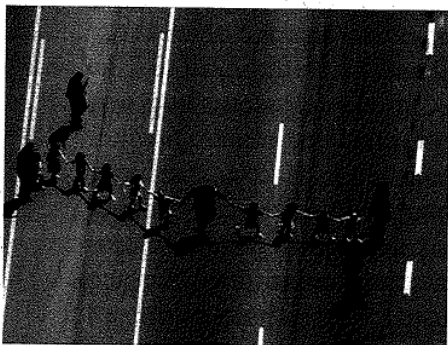
ideology. The kind of literature read by Buford Furrow before he rained terror on a Jewish kindergarten last month and then killed a mailman because of his color is full of the same paranoid loopiness. And when we talk about hate, we often mean this kind of phenomenon.

But this brand of hatred is mercifully rare in the United States. These professional maniacs are to hate what serial killers are to murder. They should certainly not be ignored; but they represent what Harold Meyerson, writing in *Salon*, called "niche haters": cold-blooded, somewhat deranged, often poorly socialized psychopaths. In a free society with relatively easy access to guns, they will always pose a menace.

But their menace is a limited one, and their hatred is hardly typical of anything very widespread. Take Buford Furrow. He famously issued a "wake-up call" to "kill Jews" in Los Angeles, before he peppered a Jewish community center with gunfire. He did this in a state with two Jewish female Senators, in a city with a large, prosperous Jewish population, in a country where out of several million Jewish Americans, a total of 66 were reported by the F.B.I. as the targets of hate-crime assaults in 1997. However despicable Furrow's actions were, it would require a very large stretch to describe them as representative of anything but the deranged fringe of an American subculture.

Most hate is more common and more complicated, with as many varieties as there are varieties of love. Just as there is possessive love and needy love; family love and friendship; romantic love and unrequited love; passion and respect, affection and obsession, so hatred has its shadings. There is hate that fears, and hate that merely feels contempt; there is hate that expresses power, and hate that comes from powerlessness; there is revenge, and there is hate that comes from envy. There is hate that was love, and hate that is a curious expression of love. There is hate of the other, and hate of something that reminds us too much of ourselves. There is the oppressor's hate, and the victim's hate. There is hate that burns slowly, and hate that fades. And there is hate that explodes, and hate that never catches fire.

The modern words that we have created to describe the varieties of hate — "sexism," "racism," "anti-Semitism," "homophobia" — tell us very little about any of this. They tell us merely the identities of the victims; they don't reveal the identities of the perpetrators, or what they think, or how they feel. They don't even tell us how the victims feel. And this simplicity is no accident. Coming from the theories of Marxist and post-Marxist academics, these "isms" are far better at alleging structures of power than at delineating the work-



Los Angeles: Jewish kindergarteners being led out of harm's way after Buford Furrow opened fire. His hate was "obsessive," bent on eradicating a threat.

Just as sexual abusers have often been victims of sexual abuse and wife-beaters often grew up in violent households, so hate criminals may often be members of hated groups. In America in the 1990's, blacks were up to three times as likely as whites to commit a hate crime.

ings of the individual heart or mind. In fact, these "isms" can exist without mentioning individuals at all.

We speak of institutional racism, for example, as if an institution can feel anything. We talk of "hate" as an impersonal noun, with no hater specified. But when these abstractions are actually incarnated, when someone feels something as a result of them, when a hater actually interacts with a victim, the picture changes. We find that hates are often very different phenomena one from another, that they have very different psychological dynamics, that they might even be better understood by not seeing them as varieties of the same thing at all.

There is, for example, the now unfashionable distinction between reasonable hate and unreasonable hate. In recent years, we have become accustomed to talking about hates as if they were all equally indefensible, as if it could never be the case that some hates might be legitimate, even necessary. But when some 800,000 Tutsis are murdered under the auspices of a Hutu regime in Rwanda, and when a few thousand Hutus are killed in revenge, the hates are not commensurate. Genocide is not an event like a hurricane, in which damage is random and universal; it is a planned and often merciless attack of one group upon another. The hate of the perpetrators is a monstrosity. The hate of the victims, and their survivors, is justified. What else, one wonders, were surviving Jews supposed to feel toward Germans after the Holocaust? Or, to a different degree, South African blacks after apartheid? If the victims overcome this hate, it is a supreme moral achievement. But if they don't, the victims are not as culpable as the perpetrators. So the hatred of Serbs for Kosovars today can never be equated with the hatred of Kosovars for Serbs.

