Gay-Bashing: Violence and Aggression
Against Gay Men and Lesbians
Peter M. Nardi and Ralph Bolton

INTRODUCTION

Violence, threats of physical harm, verbal abuse, and other types of aggression directed against individuals because of their sexual orientation or perceived sexual orientation, often referred to collectively as "fag-bashing" or "gay-bashing," are commonplace in contemporary American society. From locker room to board room, from the pulpit to the courts, and from newspaper opinion columns to late-night comedy shows on television, the vilification of gays and lesbians is popular sport. In a recent public service announcement, comedian Bob Hope stated that he had become aware of the seriousness of the problem of attacks on gays and lesbians, which he deplored—after many years of engaging in bigoted humor.

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that was derogatory toward gays. His public service announcement was arranged as a form of penance. The fact is that each year tens of thousands of gay men and lesbians become the victims of aggression and discrimination because of their sexual orientation, while millions of others live with the fear and knowledge that they, too, are at risk of being the targets of hate crimes and of discriminatory actions such as the loss of a job, of housing, and of child custody rights, without legal recourse in many jurisdictions. Indeed, as a report prepared for the U.S. Department of Justice noted, members of the gay minority in this country are more likely than are members of ethnic and religious minorities to be attacked because of their minority status (Finn and McNeil, 1987).

Although the focus of this report is on individual gay-bashing, this social phenomenon cannot be understood fully until it is placed in the context of institutionalized gay-bashing which will also be discussed in this chapter and in which even the behavioral sciences themselves have participated, overtly through theorizing that contributes to the stigmatization of homosexuality (deviance theories, for example, and the medicalization of homosexuality) and covertly by failing to acknowledge and examine the problem of anti-gay violence. The theoretical literature produced by specialists on violence and aggression is replete with discussions of the related issues of anti-semitism and racism, but with almost no attention paid to gay-bashing (cf. Weiner, Zahn, and Sagi, 1990). What little work has been done on anti-gay violence and homophobia has generally been reported in nonmainstream journals (e.g., the Journal of Homosexuality). Thus, the pervasive homophobic milieu of the society at large and of the academic community itself has resulted in both the neglect and the ghettoization of this important problem.

It needs to be underscored at the outset that aggression and violence against gays and lesbians take many forms from the obvious, such as physical attacks, insults, and vicious jokes, to the subtle but equally pernicious, such as the refusal to recognize the existence and legitimacy of the gay community and gay culture, the re-writing of verse by famous poets to obscure references to same-sex love, and the genocidal failure by the American government to fund AIDS prevention efforts at an adequate level.

Debates within scholarly circles over the causes of variations in sexual orientation continue to rage, with essentialists and social constructionists battling each other in a replay of the nature-versus-nurture controversy that has afflicted the social sciences in many domains of scientific inquiry (Weinrich, 1987; Greenberg, 1989). However, certain important facts, supported by cross-cultural and cross-historical research by anthropologists and social historians, seem to be beyond reasonable dispute.

The first of these facts is that erotic attraction and sexual behavior between individuals of the same genetic sex are present in most societies in which sexuality has been studied carefully, and, indeed, it is quite possible that homoeroticism is a cultural universal, present to one degree or another in all societies at all times (Blumenfeld and Raymond, 1988; Ford and Beach, 1951; Herdt, 1987a; Whitam, 1987). The second fact is that how societies construe homoeroticism varies greatly; in particular, the roles in which homosexual practices are embedded and the practices themselves differ from culture to culture. In some societies in New Guinea and Africa homosexual behavior is not only expected during at least a portion of the life cycle of males, it may be required in ritual contexts of all males (Herdt, 1984, 1987b), whereas in others the commitment to and involvement in homosexual behavior is seen
as a significant, permanent characteristic of a minority of individuals for whom sexual orientation becomes one component of the personal identity, as is the case in Northern European and white American cultures. In still other societies, only some individuals who participate in homosexual activity are thereby defined as "homosexual", such definition depending on the role the individual plays in homosexual encounters (Carrier, 1980, 1989). A third compelling fact is that sexual orientation is not a matter of choice for most individuals; instead, it is a given in the same way that skin color and handedness are, though, like the latter, its expression can be facilitated or suppressed.

The fourth fact is that the level of acceptability or unacceptability of homosexual behavior varies tremendously from culture to culture (Carrier, 1980; Crapo, n.d.; Werner, 1979) and even over time within the same culture (Boswell, 1980). If one examines this phenomenon at the level of present-day nation states, one can see the sharp contrasts that exist. At one extreme on the acceptability dimension are the Scandinavian countries, especially Norway and Denmark. In the former, not only are gays and lesbians guaranteed the same legal rights as other citizens, but in addition Norwegian laws protect them against homophobic attacks (Pedersen, 1985). It is illegal to incite animosity or violence against the gay community, and the law has been used to prosecute a radio evangelist for making anti-gay remarks over the public airwaves. Denmark in 1989 became the first country to permit legal marriages between individuals of the same sex.

At the other end of the scale one finds countries such as Iran and Saudi Arabia where homosexual acts are punishable by death (Gmunder and Stamford, 1988; IGA, 1985). However, the most extreme official persecution of gays in the present century took place in Nazi Germany where thousands of gays, forced to wear a pink triangle, shared the fate of Jews, gypsies, and others who were considered in the Third Reich to be expendable (Heger, 1980; Plant 1986; Rector, 1981). The gay liberation movement, which had been strong in post-WWI Germany was destroyed, along with the leading pro-gay institution of the time, the Institute of Sexual Science in Berlin, founded by Magnus Hirschfeld. In addition to being largely ignored by subsequent scholarly research on Nazi genocide, gays who survived concentration camps, in contrast to other survivors of the Holocaust, were never given reparations; they remained the forgotten victims.

Historically, the fate of homosexuals has run parallel to that of Jews in European societies, their oppression waxing and waning in tandem. Both groups served as scapegoats during various periods. Following a period of toleration in the Middle Ages, toward the middle of the twelfth century hostility toward gays increased, and they were subject to the death penalty (Boswell, 1980).

**ANTI-GAY VIOLENCE AND AGGRESSION IN CONTEMPORARY AMERICA**

By contrast with the virulence of anti-gay attacks in the past and in a few cultures today, the present situation for gays and lesbians in the West may seem benign. But the appearances are somewhat deceptive. Laws on the books in some states continue to make felons of those engaging in homosexual acts, and the penalties for consenting homosexual behavior can be as severe as 20 years in prison, although these laws are rarely enforced. They function more as mechanisms of psychological aggression and intimidation. However, violence, threats of physical aggression and verbal abuse are significant risks in the lives of many gays and lesbians.
These dangers are often present even within the families of origin of gays and lesbians. Frequently, gay youths are rejected and abused by parents, siblings and other kin because of their homosexuality. Thus, where other minority youth generally do not face problems with racism and religious intolerance within their own families, for gays and lesbians often abuse begins at home. Many such youths even fear disclosing who they are to parents because of the possibility of rejection. In many cases, aggression against gay youths takes the form of expulsion from the childhood home and a severance of ties and financial support by unsympathetic parents. These young men and women then end up, in many cases, on the streets where they are targets for further violence.

**EXAMPLES OF GAY-BASHING**

Many cases of gay-bashing that occur today are reminiscent of the worst incidents of racial violence and harassment that were common before the successes of the civil rights movement. A few examples will suffice to illustrate what is often involved in gay-bashing.

Case 1. In 1986, a gay man living in Sacramento walked to the corner store one evening. Two men walking in the opposite direction passed him, and as they did so, he heard one of them mutter, "Too many faggots moving into the neighborhood". He continued on his way, ignoring the comment, until he heard footsteps behind him. As he turned around to look, he was struck on the shoulder by one of the men and thrown to the ground where he was kicked repeatedly in the face. His attackers retreated shouting, "queer, queer, queer." When he got up, he discovered that he was bleeding and had been stabbed. He managed to crawl to his apartment complex before losing consciousness. He was found by a neighbor who called for medical assistance. His stab wound was 1/16th of an inch from a carotid artery, but he survived. His assailants were never identified.

Case 2. On May 13, 1988 two lesbians were hiking along the Appalachian trail in Pennsylvania when they were shot by an assailant who had been stalking them for a day. The women had camped in a secluded area when the man, hiding in the woods about 80 feet away, opened fire on them. One of the women died at the campsite of back and head wounds; the other walked four miles with wounds in the head, face, upper arm, and neck before she got help. The attorney for the murderer claimed that the women had provoked the attack by performing sexual acts in front of the man. They had made love by the campfire unaware that they were being watched.

Case 3. A fraternity at the University of Vermont used a stamp that read "Drink Beer, Kill Queers" on the hands of students attending a fraternity party, and the same slogan was painted on a fraternity bus during a spring trip to Florida. Sanctions were applied to the fraternity by the university (probation, community service, and attendance at seminars on discrimination). (Reported in The Advocate, Issue #100, June 7, 1988, p. 34).

Case 4. Following a series of three gay-bashings in Laguna Beach, California, in August 1988, several shots from a high-powered rifle were fired into an area in which several gay businesses and a gay bar are located. No one was injured and the attackers were not caught (Reported by the Los Angeles Times, August 14, 1988).

Case 5. A heterosexual male tourist in San Francisco in July, 1987 was stabbed in the face and abdomen. He died two hours later. His attackers had shouted "faggot" and "fruit" at him during the assault, mistakenly identifying him as gay. The police determined
that he had done nothing to provoke the attack: He was, in their words, "at the wrong place at the wrong time" (NGLTF, 1988).

Case 6. At Columbia University, in October 1988, a football coach filed an official complaint against a male cafeteria worker whom he saw kissing another male friend goodbye. The employee was verbally harassed by members of the football team during "Training Table." Anonymous complaints were also filed by team members, stating, "Get homo's [sic] out of the kitchen, you are encouraging AIDS die [sic]" and "Get rid of the fags who serve during Training Table." The attacked employee is heterosexual (NGLTF, 1989).

These and many similar incidents, ranging from homicide to verbal insults, represent a category of violence called "hate crimes" which are generating increasing attention and concern among citizens and law enforcement officials. In a report submitted to the U.S. Department of Justice (Finn and McNeil, 1987: p.1), these incidents have been described as widespread and increasing:

Bias crimes, or hate violence, are words or actions designed to intimidate an individual because of his or her race, religion, national origin, or sexual preference. Bias crimes range from threatening phone calls to murder. These types of offenses are far more serious than comparable crimes that do not involve prejudice because they are intended to intimidate an entire group. The fear they generate can therefore victimize a whole class of people.

The report concluded that homosexuals were "probably the most frequent victims" of hate violence and bias crimes (Finn and McNeil, 1987: p. 2). Yet, many statutes and policies continue to exclude sexual orientation as a category or motivating factor in bias crime reporting. The reasons for this and the organized responses to it are discussed below.

**DEFINITIONS**

Gay-bashing involves acts of aggression committed against people because of their actual or perceived sexual orientation. Such acts are in many respects similar to hostile behavior displayed toward members of ethnic, racial, and religious minorities. Beginning in the late 1970s and early 1980s, a new category of crime was developed, primarily in response to increasing reports of violence committed against racial minorities. This development emphasized the importance of focusing attention on the victims of crimes rather than studying only the characteristics of those committing them. Various terms, including hate violence, bias crime, civil rights violations, human relations incidents, bias-related violence, and several other combinations of these words, have been used to index criminal episodes that fit into this new category.

While a standard definition of this new category does not exist, most definitions of bias crime incorporate several criteria for recognizing a crime as a bias crime. These include the presence of verbal abuse or physical actions, threatened, attempted or carried out, directed against individuals or group, or an attack on their property, motivated, all or in part, by the actual or perceived ethnicity, race, national origin, religion, sex, age, disability, or sexual orientation of the target, with such acts intended to intimidate not just individuals per se, but the entire group to which the victim is thought to belong. While these elements appear in almost all definitions of bias crimes, controversy typically focuses on which categories should be included. The inclusion of both race and religion is almost universal; some definitions include age, sex, and disability; but only a few have included sexual orientation.

The New York State Governor's Task Force on Bias-Related Violence (1988: p. 2) adopted the following definition:

An act of bias-related violence is an act or a
threatened or attempted act of intimidation, harassment or physical force directed against any person, or group, or their property or advocate, motivated either in whole or in part by hostility to their real or perceived race, ethnic background, national origin, religious belief, sex, age, disability, or sexual orientation, with the intention of deterring the free exercise or enjoyment of any rights or privileges secured by the Constitution or the laws of the United States or the State of New York whether or not performed under color of law.

The Los Angeles County Commission on Human Relations (1989: p. 5), in its report, Hate Crime in Los Angeles County in 1988, defined hate crimes as "acts directed at an individual, institution, or business expressly because of race, ethnicity, religion, or sexual orientation." The report specifies a number of guidelines to be used in determining if a crime is a hate crime. To be designated as such, the crime "must involve a specific target;" "bigotry must be the central motive for the attack;" if graffiti is involved the "graffiti must be racial, ethnic, religious, or homophobic in nature;" and, for assaults in which no other motive is present, the assault must be initiated with epithets. Vandalism to organizations as well as threatening phone calls are considered hate crimes, also, when racial, ethnic, religious, or homophobic language is employed as part of the act.

The California Racial, Ethnic, and Religious Crimes Project, according to a report prepared by Abt Associates for the U.S. Department of Justice (Finn and McNeil, 1987: p. 18), defines bias crime as "any act to cause physical injury, emotional suffering, or property damage, which appears to be motivated, all or in part, by race, ethnicity, religion, or sexual orientation." The International Association of Chiefs of Police uses a definition developed by the National Organization of Black Law Enforcement Executives, which focuses on racial and religious incidents: "an act or a threatened or attempted act by any person or group of persons against the person or property of another individual or group which may in any way constitute an expression of racial or religious hostility" (as quoted in Finn and McNeil, 1987: p. 18). This definition, as well as the ones in statutes in Maryland and Pennsylvania, does not include sexual orientation as a motivating factor.

The use of different definitions of bias crime leads to a number of problems, of course. For example, comparing data from different locales is made difficult, and even comparing data for a given locale over time is problematic when changes are made in the criteria for inclusion or exclusion of an event in the records intended to monitor bias-related aggression and violence. Increases or decreases in incidence, under such circumstances may be real or they may be artifacts of changes in data-collection procedures. Work in this area is hampered by divergent definitions and agreement is needed on an "accurate and workable definition of bias crime" (Finn and McNeil, 1987: p. 18). Whether or not to include sexual orientation in the definition continues to be a highly debated issue.

Another important step in arriving at a working definition is to state what is not included as hate violence or bias crime. The Los Angeles County Commission on Human Relations (1989) excludes actions, such as graffiti on freeway overpasses and public phone booths, that are not directed at a specific target; interracial crimes not motivated by race, ethnicity, religion, or sexual orientation; intragroup acts; name calling not accompanied by assault; and rallies and leafletting by hate crime groups.
TYPES AND INCIDENCE OF BIAS CRIMES

During the 1985 hearings on Intro 2, the New York City Council bill to prohibit discrimination in housing, employment, and public accommodations on grounds of sexual orientation, one of the arguments used by the bill’s opponents was that data did not exist to prove the need for the bill, i.e., that there was not sufficient evidence available to show that discrimination against gays and lesbians occurs. The same could have been said about anti-gay violence and aggression until very recently—a lack of data. Fortunately, some local governments and gay organizations have begun to remedy this situation by collecting systematic information on this problem. The results of these studies are discussed in this section. Although better data from more localities are definitely needed, the pattern that emerges from existing studies indicates the magnitude of the problem of anti-gay violence and aggression.

According to the Los Angeles County Commission on Human Rights (1989, 1990a, 1990b) hate crime in Los Angeles County escalated between 1980 and 1982, levelled off until 1985, increased again in 1986, and then reached record levels between 1987 and 1989. In 1989, there were 167 reported race-based incidents, 125 religion-based incidents, and 86 bias-crime incidents related to sexual orientation. The victims of the racial incidents were as follows: Blacks, 57.5%, Latinos, 13.2%, Asians, 11.3%, Armenians, 6.0%, Arabs, 4.2%, others, 7.8%. Jews were the targets of 88.0% of the incidents based on religious intolerance; Catholics were the victims in 5.6% of the bias crimes based on religious preference.