Hate, like much of human feeling, is not rational, but it usually has its reasons. And it cannot be understood, let alone condemned, without knowing them. Similarly, the hate that comes from knowledge is always different from the hate that comes from igno-

rance. It is one of the most foolish clichés of our time that prejudice is always rooted in ignorance, and can usually be overcome by familiarity with the objects of our loathing. The racism of many Southern whites under segregation was not appeased by familiarity with Southern blacks; the virulent loathing of Tutsis by many Hutus was not undermined by living next door to them for centuries. Theirs was a hatred that sprang, for whatever reasons, from experience. It cannot easily be compared with, for example, the resilience of anti-Semitism in Japan, or hostility to immigration in areas where immigrants are unknown, or fear of homosexuals by people who have never knowingly met one.

The same familiarity is an integral part of what has become known as "sexism." Sexism isn't, properly speaking, a prejudice at all. Few men live without knowledge or constant awareness of women. Every single sexist man was born of a woman, and is likely to be sexually attracted to women. His hostility is going to be very different than that of, say, a reclusive member of the Aryan Nations toward Jews he has never met.

In her book "The Anatomy of Prejudices," the psychotherapist Elisabeth Young-Bruehl proposes a typology of three distinct kinds of hate: obsessive, hysterical and narcissistic. It's not an exhaustive analysis, but it's a beginning in any serious attempt to understand hate rather than merely declaring war on it. The obsessives, for Young-Bruehl, are those, like the Nazis or Hutus, who fantasize a threat from a minority, and obsessively try to rid themselves of it. For them, the very existence of the hated group is threatening. They often describe their loathing in almost physical terms: they experience what Patrick Buchanan, in reference to homosexuals, once "described as a 'visceral recoil' from the objects of their detestation. They often describe those they hate as diseased or sick, in need of a cure. Or they talk of 'cleansing' them, as the Hutus talked of the Tutsis, or call them 'cockroaches,' as

Hate is only foiled when the hated are immune to the bigot's power, not when the haters are punished. A hater cannot psychologically wound if a victim cannot be psychologically wounded. And that immunity to hurt can never be given; it can only be achieved.

Yitzhak Shamir called the Palestinians. If you read material from the Family Research Council, it is clear that the group regards homosexuals as similar contaminants. A recent posting on its Web site about syphilis among gay men was headlined, "Unclean."

Hysterical haters have a more complicated relationship with the objects of their aversion. In Young-Bruehl's words, hysterical prejudice is a prejudice that "a person uses unconsciously to appoint a group to act out in the world forbidden sexual and sexually aggressive desires that the person has repressed." Certain kinds of racists fit this pattern. White loathing of blacks is, for some people, at least partly about sexual and physical envy. A certain kind of white racist sees in black America all those impulses he wishes most to express himself but cannot. He idealizes in "blackness" a sexual freedom, a physical power, a Dionysian release that he detests but also longs for. His fantasy may not have any basis in reality, but it is powerful nonetheless. It is a form of love-hate, and it is impossible to understand the nuances of racism in, say, the American South, or in British Imperial India, without it.

Unlike the obsessives, the hysterical haters do not want to eradicate the objects of their loathing; rather they want to keep them in some kind of permanent and safe subjugation in order to indulge the attraction of their repulsion. A recent study, for example, found that the men most likely to be opposed to equal rights for homosexuals were those most likely to be aroused by homoerotic imagery. This makes little rational sense, but it has a certain psychological plausibility. If homosexuals were granted equality, then the hysterical gay-hater might panic that his repressed passions would run out of control, overwhelming him and the world he inhabits.

A narcissistic hate, according to Young-Bruehl's definition, is sexism. In its most common form, it is rooted in many men's inability even to imagine what it

is to be a woman, a failing rarely challenged by men's control of our most powerful public social institutions. Women are not so much hated by most men as simply ignored in nonsexual contexts, or never conceived of as true equals. The implicit condescension is mixed, in many cases, with repressed and sublimated erotic desire. So the unawareness of women is sometimes commingled with a deep longing or contempt for them.