The bias incidents most frequently cited in the racial and religious categories involved graffiti and hate literature, 32.3% (race) and 56.0% (religion) respectively. (See Table 1). Assaults and attempted assaults were uncommon as bias crimes based on religion,

### Table 1

<table>
<thead>
<tr>
<th></th>
<th>Racial (n=167)</th>
<th>Religious (n=125)</th>
<th>Sexual Orientation (n=86)</th>
</tr>
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<tbody>
<tr>
<td>Graffiti/hate literature</td>
<td>32.3%</td>
<td>56.0%</td>
<td>30.2%</td>
</tr>
<tr>
<td>Assault/attempted assault</td>
<td>31.8%</td>
<td>8.8%</td>
<td>62.8%</td>
</tr>
<tr>
<td>Property vandalism</td>
<td>13.2%</td>
<td>7.2%</td>
<td>2.3%</td>
</tr>
<tr>
<td>Criminal threats</td>
<td>11.3%</td>
<td>15.2%</td>
<td>3.5%</td>
</tr>
<tr>
<td>Vandalism plus graffiti</td>
<td>7.2%</td>
<td>5.6%</td>
<td>Arson: 1.2%</td>
</tr>
<tr>
<td>Other:</td>
<td>4.2%</td>
<td>3.2%</td>
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only 8.8%. They were more frequent in the racial category, 31.8%. The pattern is different for crimes related to sexual orientation. Almost two-thirds of the bias crimes related to sexual orientation involved an assault or an attempted assault, whereas graffiti and hate literature accounted for less than one-third of the reported incidents (Los Angeles County Commission on Human Rights, 1990a).

In general, shouted epithets and verbal abuse are the single most commonly reported type of incident for all of the categories (race, religion, sexual orientation), but these incidents are typically not recorded in the statistics of bias crimes. What is clear from the comparative data is that violent forms of bias crime are more likely to be committed against gay men than against individuals because of race or religion. (In 1989, 93.0% of the victims of the sexual orientation incidents were gay men, and only 7% of the victims were lesbians). As the Los Angeles County report (1989: p. 14) noted: "The term [gay bashing] is disturbingly accurate, as the great majority of these incidents involved assaults."

In general, bias crime reporting and investigating began by focusing on violence directed at Blacks and Jews. Most of these incidents were committed by individuals and small groups rather than by organized hate groups, such as the Ku Klux Klan and white supremacist groups. The overwhelming majority of those arrested for these crimes are white males between the ages of 16 and 25. In New York City, 70% of arrests for bias crimes between 1980 and 1987 involved persons under 20 years of age (Finn and McNeil, 1987).

While most hate crime is committed by people who do not know their victims, in many cases of anti-gay violence the victim knows the assailant. A 1984 survey conducted by NGLTF (reported in NGLTF, 1989), found that 34% of gay men and lesbians had been verbally harassed by relatives and 7% had been physically assaulted by family members because of their sexual orientation.

Physical and sexual abuses committed in prisons against people because of their race, ethnicity, religion, or sexual orientation are poorly documented (Governor's Task Force, 1988). While there is considerable violence along racial lines, much of that may be related to the disproportionate number of incarcerated minority individuals, rather than to overt racial prejudice (Governor's Task Force, 1988). But violence in such settings appears to be especially problematic and severe for gay prisoners. NGLTF (1989: p. 22) reports that "There are few settings where anti-gay violence is more trivialized than in prisons and jails, and none where it is more inescapable." Wooden and Parker (1982) document some of the types of sexual exploitation that routinely occur in prisons, especially against gay men.

As data collection efforts improve, reports of hate violence and bias crimes against Hispanics, Southeast Asians, and homosexuals have increased. Racial incidents are more likely to be underreported than religious ones, due to the lack of familiarity with the laws by immigrants and non-English speakers. Sexual orientation cases are also underreported due to the victims' fears of disclosure and to police difficulties in identifying gay men and lesbians.

Although few organizations have kept detailed records on incidents related to gay men and lesbians, the National Gay and Lesbian Task Force (NGLTF) has been documenting such cases since 1982 and has issued reports annually since 1985. The latest is entitled Anti-Gay Violence, Victimization and Defamation in 1988. According to NGLTF figures (1989), which in 1988 came from 120 organizations in 38 states and the District of Columbia, 7,248 incidents were reported, a 3% increase over 1987, due primarily to
an increase in the number of organizations reporting, especially campus groups and gay churches. The pattern of incidents has remained relatively constant over the past several years. As Table 2 shows, the most common type of incident involves verbal harassment or threats of violence, followed by physical assaults.

**TABLE 2**

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<thead>
<tr>
<th></th>
<th>1988</th>
<th>1987</th>
<th>1986</th>
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<tr>
<td></td>
<td>(n=7248)</td>
<td>(n=7008)</td>
<td>(n=4946)</td>
</tr>
<tr>
<td>Verbal harassment/</td>
<td>77%</td>
<td>78%</td>
<td>70%</td>
</tr>
<tr>
<td>threats of violence</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Physical assault</td>
<td>12%</td>
<td>12%</td>
<td>15%</td>
</tr>
<tr>
<td>Vandalism</td>
<td>6%</td>
<td>5%</td>
<td>4%</td>
</tr>
<tr>
<td>Police abuse</td>
<td>3%</td>
<td>3%</td>
<td>8%</td>
</tr>
<tr>
<td>(physical/ verbal)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Homicides</td>
<td>1%</td>
<td>1%</td>
<td>2%</td>
</tr>
<tr>
<td>Other</td>
<td>1%</td>
<td>2%</td>
<td>1%</td>
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</tbody>
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NGLTF (1989: p. 8) notes that these statistics sharply underestimate the actual extent of anti-gay harassment and violence that occurred in the United States in 1988. Anti-gay episodes in the vast majority of U.S. towns and cities, and in 12 states...were not reported to NGLTF in 1988." Furthermore, the majority of the 120 reporting organizations had not systematically collected statistics on anti-gay incidents. In addition, these figures exclude suicides due to anti-gay oppression, reports of discrimination in employment, membership in the armed forces, child custody decisions, housing, and so forth, and cases of harassment and violence that did not appear to be motivated by anti-gay prejudice.

In short, as one group indicated to NGLTF (1989: p. 8), these figures "don't even scratch the surface of the problem."

Other studies of anti-gay hate crimes corroborate these findings and conclusions. In a survey released by NGLTF in 1984 more than 90% of 2074 people (654 lesbians and 1420 gay men) in Atlanta, Boston, Dallas, Denver, Los Angeles, Seattle, and St. Louis reported having experienced some type of harassment, threat, or assault; more than 30% said they had been threatened with violence; almost 25% of the men and 10% of the women had been physically assaulted; approximately 33% were verbally abused and 7% were physically abused by relatives; and 20% of the women and almost 50% of the men reported they had been threatened, attacked, or harassed in junior or senior high school because they were perceived to be gay or lesbian.

NGLTF (1989) reviewed several other unpublished studies of anti-gay violence conducted in Philadelphia, Washington, DC, and Baltimore in 1988. These studies found that between 9% and 18% of those surveyed had experienced one or more physical assaults because of their sexual orientation. Since several of these studies are based on samples of gay people over time, rather than tabulations of reported bias crime incidents, some trend comparisons can be made. Herek (1989: p. 950) concluded that these studies "support the hypothesis that victimization is increasing."

Furthermore, NGLTF (1989: p. 12) reports that the Philadelphia study compared Pennsylvania rates with criminal victimization rates in a Bureau of Justice statistical study and concluded:

> When annual rates of criminal violence in the Pennsylvania study are compared with Department of Justice estimates of the number of adult Americans who experienced criminal violence in
1986, gay men in Pennsylvania (excluding Philadelphia) were victimized 9 times more often, and Pennsylvania lesbians (excluding Philadelphia) were victimized 7 times more often, than the average rate for the U.S. adult population (i.e., those who live in rural, suburban or urban settings). Gay men and lesbians in Philadelphia only were victimized 10 times and 7 times more, respectively, than the average rates for men and women living in U.S. major cities.

Since the Pennsylvania data are primarily from respondents who are white and above average in affluence and education and since the risk of victimization is greater among minorities and low income people, these figures are undoubtedly underestimates of the amounts of anti-gay violence and harassment experienced by the gay and lesbian community as a whole.

Another survey of anti-gay violence (Comstock, 1989) confirms many of the figures presented above. In that study, questionnaires were distributed to 700 people in gay meeting places and through ads in gay publications, with a 42% response rate (usable questionnaires from 166 gay men and 125 lesbians). The sample was 77% white, 11% Black, and 8% Hispanic; 39% of the respondents were between 21 and 30 years of age, 39% between 31 and 40, and 17% over 40. Comstock (1989) found that the types of victimization included a) being chased or followed (32%); b) objects thrown at them (21%); c) punched/kicked/hit/beaten (18%); d) vandalism/arson (16%), robbed (12%); e) raped (8%); f) assaulted with weapon (7%); and g) spit at (7%). While the order was similar for whites and people of color, people of color were more likely than whites to have been chased/followed (43% vs. 29%) or have objects thrown at them (31% vs. 18%).

In the Comstock study, differences by gender were statistically significant: men were more likely than women, a) to have been chased/followed (36% vs. 28%); b) to have objects thrown at them (27% vs. 14%); c) to have been punched, kicked, hit or beaten (24% vs. 10%); d) to have been robbed (19% vs. 2%); e) to have been raped (10% vs. 5%); and f) to have been assaulted with a weapon (11% vs. 2%).

Overall, 59% of the respondents reported being victimized in public gay areas (such as gay bars or gay neighborhoods), 31% in public nongay areas (such as on public transportation or in nongay neighborhoods), 26% in home settings (parents’ or relatives’ homes, their own homes), and 25% in schools (high school and college). Men were more likely than women to report victimization in gay public areas (66% vs. 45%), while women were more likely than men to report attacks in public non-gay areas (42% vs. 26%) and in home settings (30% vs. 24%).

While these figures may reflect some increased tendency on the part of individuals who have been victimized in anti-gay attacks to complete a questionnaire on the subject, these numbers are probably closer indicators of the true rate of anti-gay victimization than are those obtained from police records and from the recording of incidents by various agencies. Evidence for this is the finding from Comstock’s questionnaire that 73% of the respondents never reported the incident to the police. Most of those not reporting the crime said that they perceived or experienced the police to be anti-gay (67%). And 40% of those not reporting attacks to police said that they feared disclosure of sexual orientation. Of those who did report the incident to the police (and, again, only 27% chose to do so), 51% found the police to be courteous, 67% reported the police to be indifferent, 23% said the police were hostile, and 5% said they were abusive (these were not mutually exclusive items).
Herek (1989), too, noted that several surveys of gay-bashing victims discovered that only between 10 and 23% of the victims reported the incident to the police or other agencies. Berrill (1986: p. 6) concludes that victims of anti-gay violence are less likely than others to report to the police: "Current research indicates that at least three quarters of anti-gay violence victims fail to notify police, while half (52%) of the victims of violent crimes fail to do so." Anderson (1982) describes the results of a 1979 study in Minneapolis in which two-thirds of the lesbians and gay men who were victims of assault took no action in reporting the incident and only 9.3% reported it to the police.

Research by Comstock (1989), NGLTF (1989), and several other unpublished studies (as quoted in NGLTF, 1989), all point in similar directions. It is, of course, impossible to get accurate data on crime; all data must depend on what is reported. It is even more difficult to obtain accurate data on gay-related crimes when the fear of reporting such crime may be greater. Furthermore, it is impossible to generate a random sample survey of gay people. Consequently, all findings must be based on those responding to surveys, who are usually middle-class, white, educated, urban, and open about their sexual orientation. Similarly, figures based on data gathered from organizations reporting to a central clearinghouse are limited to the number of organizations that choose to record the hate crimes reported to them and then, in turn, choose to report those data to the central agency (in this case, NGLTF).

In short, the numbers presented above should be viewed as relative indicators of what bias crimes are being committed, how frequently, and against whom, rather than as absolute levels. Clearly, though, there is a significant problem of violent crimes being perpetrated against gay men and lesbians because of their sexual orientation. How this problem is being handled by the criminal justice system, the media, and other organizations is the focus of the discussion that follows.

THE CRIMINAL JUSTICE SYSTEM AND GAY BASHING

From law enforcement practices to the role of the prosecutor’s office to the attitudes of the judge to law makers in state and national government, dealing with bias crimes is generally hampered by prejudice, misinformation, and few guidelines. Of all the groups affected by bias crimes, gay men and lesbians appear to be most vulnerable and ill-treated by the various components of the criminal justice system, largely because of the familiar process known as "blaming the victim."

Police

Many professionals in the law enforcement field do not view bias crimes as a serious problem (Finn and McNeil, 1987). In New York State, the response to bias crime "is uneven and inadequate. Few of the 600 police agencies have any awareness of or focused response to bias crimes" (Governor’s Task Force, 1988: p. 105). The New York State report continues: "Despite the widespread inability for police agency officials to specify the incidence of bias crime, evidence suggests that it is widespread in the state" (Governor’s Task Force, 1988: p. 106).

While some of the perception that bias crime is not a significant problem is due to the fact that many groups fear reporting incidents, ignoring bias crime is also related to the fact that some law enforcement personnel do not take it seriously. Since much hate crime is committed by teenage boys and young adults, it is often considered just an adolescent "prank" or something done by a basically "good kid" (Finn and McNeil, 1987; Governor’s Task Force, 1988). Confusion over the definition and identification of
hate crimes is also part of the problem. In addition, some police
departments are reluctant to develop a whole new category of crime
which will require more paperwork and necessitate the allocation of
time and funds to handle, in most instances diverting them from
other projects (see Finn and McNeil, 1987).

reported that "Allegations of bias-related violence by police officers
were among the most disturbing to come before the Task Force.
Many of those incidents marked by the tragedy of death involve law
enforcement officers." Public testimony to the Task Force described
improper police use of force against Blacks, Hispanics, Asians, and
gays and lesbians. In this connection it is worth reiterating that
Comstock's (1989) study, cited above, found that the most common
reason given by respondents for not reporting incidents of
gay-bashing to police was a perceived or experienced anti-gay
attitude by police. Fear of police abuse was also claimed by 14% of
the respondents. Police harassment and abuse accounted for 205
incidents (almost 3%) of the total number of cases reported to
NGLTF (1989) for 1988, including such cases as the verbal abuse
and clubbing of patrons by police in a Pittsburgh gay bar, police
name-calling and striking a suspect perceived to be gay, and
security guards yelling "faggot" and "queer" at protestors in a
Massachusetts state senate gallery demonstration.

Prosecutors

Intimidation by some police forces is only the beginning of
the problems in the criminal justice system. Prosecutors are also
likely to ignore bias crimes or not to see them as a major problem:
there is "a low level of awareness of bias crime in many DAs'
offices" (Governor's Task Force, 1988: p. 147). Prosecutors who do
comprehend the seriousness of such crimes may find their efforts
hampered for various reasons. The police, for example, may not
gather all the necessary evidence or they may fail to bring cases to
be prosecuted; sometimes victims may want to drop the case in order
to avoid the risk of public exposure with a trial; plea-bargaining
may diminish the civil rights charges in some cases; and smaller
cities and towns, especially those without a bias-crime focus in the
police force, may not have sufficient resources to allow them to
respond to hate crimes (Finn and McNeil, 1987).

Judiciary

But even if the police and the district attorney's office are
successful in bringing a case to court on a bias-crime charge,
problems in the judiciary often change the focus. A typical reaction
is to acquit the defendant or to hand down a lenient sentence on the
basis of the so-called "homosexual panic" or "gay advance" defense.
In these cases, self-defense or temporary insanity is claimed as a
result of an actual or perceived sexual advance by the victim (Finn
and McNeil, 1987). A widely-reported example of this phenomenon
was the December 1988 sentence hearing of a man convicted of
murdering two gay men in Dallas. The defendant was sentenced to
30 years in prison rather than a life sentence as sought by the
prosecution. According to an Associated Press report (Los Angeles
Times, 1988), State District Judge Jack Hampton said: "These two
guys that got killed wouldn't have been killed if they hadn't been
cruising the streets picking up teenage boys." Hampton claimed that
the homosexuality of the murder victims entered into his decision
to give the killer a lighter sentence. He said he would have given
a harsher sentence if the victims had been "a couple of housewives
out shopping, not hurting anybody." The Texas Commission on
Judicial Conduct is investigating this case.