Each hate, of course, is more complicated than this, and in any one person hate can assume a uniquely configured combination of these types. So there are hysterical sexists who hate women because they need them so much, and narcissistic sexists who hardly notice that women exist, and sexists who oscillate between one of these positions and another. And there are gay-bashers who are threatened by masculine gay men and gay-haters who feel repulsed by effeminate ones. The soldier who beat his fellow soldier Barry Winchell to death with a baseball bat in July had earlier lost a fight to him. It was the image of a macho gay man — and the shame of being bested by him — that the vengeful soldier had to obliterate, even if he needed a gang of accomplices and a weapon to do so. But the murderers of Matthew Shepard seem to have had a different impulse: a visceral disgust at the thought of any sexual contact with an effeminate homosexual. Their anger was mixed with mockery, as the cruel spectacle at the side of the road suggested.

In the same way, the pathological anti-Semitism of Nazi Germany was obsessive, inasmuch as it tried to cleanse the world of Jews; but also, as Daniel Jonah Goldhagen shows in his book, "Hitler's Willing Executioners," hysterical. The Germans were mysteriously compelled as well as repelled by Jews, devising elaborate ways, like death camps and death marches, to keep them alive even as they killed them. And the early Nazi phobia of interracial sex suggests as well a lin-

gering erotic quality to the relationship, partaking of exactly the kind of sexual panic that persists among some homosexual-haters and anti-miscegenation racists. So the concept of "homophobia," like that of "sexism" and "racism," is often a crude one. All three are essentially cookie-cutter formulas that try to understand human impulses merely through the one-dimensional identity of the victims, rather than through the thoughts and feelings of the haters and hated.

This is deliberate. The theorists behind these "isms" want to ascribe all blame to one group in society — the "oppressors" — and render specific others — the "victims" — completely blameless. And they want to do this in order in part to side unequivocally with the underdog. But it doesn't take a genius to see how this approach, too, can generate its own form of bias. It can justify blanket condemnations of whole groups of people — white straight males for example — purely because of the color of their skin or the nature of their sexual orientation. And it can condescendingly ascribe innocence to whole groups of others. It does exactly what hate does: it hammers the uniqueness of each individual into the anvil of group identity. And it postures morally over the result.

In reality, human beings and human acts are far more complex, which is why these isms and the laws they have fomented are continually coming under strain and challenge. Once again, hate wriggles free of its definers. It knows no monolithic groups of haters and hated. Like a river, it has many eddies, backwaters and rapids. So there are anti-Semites who actually admire what they think of as Jewish power, and there are gay-haters who look up to homosexuals and some who want to sleep with them. And there are black racists, racist Jews, sexist women and anti-Semitic homosexuals. Of course there are.

IV.

Once you start thinking of these phenomena less as the "isms" of sexism, racism and "homophobia," once you think of them as independent psychological responses, it's also possible to see how they can work in a bewildering variety of ways in a bewildering number of people. To take one obvious and sad oddity: people who are demeaned and

objectified in society may develop an aversion to their tormentors that is more hateful in its expression than the prejudice they have been subjected to. The F.B.I. statistics on hate crimes throws up an interesting point. In America in the 1990's, blacks were up to three times as likely as whites to commit a hate crime, to express their hate by physically attacking their targets or their property. Just as sexual abusers have often been victims of sexual abuse, and wife-beaters often grew up in violent households, so hate criminals may often be members of hated groups.

Even the Columbine murderers were in some sense victims of hate before they were purveyors of it. Their classmates later admitted that Dylan Klebold and Eric Harris were regularly called "faggots" in the corridors and classrooms of Columbine High and that nothing

was done to prevent or stop the harassment. This climate of hostility doesn't excuse the actions of Klebold and Harris, but it does provide a more plausible context. If they had been black, had routinely been called "nigger" in the school and had then exploded into a shooting spree against white students, the response to the matter might well have been different. But the hate would have been the same. In other words, hate-victims are often hate-victimizers as well. This doesn't mean that all hates are equivalent, or that some are not more justified than others. It means merely that hate goes both ways; and if you try to regulate it among some, you will find yourself forced to regulate it among others.

It is no secret, for example, that some of the most vicious anti-Semites in America are black, and that some of the most virulent anti-Catholic bigots in America are gay. At what point, we are increasingly forced to ask, do these phenomena become as indefensible as white racism or religious toleration of anti-gay bigotry? That question becomes all the more difficult when we notice that it is often minorities who commit some of the most hate-filled offenses against what they see as their oppressors. It was the



Jasper, Tex.: A lynching on wheels. The driver of the truck that dragged James Byrd to his death showed no remorse at the trial.

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HATE

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mainly gay AIDS activist group Act Up that perpetrated the hateful act of desecrating Communion hosts at a Mass at St Patrick's Cathedral in New York. And here is the playwright Tony Kushner, who is gay, responding to the Matthew Shepard beating in *The Nation* magazine: "Pope John Paul II endorses murder. He, too, knows the price of discrimination, having declared anti-Semitism a sin. ... He knows that discrimination kills. But when the Pope heard the news about Matthew Shepard, he, too, worried about spin. And so, on the subject of gay-bashing, the Pope and his cardinals and his bishops and priests maintain their cynical political silence. ... To remain silent is to endorse murder." Kushner went on to describe the Pope as a "homicidal liar."

Maybe the passion behind these words is justified. But it seems clear enough to me that Kushner is expressing hate toward the institution of the Catholic Church, and all those who perpetuate its doctrines. How else to interpret the way in which he accuses the Pope of cynicism, lying and murder? And how else either to understand the brutal parody of religious vocations expressed by the Sisters of Perpetual Indulgence, a group of gay men who dress in drag as nuns and engage in sexually explicit performances in public? Or T-shirts with the words "Recovering Catholic" on them, hot items among some gay and lesbian activists? The implication that someone's religious faith is a mental illness is clearly an expression of contempt. If that isn't covered under the definition of hate speech, what is?

Or take the following sentence: "The act male ho-

mosexuals commit is ugly and repugnant and afterwards they are disgusted with themselves. They drink and take drugs to palliate this, but they are disgusted with the act and they are always changing partners and cannot be really happy." The thoughts of Pat Robertson or Patrick Buchanan? Actually that sentence was written by Gertrude Stein, one of the

you may not feel the anger that turns bias into hate. You may not need to. For this reason, most white racism may be more influential in society than most black racism — but also more calmly expressed.

So may other forms of minority loathing — especially hatred within minorities. I'm sure that black conservatives like Clarence Thomas or Thomas Sowell

wound personally, and it often does. But its intensity comes in part, one senses, from the pain of being excluded for so long, of anger long restrained bubbling up and directing itself more aggressively toward an alleged traitor than an alleged enemy. It is the hate of the hated. And it can be the most hateful hate of all. For this reason, hate-crime laws may themselves be an oddly

any existing hate-crime law. Perhaps because of this, one crime is an international legend; the other two are virtually unheard of.

But which crime was more filled with hate? Once you ask the question, you realize how difficult it is to answer. Is it more hateful to kill a stranger or a lover? Is it more hateful to kill a child than an adult? Is it more hateful to kill your own child than another's? Under the law before the invention of hate crimes, these decisions didn't have to be taken. But under the law after hate crimes, a decision is essential. A decade ago, a murder was a murder. Now, in the era when group hate has emerged as our cardinal social sin, it all depends.

The supporters of laws against hate crimes argue that such crimes should be disproportionately punished because they victimize more than the victim. Such crimes, these advocates argue, spread fear, hatred and panic among whole populations, and therefore merit more concern. But, of course, all crimes victimize more than the victim, and spread alarm in the society at large. Just think of the terrifying church shooting in Texas only two weeks ago. In fact, a purely random murder may be even more terrifying than a targeted one, since the entire community, and not just a part of it, feels threatened. High rates of murder, robbery, assault and burglary victimize everyone, by spreading fear, suspicion and distress everywhere. Which crime was more frightening to more people this summer: the mentally ill Buford Furrow's crazed attacks in Los Angeles, killing one, or Mark Barton's murder of his own family and several random day-traders in Atlanta, killing 12? Almost certainly the latter. But only Furrow was guilty of "hate."

One response to this ob-

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It is crazy to think that hate can be eradicated. A free country will always mean a hateful country. This may not be fair, or perfect, or admirable, but it is reality, and while we need not endorse it, we should not delude ourselves into thinking we can prevent it.

century's most notable lesbians. Or take the following, about how beating up "black boys like that made us feel good inside. ... Every time I drove my foot into his [expletive], I felt better." It was written to describe the brutal assault of an innocent bystander for the sole reason of his race. By the end of the attack, the victim had blood gushing from his mouth as his attackers stomped on his genitals. Are we less appalled when we learn that the actual sentence was how beating up "white boys like that made us feel good inside. ... Every time I drove my foot into his [expletive], I felt better?" It was written by Nathan McCall, an African-American who later in life became a successful journalist at *The Washington Post* and published his memoir of this "hate crime" to much acclaim.