In another incident in Broward County, Florida,
Circuit Judge Daniel Futch jokingly asked the prosecutor when the anti-gay nature of a beating death outside a Fort Lauderdale gay nightclub was brought up, "That's a crime now, to beat up a homosexual?" (as reported in NGLTF, 1989: p. 25). In this and many similar cases, the "homosexual panic" defense is used as a way of shifting responsibility to the victim and away from the defendant. The assumption is "that gay people are sexually aggressive and predatory, and [this] has been used most successfully when the victims are dead and therefore unable to answer the defendant's allegations" (NGLTF, 1989: p. 25). Although NGLTF reports that this type of defense has failed to exonerate defendants in most cases, the fact that it is used speaks to the problems anti-gay violence victims must confront and the prejudices some judges and prosecutors bring to their cases.

The case of the assassination of San Francisco Supervisor Harvey Milk and of Mayor George Moscone in 1978 by Dan White, is perhaps the most famous example of light sentences given to violent offenders when their victims are gay or lesbian. Although this case is better known for its so-called "Twinkie defense", rather than for the use of a "homosexual panic" tactic, the outcome, which was a miscarriage of justice, was generally perceived to be heavily influenced by the fact that one of the victims was a gay man (Shilts, 1982).

These examples could be multiplied manyfold to illustrate the point that the judicial system has a tendency to treat the perpetrators of anti-gay violence with lenience, which serves to reinforce homophobic ideas that gay-bashing is not a serious crime.

Legislation

Appropriate legislation could help to deter anti-gay violence. However, the same kinds of prejudices and assumptions that influence police, prosecutors, and judges also are found among legislators, many of whom maintain that existing laws already apply and that newer, more specific ones therefore do not need to be enacted. Some object to the special protection nature of bias crime laws, while others are concerned about First Amendment issues related to criminalizing verbal harassment (Finn and McNeil, 1987).

The central issues that need to be addressed by legislators include raising the charges from misdemeanors to felonies; increasing the penalties for convictions; using civil rights injunctions more frequently; mandating bias crime education, especially targeted to minorities; requiring the collection of bias-crime data; and the most controversial, adding "sexual orientation" as a category in the list of groups included in bias crime bills (see Finn and McNeil, 1987; Governor's Task Force, 1988). The Governor's Task Force (1988: p. 218) reported that:

no single statute in New York State addresses acts of violence which are motivated in whole or in part by prejudice against the victim's race, religion, creed, color, age, disability, national origin, sex or sexual orientation. A number of existing statutes do offer some relief, but only to victims of some types of bias-related violence. Of particular note is omission of anti-gay/lesbian violence from the protection now provided by the existing statutes.

New York is not alone in this regard. Depending on the state, legislation aimed at bias crimes varies in what is covered, which groups are included, and what kinds of penalties are imposed. Property damage statutes (especially aimed at religious buildings and cemeteries) are in effect in 21 states; some states have raised the penalties for assault to a felony if the assault is due to bias
(Minnesota, California, and Wisconsin have such laws); some states have statutes forbidding interfering with someone's civil rights; and a few states require police departments to collect bias-crime data at the local and state level (Connecticut and Minnesota have such laws). But as of late 1989, only California and the city of Seattle prohibit acts motivated by the sexual orientation of the victim. Leaders of the Republican Party in the New York State Senate—despite the recommendation from the Governor's Task Force, passage by the State Assembly, and support from Governor Cuomo—blocked the passage of a bias-crime bill which contained "sexual orientation" as a category.

According to NGLTF (1989), Michigan's state senate removed a sexual orientation provision from a hate crimes bill although it had been included in the House version of the bill. At the city level, Oklahoma City included sexual orientation as a minority group protected from harassment in its bill; Columbus, Ohio, despite the Mayor's request to drop gays from its bill, voted to increase penalties for bias crimes including those based on sexual orientation; and San Francisco, San Diego County, and Montgomery County, Maryland have required data collection on bias crimes including those committed against gays and lesbians.

At the federal level, the Hate Crime Statistics Act (HR. 3193; S. 702) which would require the collection of statistics at the federal level on crimes based on race, religion, ethnicity, and "homosexuality or heterosexuality," passed the House of Representatives by a large margin (383-29) in May 1988, but was blocked in the Senate by Jesse Helms, despite passing unanimously in the Senate Judiciary Committee. The bill, re-introduced in February 1989, passed in the House in June 1989 (386-47) and in February 1990 in the Senate (92-4). At this writing, it is on President Bush's desk awaiting his signature (he backed the bill).

Sexual orientation has also been included in a model hate-crime statute developed by the National Anti-Defamation League of B'nai B'rith. This model proposes enhanced criminal penalties for bias-motivated crimes, a civil cause of action for victims, and mandatory data collection by law enforcement agencies (NGLTF, 1989).

The inclusion of "sexual orientation" as a category in bias crime bills has led to the rejection of proposed statutes in many locales. The Governor's Task Force (1988: p. 219) recognized the greater likelihood of a bias crime act being passed if lesbians and gay men are excluded, but strongly states:

the Task Force believes that excluding anti-gay/lesbian violence victims from the protection of the Act would be wrong. To do so would give the false impression that such conduct is either condoned by the state or that such acts of bias-related violence do not exist. Neither of these notions is correct.

The New York state bill was defeated because of the sexual orientation provision.

THE CAUSES OF ANTI-GAY AGGRESSION

The deficiencies in the criminal justice system outlined above clearly serve as contributory factors in gay-bashing. If anti-gay crimes tend not to be reported, if the offenders tend not to be apprehended, if legislators have not provided the legal tools for penalizing offenders, and if the sentences meted out to those successfully prosecuted for such offenses tend to be light, then the possibility for deterring individuals who might commit bias crimes is small. But the other causes of anti-gay aggression are complex and legion. Some of the factors responsible for attacks on gays and lesbians are unique to this category of victims, but others are
identical to the factors generally implicated in violence and aggression targeted to minorities in general. Most of the theories used to explain racism and religious intolerance can be applied to understanding gay-bashing, but a comprehensive theory of anti-gay aggression must include variables that are specific to this category of victim.

The sociopolitical climate of the 1980’s in the United States certainly contributed to the increasing severity of the problem of hate crime in general. The Anti-Defamation League of B’nai B’rith has documented a five-year high in anti-Semitic incidents in 1988, an increase of 19% in vandalism and 41% in harassment over the preceding year (as reported in NGLTF, 1989). Other organizations (such as the Center for Democratic Renewal, the National Institute Against Prejudice and Violence, and the Southern Poverty Law Center) which monitor racial and religious bias also have reported increases, leading NGLTF (1989: p. 30) to conclude that “growing reports of hate violence suggest that the pluralistic fabric of our society may be unravelling, a trend that should alarm all those concerned about human and civil rights.”

SOCIAL AND CULTURAL CAUSES

Finn and McNeil (1987: p.1), in their report for the Department of Justice, suggested that, while some increases in bias-crime statistics are related to more accurate reporting and clearer definitions, the widespread problem is due to “increased economic competition from minorities, visibility of gay men, ethnic neighborhood transition, and a perceived decrease in government efforts to prevent discrimination in education, housing, and employment.” The rhetoric of white supremacist groups and the failure of local and national leaders to condemn these groups more strongly also contribute to the increase in bias-motivated incidents.

Los Angeles County’s Commission on Human Rights (1989) suggested that the causes of increases in hate crimes include rapid ethnic demographic change, ongoing intergroup tension, international events, and entrenched bigotry in some segments of the population, and the New York State Governor’s Task Force (1988) concluded that broad social forces, such as the failure of schools to educate about diversity and anti-bias, the failure of the media to provide accurate portrayals of ethnic and racial groups, and the perpetuation of segregated housing which denies minorities equal access to housing, are responsible for the increase in bias crimes. Many of these factors are relevant to the situation of gay men and lesbians as well as that of other minorities.

Although there have been increases in the 1980’s in hate crimes generally, within American society over the past 30 years the acceptability of overt racism and anti-semitism has declined. A similar magnitude of decline in negative attitudes towards gays and lesbians and in values related to homosexuality is difficult to document. For many of the religious denominations in this country, for example, homosexuality remains a sin. While a few Protestant denominations have been moving toward full equality and acceptance for gays and lesbians, the Catholic Church’s anti-homosexual stance has become vocally more strident in recent years, with Vatican spokesmen and some leading figures in American Catholicism, such as New York’s John Cardinal O’Connor, actively expressing their opposition to the gay subculture.

During the two decades since the Stonewall Rebellion in 1969, the gay rights movement has pushed for equal rights for gays and lesbians. As a result, gays and lesbians have become more visible to the general public, augmenting considerably the awareness of homosexuality as a significant phenomenon in American society that resulted from the research by Kinsey and his associates which
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Gay-Bashing

stereotyping and the role of the media

Stereotypes of gay men and lesbians, and perhaps to a lesser extent of lesbians, play a key role in the etiology of gay-bashing, just as stereotypes of other minority groups are implicated in bias crimes committed against their members. Furthermore, the perpetuation of these stereotypes in the media as well as the media's handling of gay-bashing merit examination as indirect causes of bias crimes. Newspapers, television, and other public forms of communication can provide useful information about bias incidents, yet they can also create images about the groups involved that provide new incidents. The Governor's Task Force (1988) studied 10 daily newspapers throughout New York State and concluded that the media was not performing a positive function with respect to bias violence. More specifically, the report found that newspaper
coverage emphasizes physical violence out of proportion to actual rates; that bias incidents are portrayed as isolated from normal, everyday life; and that violence against some groups is systematically underreported, "particularly true of attacks on gays and on Asians and other ethnic groups with a high proportion of recent immigrants. . . . No reports of anti-gay violence were found in the sample of newspapers in this study even though gays and lesbians may be the most victimized group in the nation." (Governor's Task Force, 1988: p. 228).

The Task Force saw this in part as a reflection of the underreporting of gay violence to police by the victims and the dependency of media on police reports for information. Also, the Governor's Task Force (1988: p. 229) concluded,

The failure of the media to report about anti-gay and anti-lesbian violence on a regular basis may also reflect the continuing reluctance of the media to acknowledge that anti-gay actions are as serious as actions motivated by hatred of a person's race, religion, or ethnicity. In this respect the media are reflecting what is often considered to be the prevalent social attitudes toward lesbian and gay men. The existence of the gay community was frequently ignored by the media prior to the onset of the AIDS crisis; only in the last few years have the media begun to acknowledge that a significant minority of Americans face unique concerns related to their sexual orientation. The violence resulting from hostile attitudes toward lesbians and gay men has still failed to attract media interest.

Further findings about media coverage by the Governor's Task Force (1988: p. 232) include the dependence on official sources for perspectives and viewpoints on the incident; attempts to de-legitimate the victims by questioning the honesty of the victim's version and focusing on motives and character; and frequent attempts to deny the bias motivations in the incident by framing it in terms of youthful perpetrators "protecting their turf" or the protection of property.

There has also been an increase in radio and television talk shows which perpetuate "false and sometimes vicious myths that reasonable and sensitive listeners take to be anti-Jewish, anti-Black, anti-gay, and anti other groups" (Governor's Task Force, 1988: p. 235). Coupled with low minority representative among media employees and the almost exclusive use of whites in advertisements, the media rarely portray minorities in everyday life situations, thereby enhancing the out-of-context aspects of bias crimes when they are reported. Defamatory remarks by public figures in the media against lesbians and gay men are not included in the bias incident statistics. Yet, many of these statements can be viewed as the source of subsequent assaults (NGLTF, 1989). They are included here as a means of illustrating the context in which gay-bashing incidents occur and to show how they may be related to the violence which occurs soon after they are aired.

The NGLTF report quotes an article in the Boston Gay Community News about Philadelphia city councilmember Francis Rafferty's statement opposing Gay Pride Month by declaring that gays have nothing to be proud about because they are spreading AIDS. Soon after that, "a Philadelphia gay activist was beaten by two men who began their attack by claiming that "We're for Rafferty and we're for the majority"" (NGLTF, 1989: p. 28).

The case of Andy Rooney is instructive. Rooney, a CBS commentator, made anti-gay remarks in his syndicated columns and also on a television special in December 1989. Subsequently, he was reported to have made racist remarks as well, which he denied. He was suspended from his job for three months by CBS. Newspaper reports seemed to suggest that the suspension came not because of
his admitted inflammatory anti-gay remarks but because of his alleged racist comments. In any case, his early reinstatement following a public outcry in his favor sent a message that both homophobic and racist attacks are acceptable.

Other media incidents reported to NGLTF ranged from a comedy album by Sam Kinison that blames AIDS on gay men having intercourse with monkeys; a song, "Homesick Heroes," on an album by country and western singer Charlie Daniels which encourages punching out "sissy" gays and sending them back "where women are women and men are men," a radio disc jockey in Connecticut who stated that "fags" should be castrated to prevent AIDS from spreading, followed soon by a gay man with AIDS being chased by teenagers screaming that he didn't deserve to live since the deejay said "queers" spread AIDS; a Miami radio station advertising a nightclub offering special activities including "beating up queers;" and an HBO television comedy special which had comedian Damon Wayans talking about gay-bashing as he "wobbled feely across the stage while rolling his eyes and swishing his wrists" (NGLTF, 1989: p. 29). Although such incidents are not included when defining or recording bias crime incidents, the media are being monitored for anti-gay remarks and stereotyping by various chapters of the Gay and Lesbian Alliance Against Defamation and protests against such incidents are being lodged with media representatives and program sponsors, since their impact on gay-bashing is far from negligible.

Aspects of the widespread stereotype of gay men in American culture may also contribute to gay-bashing. These include the perception of gay men as feminine and weak, as men who engage in unmanly occupations such as hairdressing, interior decorating and the arts, which are of lesser value to society than stereotypical, straight male occupations. The general tendency of the media is to focus on those segments of the gay community that conform to this pattern. There is very little effort made to portray gays who do not conform to the swishy stereotype. If gay men are portrayed as feminine and weak, it is natural for gay-bashers to perceive them as easy targets and a safe outlet for thrill-seeking.

In addition to seeing gays and lesbians as cost-free targets, there is a widespread perception that homosexuality is illegal, and therefore, attacks on gays and lesbians can be justified as attacks on criminals. While homosexual behavior is a felony in some states, this perception persists even in states where homosexuality has been decriminalized for almost two decades. A common misunderstanding of the Bowers v. Hardwick sodomy case decided by the Supreme Court in 1986 is that the ruling handed down outlawed homosexuality, whereas it simply made it permissible for states to have laws of that type. While that case did not make homosexuality illegal, the fact that it did uphold the rights of states to outlaw homosexual behavior can be interpreted as institutional gay-bashing by giving permission to withhold equal rights, even the right of the gay minority to exist. It is noteworthy that reports of gay-bashings increased significantly in many locales after news of that decision appeared in the media.

Other dimensions of the gay stereotype are also worth mentioning. Gay men are often viewed as hypersexual, their lives being defined by their sexuality. They are seen as highly promiscuous, an image that was exacerbated by AIDS reporting which stressed the number of partners some gay men have. They are seen as incapable of maintaining relationships, and their intimate life is interpreted as involving lots of sex but no love. The image often portrayed is one of well-to-do, self-indulgent hedonists without the responsibilities of mature heterosexual men. Moreover, the belief that gay men recruit new members by seducing young
boys is widespread. And long after the psychological professions removed homosexuality from the list of mental illnesses, the stereotype of gays and lesbians as mentally disturbed or sick individuals persists. Some elements of this stereotype, gays share with other minorities, e.g., hypersexuality and unstable relationships with Blacks, wealth with Jews (see Adam, 1978).

While some media producers have made some efforts to portray gays and lesbians in a more positive light (PBS, in particular, in some cities), the efforts are insufficient to eliminate erroneous elements in the popular gay stereotype and to counter the anti-gay material broadcast on radio and television.

Explanations for anti-gay sentiments and gay-bashing need to take into account the negative stereotypes, which are perpetuated by the media, as does the work by Harry (1982: p. 546) who discusses the concept of "derivative deviance" which he defines as "that subset of all victimizations which is perpetrated upon other presumed deviants who, because of their deviant status, are presumed unable to avail themselves of civil protection." He distinguishes two kinds: cultural derivative deviance and opportunistic derivative deviance. The former occurs when the victim is unknown to the assailant who relies on stereotypes of appearance and place. This kind of victimization results in assaults and robberies, what Harry (1982) calls "fag-bashing." The latter type occurs when a pre-existing relationship is present and the victim has trustingly shared his or her stigmatized status with the perpetrator. This kind typically leads to incidents of extortion or blackmail.

Harry's (1982) data support the idea that "fag-bashing" is more likely to occur in gay-defined areas and when the person conforms more to cultural stereotypes (39% of the self-defined effeminate men were assaulted versus 22% of the masculine and 17% of the very masculine self-defined men). Similarly for cases of blackmail: the more effeminate and those not attached to a reference group of other gays were more likely successfully extorted. Thus, Harry (1982: p. 560) concludes that "those who most conform to stereotypes of deviants appear to bear the brunt of derivative victimization, both cultural and opportunistic."