In fact, one of the stranger aspects of hate is that the prejudice expressed by a group in power may often be milder in expression than the prejudice felt by the marginalized. After all, if you already enjoy privilege,

have experienced their fair share of white racism. But I wonder whether it has ever reached the level of intensity of the hatred directed toward them by other blacks? In several years of being an openly gay writer and editor, I have experienced the gamut of responses to my sexual orientation. But I have only directly experienced articulated, passionate hate from other homosexuals. I have been accused over the years by other homosexuals of being a sell-out, a hypocrite, a traitor, a sexist, a racist, a narcissist, a snob. I've been called selfish, callous, hateful, self-hating and malevolent. At a reading, a group of lesbian activists portrayed my face on a poster within the crossfires of a gun. Nothing from the religious right has come close to such vehemence.

I am not complaining. No harm has ever come to me or my property, and much of the criticism is rooted in the legitimate expression of political differences. But the visceral tone and style of the gay criticism can only be described as hateful. It is designed to

biased category — biased against the victims of hate. Racism is everywhere, but the already victimized might be more desperate, more willing to express it violently. And so more prone to come under the suspicious eye of the law.

V.

AND WHY IS HATE FOR A group worse than hate for a person? In Laramie, Wyo., the now-famous epicenter of "homophobia," where Matthew Shepard was brutally beaten to death, vicious murders are not unknown. In the previous 12 months, a 15-year-old pregnant girl was found east of the town with 17 stab wounds. Her 38-year-old boyfriend was apparently angry that she had refused an abortion and left her in the Wyoming foothills to bleed to death. In the summer of 1998, an 8-year-old Laramie girl was abducted, raped and murdered by a pedophile, who disposed of her young body in a garbage dump. Neither of these killings was deemed a hate crime, and neither would be designated as such under

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jection is that certain groups feel fear more intensely than others because of a history of persecution or intimidation. But doesn't this smack of a certain condescension toward minorities? Why, after all, should it be assumed that gay men or black women or Jews, for example, are as a group more easily intimidated than others? Surely in any of these communities there will be a vast range

of responses, from panic to concern to complete indifference. The assumption otherwise is the kind of crude generalization the law is supposed to uproot in the first place. And among these groups, there are also likely to be vast differences. To

which one group vies with another to establish its particular variety of suffering, a contest that can have no dignified solution.

Rape, for example, is not classified as a "hate crime" under most existing laws, pitting feminists against ethnic groups in a battle for recognition. If, as a solution to this problem, everyone, except the white straight able-bodied male, is regarded as a possible victim of a hate crime, then we have simply created a two-

tier system of justice in which racial profiling is reversed, and white straight men are presumed guilty before being proven innocent, and members of minorities are free to hate

we will have done is widened the search for possible bigotry, ratcheted up the sentences for everyone and filled the jails up even further.

them as gleefully as they like. But if we include the white straight male in the litany of potential victims, then we have effectively abolished the notion of a hate crime altogether. For if every crime is possibly a hate crime, then it is simply another name for crime. All

Hate-crime-law advocates

counter that extra penalties should be imposed on hate crimes because our society is experiencing an "epidemic" of such crimes. Mercifully, there is no hard evidence to support this notion. The Federal Government has

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only been recording the incidence of hate crimes in this decade, and the statistics tell a simple story. In 1992, there were 6,623 hate-crime incidents reported to the F.B.I. by a total of 6,181 agencies, covering 51 percent of the population. In 1996, there were 8,734 incidents reported by 11,355 agencies, covering 84 percent of the population. That number dropped to 8,049 in 1997. These numbers are, of course, hazardous. They probably underreport the incidence of such crimes, but they are the only reliable figures we have. Yet even if they are faulty as an absolute number, they do not show an epidemic of "hate crimes" in the 1990's.

Is there evidence that the crimes themselves are becoming more vicious? None. More than 60 percent of recorded hate crimes in America involve no violent, physical assault against another human being at all, and, again, according to the F.B.I., that proportion has not budged much in the 1990's. These impersonal attacks are crimes against property or crimes of "intimidation." Murder, which dominates media coverage of hate crimes, is a tiny proportion of the total. Of the 8,049 hate crimes reported to the F.B.I. in 1997, a total of eight were murders. Eight. The number of hate crimes that were aggravated assaults (generally involving a weapon) in 1997 is less than 15 percent of the total. That's 1,237 assaults too many, of course, but to put it in perspective, compare it with a reported 1,022,492 "equal opportunity" aggravated assaults in America in the same year. The number of hate crimes that were physical assaults is half the total. That's 4,000 assaults too many, of course, but to put it in perspective, it compares with around 3.8 million "equal opportunity" assaults in America annually.