Although Harry found that marginal gays were more likely to be blackmailed, he was unable to show a significant relationship between those gays unattached to a large gay network and increased assaults, thus contradicting the findings of Miller and Humphreys (1980: p. 177) whose data suggested that homosexual marginals, i.e., those who operate "on the periphery of gay institutions and social networks," are more likely to be victims of violent crimes. Rather, attachment to a visible gay community and participation in activities in gay areas make gay men and lesbians more vulnerable to identification and possible victimization.

Given that most anti-gay incidents are committed by young males, Herek (1984) believes that the pressure among peers to accept masculine gender role traits and to solidify group membership by affirming masculinity through violence should be considered as a possible explanation in our culture. More and more, "sexual orientation is becoming the component defining masculinity" (Franklin, 1988: p. 163). As this happens, heterosexuality becomes increasingly relevant as the core idea of masculinity; the pressure to deemphasize homosexuality and intimacy between men increases; and the devaluing of feminine behaviors in men continues. In such a cultural climate, young males are more likely to target openly gay men, males perceived to be more feminine in appearance and behavior, and anyone else perceived to be non-conforming to gender roles.
Thus, from a sociological perspective, crimes committed against lesbians and gay men are related to cultural stereotyping, opportunities to identify people as stigmatized by seeing them participate in gay contexts, and other social definitions of what constitutes appropriate gender behavior as perceived especially by young males.

ANTI-GAY ATTITUDES AND HOMOPHOBIA

The negative stereotype of gays discussed above tends to be accompanied by anti-gay attitudes on the part of a significant proportion of the American population, and in more extreme cases by homophobia, a concept used to designate irrational fear of and hostility toward homosexuals. Evidence of the magnitude of homophobic attitudes in this society is provided by many studies. Results from a few of these studies can be described here. Inasmuch as young males tend to be the chief perpetrators of anti-gay violence, an understanding of homophobia in that segment of the population is essential. A survey of the attitudes of 2823 junior and senior high school students in 20 school districts in New York State, conducted by the Governor's Task Force (1988) provided data on anti-gay hostility. The report (1988: p. 97) concluded that:

One of the most alarming findings in the youth survey is the openness with which the respondents expressed their aversion and hostility toward gays and lesbians....the students were quite emphatic about their dislike for these groups and frequently made violent, threatening statements. Gays and lesbians, it seems, are perceived as legitimate targets which can be openly attacked.

One of the findings from this survey clearly showed gender differences in attitudes toward gays. While 74% of the boys agreed that it would be "bad" or "very bad" to have gays move into the neighborhood, 48% of the girls checked those attitudes. Overall, between 69% and 91% of the students rejected the idea of having gays as neighbors. Only 12% believed it would be "very good" or "good" to have a gay person move into their neighborhood. For purposes of comparison, 50% to 60% said it would be "very good" or "good" to have neighbors of ethnic and racial minorities (Blacks, Hispanics, Asians, Jews). When comments were made on the questionnaires by the students, most were positive about interracial and intercultural interactions. However, when the comments were about gay people, they "were often openly vicious. Emphasis was frequently added to the negative responses and a number of students threatened violence against gays" (Governor's Task Force, 1988: p. 84).

Data from 64 higher education campuses in New York State show similar results. In a survey of official representatives of four-year colleges and universities, 20% perceived that gay and lesbian students were rejected by fellow students, 37% felt that they were avoided by others, and 23% believed they were ignored by other students. In other words, 80% reported that they perceived gay and lesbian students as being rejected, avoided, or ignored; the next closest group was Black students perceived to be avoided or ignored by 55% of the administrators. As the Governor's Task Force (1988: p. 55) stated: "No other group is defined as rejected in institutional authorities' perceptions. This refusal to accept gay and lesbian students leads all too frequently to active rejection....active rejection of other groups is not normative on campus."

In addition, 35% of these 64 administrators, report that anti-gay and lesbian incidents have occurred on their campuses, 60% believe there is anti-gay sentiment, and 32% say they have policies
against gay bias. The Governor's Task Force (1988: p. 56) concludes:

The pattern seems clear. Many campuses in New York experience anti-gay/lesbian incidents and even more have anti-gay/lesbian feelings. In the face of this, most have no organizational support and few have experimented with promising policies to alleviate this problem.

From a psychological viewpoint, the concept of homophobia is given much prominence as a driving force in the development of negative and violent behavior toward homosexuals. Homophobia has generally been perceived as a unidimensional trait of personality, often unrelated to the social context in which prejudicial attitudes (including racism and sexism) develop and are maintained.

In another study (D'Augelli, 1989), this one of students at a major university who had applied for the position of resident assistant, all of the subjects indicated that they had heard disparaging remarks made about gays and lesbians, 83% of them indicated that they heard such remarks often, and indeed, most of the subjects admitted that they themselves had made such remarks. Furthermore, the subjects all agreed that harassment of gays and lesbians was likely on their campus, with 52% believing that harassment, threats of violence, or physical attack are "very likely."

Herek (1984) provided a list of factors that correlate with the holding of negative attitudes toward lesbians and gay men; according to his review of the literature, those with more negative attitudes, 1) have had less personal contact with gays and lesbians, 2) have themselves not engaged in homosexual behavior and to identify themselves as gay or lesbian, 3) tend to perceive that their peers hold anti-gay attitudes, 4) tend to live in areas of North America where negative attitudes towards gays have been found to be more prevalent, 5) tend to be older and low in educational level, 6) tend to more religious, to be more frequent churchgoers, and to believe in more conservative religious ideology, 7) tend to hold traditional sex-role attitudes, 8) tend to be more negative about sexuality generally and to express more guilt about sexuality, and 9) tend to score high on authoritarianism and related personality measures.

In Herek's (1984) view, attitudes serve as strategies for meeting a variety of psychological needs in different social contexts. Homophobic attitudes, in particular, can serve various functions for different people. Herek (1984) sees three major needs being met by three types of attitudes: those which categorize reality based on past interactions (experiential), those which are used to cope with conflicts and anxieties by projecting them onto others (defensive), and those used to express abstract ideological concepts which are closely linked to notions of self (symbolic). These explain the variation in findings from studies about attitudes toward homosexuals.

The persistence of anti-gay attitudes and their effects on aggression have been supported in other research. Using male college students, San Miguel and Millham (1976) studied the interactive effects of attitudes, type of contact, perceived similarity, and sexual orientation on aggressive behavior and attitudes. Despite a limited sample and an absence of measures on actual violence, they found that there was significantly more aggression expressed toward homosexuals than heterosexuals. In addition, they (1976: p. 26) concluded that "homosexuals who are perceived by a heterosexual as personally similar to himself are likely to experience heightened rather than diminished aggressiveness from that person." In addition, aggression was not attenuated among heterosexuals who held prior negative attitudes towards homosexuals even after experiencing a positive cooperative interaction.
homosexuals "are subject to higher levels of aggression than are their
normative counterparts" (San Miguel and Millham, 1976: p. 26).

Clearly the question of how attitudes toward homosexuality
and gays and lesbians are formed and maintained is an important
one in understanding anti-gay violence, especially from a
psychological perspective. Since many people hold favorable
attitudes toward gays and lesbians, even in a social and cultural
context less supportive of homosexuals, personality traits and
attitude formation become salient variables in explaining bias

AIDS AND GAY BASHING

The AIDS epidemic added to the problems confronting the
gay community in the 1980's. On top of having to cope with a rising
death toll and to make critical changes in patterns of behavior
related to HIV transmission, gay men (and lesbians as well) became
concerned about the possibility of a backlash and heightened
homophobia and anti-gay violence. Originally labelled GRID
(Gay-Related Immune Deficiency), AIDS became associated with
homosexuality in the U.S. because the first cases were recognized in
gay men living in major urban areas, notably in cities with large
gay populations (New York, San Francisco, and Los Angeles). The
high case fatality rate, ignorance about the etiology and the means
of transmission of the disease, failure by the Reagan administration
to deal with the epidemic, and sensationalist reporting by the press
(when they were not ignoring the epidemic entirely), all helped to
generate hysteria, a secondary epidemic sometimes referred to as
"AFRAIDS". Political and religious opponents of the gay community
were quick to use AIDS as a weapon, blaming AIDS on the
sinfulness of gays and citing AIDS as justification for

continued oppression of the gay minority (see Lang, 1989). To what
extent, then, does AIDS serve as a cause of gay-bashing?