The truth is, the distinction between a crime filled with personal hate and a crime filled with

group hate is an essentially arbitrary one. It tells us nothing interesting about the psychological contours of the specific actor or his specific victim. It is a function primarily of politics, of special interest groups carving out particular protections for themselves, rather than a serious response to a serious criminal concern. In such an endeavor, hate-crime-law advocates cram an entire world of human motivations into an immutable, tiny box called hate, and hope to have solved a problem. But nothing has been solved; and some harm may even have been done.

In an attempt to repudiate a past that treated people differently because of the color of their skin, or their sex, or religion or sexual orientation, we may merely create a future that permanently treats people differently because of the color of their skin, or their sex, religion or sexual orientation. This notion of a hate crime, and the concept of hate that lies behind it, takes a psychological mystery and turns it into a facile political artifact. Rather than compounding this error and extending feven further, we should seriously consider repealing the concept altogether.

TO PUT IT ANOTHER WAY: VIOLENCE CAN AND should be stopped by the government. In a free society, hate can't and shouldn't be. The boundaries between hate and prejudice and between prejudice and opinion and between opinion and truth are so complicated and blurred that any attempt to construct legal and political fire walls is a doomed and illiberal venture. We know by now that hate will never disappear from human consciousness; in fact, it is probably, at some level, definitive of it. We know after decades of education measures that hate is not caused merely by ignorance; and after decades of legislation, that it isn't caused entirely by law.

To be sure, we have made much progress. Anyone who argues that America is as inhospitable to

minorities and to women today as it has been in the past has not read much history. And we should, of course, be vigilant that our most powerful institutions, most notably the government, do not actively or formally propagate hatred; and insure that the violent expression of hate is curtailed by the same rules that punish all violent expression.

But after that, in an increasingly diverse culture, it is crazy to expect that hate, in all its variety, can be eradicated. A free country will always mean a hateful country. This may not be fair, or perfect, or admirable, but it is reality, and while we need not endorse it, we should not delude ourselves into thinking we can prevent it. That is surely the distinction between toleration and tolerance. Tolerance is the eradication of hate; toleration is co-existence despite it. We might do better as a culture and as a polity if we concentrated more on achieving the latter rather than the former. We would certainly be less frustrated.

And by aiming lower, we might actually reach higher. In some ways, some expression of prejudice serves a useful social purpose. It lets off steam; it allows natural tensions to express themselves incrementally; it can siphon off conflict

through words, rather than actions. Anyone who has lived in the ethnic shouting match that is New York City knows exactly what I mean. If New Yorkers disliked each other less, they wouldn't be able to get on so well. We may not all be able to pull off a Mencklen — bigoted in words, egalitarian in action — but we might achieve a lesser form of virtue: a human acceptance of our need for differentiation, without a total capitulation to it.

Do we not owe something more to the victims of hate? Perhaps we do. But it is also true that there is nothing that government can do for the hated that the hated cannot better do for themselves. After all, most bigots are not foiled when they are punished specifically for their beliefs. In fact, many of the worst haters crave such attention and find vindication in such rebukes. Indeed, our media's obsession with "hate," our elevation of it above other social misdemeanors and crimes, may even play into the hands of the pathetic and the evil, may breathe air into the smoldering embers of their paranoid loathing. Sure, we can help create a climate in which such hate is disapproved of — and we should. But there is a danger that if we go too far, if we punish it too much, if we try to abolish it altogether,

we may merely increase its mystique, and entrench the very categories of human difference that we are trying to erase.

For hate is only foiled not when the haters are punished but when the hated are immune to the bigot's power. A hater cannot psychologically wound if a victim cannot psychologically be wounded. And that immunity to hurt can never be given; it can merely be achieved. The racial epithet only strikes at someone's core if he lets it, if he allows the bigot's definition of him to be the final description of his life and his person — if somewhere in his heart of hearts, he believes the hateful slur to be true. The only final answer to this form of racism, then, is not majority persecution of it, but minority indifference to it. The only permanent rebuke to homophobia is not the enforcement of tolerance, but gay equality in the face of prejudice. The only effective answer to sexism is not a morass of legal proscriptions, but the simple fact of female success. In this, as in so many other things, there is no solution to the problem. There is only a transcendence of it. For all our rhetoric, hate will never be destroyed. Hate, as our predecessors knew better, can merely be overcome. ■