NGLTF (1989) reports that 17% of all incidents in their files
were classified by local groups as "AIDS-related." Typically this
designation refers to incidents involving verbal references to AIDS
by assailants or actions directed against persons with AIDS because
of their condition. While this percentage has been fairly consistent
over the years (15% in 1987; 14% in 1986), it is probably
underestimated since many organizations do not question victims
about whether AIDS was a factor in the incident, many victims do
not include AIDS as a variable when reporting, and many times it
goes unspoken yet may be an underlying motivating factor.

However, AIDS is probably less a direct cause of the
aggression than an excuse to allow the assailant to justify
committing the hate act. Data from studies completed before AIDS
became an issue provide evidence that anti-gay violence (in
particular, physical assaults) existed as a serious problem even
before the AIDS era. This is not to say that verbal harassment and
property vandalism have remained steady, however. Again,
problems in wording, categories used, and sampling prevent
definitive conclusions from being made about rate changes over the
years. In their 1969 survey (pre-gay liberation) of San Francisco
Bay Area homosexuals, Bell and Weinberg (1978) found that 38% of
the gay white men, 21% of the gay Black men, 2% of the white
lesbians, and 5% of the Black Lesbians reported they had been
robbed or assaulted one or more times because of their
homosexuality. They also report that 35% of 458 Chicago gay white
men in a 1967 pilot study said that they had been assaulted or
robbed because of their homosexuality.
Anderson (1982) reports the results of a study conducted in Minneapolis of 289 gay men and lesbians in 1979. About 23% said they had experienced physical assault and almost 6% stated they were raped because of their sexual orientation. In a 1978 study of 1600 gay men (91% white) in Chicago, Harry (1982) found that 27% of those living in a gay neighborhood and 20% of those living in non-gay areas reported that they had been assaulted because of their homosexuality. These pre-AIDS figures, while difficult to compare exactly with the current figures because of the use of different categories of incidents, are not significantly different from the data reported by NGLTF, by Comstock (1989), and in the summary of unpublished studies analyzed by Herek (1989).

Thus, AIDS may not be a direct cause of violence. However, the AIDS epidemic has certainly made the gay community more visible, and this enhanced visibility could heighten the likelihood of gays and lesbians increasingly becoming targets of bias aggression. A reasonable though untested hypothesis can be advanced to account for the increases in anti-gay aggression of recent years, to wit, that the behaviors are justified by the attackers in terms of AIDS but they are produced by changes taking place in the total configuration of potential minority group targets seen as appropriate by intolerant individuals and by the greater visibility and accessibility of gays and lesbians due to the public attention they attract in their efforts to combat AIDS. As Herek (1989: p. 951) says,

Much of the variance in AIDS-related bigotry is explained by antigay attitudes, which presumably predate the epidemic. Thus, AIDS may be less a cause of antigay sentiment than a focal event that crystallizes heterosexuals’ preexisting hostility toward gay people.

While AIDS may have contributed in the early years of the epidemic to increased hostility toward gays, it is important to point out that the opposite reaction has also occurred. As NEWSWEEK (March 12, 1990, p.21) reported recently, "the devastation AIDS has created has led to greater sympathy in the straight world, and gays' responsible handling of the crisis has led to new respect for the community." Ironically, then, on balance in the long run, AIDS may contribute to a reduction in the incidence of gay-bashing.

RECOMMENDATIONS AND PROPOSALS

In order to reduce anti-gay violence, attention must be paid to a complex set of issues related to hate crime. The first task is to gain acceptance by a variety of constituents for the development of strong bias-crime laws and policies. Second, where not already included, sexual orientation needs to be added as a category of bias crime. Third, comprehensive efforts must be made to reduce homophobia and negative attitudes towards homosexuality. Fourth, educational efforts must be intensified to improve the public’s understanding of AIDS. And fifth, the needs of the victims of bias crimes should be addressed through the provisioning of appropriate services, and the treatment of victims by law enforcement agencies and mental health care facilities should be improved.

Legislation

At the top of the list of recommendations is the enactment of the federal Hate Crime Statistics Act which would require the collection of statistics on hate crimes at the national level. States and local communities must also be required to criminalize bias-motivated crimes and upgrade charges from the category of misdemeanor to that of felony. Mandatory data collection at the local and state level is also necessary to insure that hate violence receives the attention it merits. Sexual orientation, of course, must be included as a category in these laws. The enactment of a national
law prohibiting discrimination on the basis of sexual orientation in housing, employment, public accommodations, and other aspects of life, and the repeal of sodomy laws in those states where they still exist would further serve to ameliorate the problem of anti-gay aggression.

Victim Services

The New York State Governor's Task Force (1983: p. 3) discusses the "rediscovery" of the victim and points to the need for policy makers and practitioners "to constantly improve their awareness of victims' needs and [to] pioneer innovative assistance programs." The report further states that some victims' experiences, such as those of the victims of bias-related violence, are so traumatic that special help should be given.

In a survey conducted by the Governor's Task Force (1988) in New York State, 46% of the district attorneys perceived that the essential services were available and were being delivered to the victims of hate crimes, and 81% agreed that bias-crime victims need special services. Additionally, the Task Force found that stereotypical handling of bias-crime victims existed, that few victim programs actually included any special effort to assist bias-crime victims, and that these individuals, rather than their assailants, were often blamed for the criminal event.

Anderson (1982) delineated some of the unique problems experienced by victims of assaults, especially sexual assaults against gay men, noting that the stages an assault victim goes through parallel those of female rape victims: the set-up (power ploys), the attack, and the aftermath (shock, denial, shame, guilt, self-blame, embarrassment, fear, suspicion, depression, low self-esteem). The content and intensity of such attacks may vary depending on whether the victim is a woman, a gay male, or a straight male perceived to be gay, but in general, victims of hate crime, and in particular of physical and sexual assaults, must deal with the larger issues of sexual identity and gender in ways that the victims of non-bias-related assaults do not. The special problems raised by gender and sexual orientation must be taken into consideration when exploring ways to create appropriate services for the victims of bias-related violence.

Education and Prevention

The primary goal, of course, is to prevent bias crimes rather than to deal with them after they have been committed, and crucial to the achievement of this objective is education on this issue for all segments of society, but most notably for those most closely linked to the problem, and that includes junior high and high school students, college students, police, prosecutors, judges, legislators, mental health personnel, and media professionals. The focus of such educational efforts needs to be on prejudice and the questions of racism, sexism, anti-Semitism, religious intolerance, and homophobia. The enactment and enforcement of effective bias-crime legislation nationwide is likely to depend on massive educational campaigns on these core topics.

Education should also include ways to identify bias crimes, training law enforcement personnel in sensitive methods of interviewing victims, the development of strategies to encourage individuals to report incidents with confidentiality, getting prosecutors and judges away from a "blame-the-victim" mentality, informing people of the seriousness of prejudice-motivated incidents, and aiding law enforcement agencies in working with community-based organizations representing various ethnic, racial, religious, and gay constituencies. Finally, prevention programs, training programs, effectively enacted legislation, and good data
collection all require funding and a commitment from the government to support them. Nothing short of this will bring about any change in the widespread and continuing problem of bias-related violence.

Perhaps the most succinct way to end this chapter is to quote from the conclusion of a recent NGLTF (1989: p. 34) report:

In assessing the impact of anti-gay violence, statistics alone fail to adequately do the job. Statistics do not measure the anguish, suffering, and rage experienced not only by the survivors but by the larger lesbian and gay community. As with other crimes motivated by prejudice, anti-gay attacks are acts of terrorism aimed at discouraging lesbians and gay men from exercising their rights to freedom of speech, association and assembly. On a more basic level, anti-gay violence seeks to deny to lesbians and gay men the essential right to live and love as they choose. ... The slowness of government on every level to acknowledge and combat anti-gay violence parallels its willful failure to deal with AIDS in the early stages of that epidemic. Some leaders in government, law enforcement, civil rights and religion have begun to address this issue. Their efforts, however, are frequently met by fierce-and often successful--opposition on the part of those who seek to exclude gay men and lesbians from protection in laws and programs aimed at combatting hate violence. The denial of such protections to gay people is a legal and moral disgrace that must be challenged by all people of conscience.

REFERENCES


