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CHAPTER 9

THE HARMs OF VERBAL AND TEXTUAL HATRED

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It is in the comparative analysis of free speech doctrine and the regulation of vilification that the vast differences in governmentality and jurisprudence of Western nations are most stark. While the First Amendment of the U.S. Constitution plays a part in the free speech doctrine of all Western nations, it is the United States, alone, that has a constitutional proscription against abridging all speech. Unlike the United States, Canada, South Africa, the United Kingdom, and Australia all weigh the damage of “words that wound” (Matsuda, 1993) against the possible damage to democracy and individual freedom arising out the marginalization of its citizens, or, equally, the damage of speech regulation. However, even in the United States, some speech is protected. Speech that facilitates economic and status relationships continues to be abridged (such as insider trading, defamation, libel, union elections, and product advertising). The Supreme Court has also consistently ruled against the free speech of gay men and lesbians. And, more recently, so, too, the speech of perceived terrorists has been curtailed. These special classes of speech are regulated with the understanding that the protection of capitalism and the protection against homosexuality and terrorism warrant special intervention from the state. In this chapter, I ask why it is that these speech acts are perceived to be—and are constructed as—more damaging to democracy than that of vilification against marginalized citizens of Western nations. Of all the nations mentioned previously, Australia, as with the United States, also stands alone, however, in a very different way to the United States. Unlike other Western nations, Australian citizens do not have a legislative or constitutional commitment to free speech. Quite the
opposite. With the exception of a very limited implied right to freedom of political communication—which has been constructed in constitutional law as primarily relating to the organization and operation of elections (Australian Capital Television Pty Ltd v. the Commonwealth, 1992)—speech and text in Australia are regulated not only to manage the economy and terrorism, but more important for this chapter, the harms caused to democratic participation by racial, ethnoreligious, and sexuality vilification.

Traditional Millian theory posits that free speech is the most important mechanism to achieve a greater tolerance of difference and thus create a dynamic marketplace for truth to flourish. In responding to maledictive hate, theorists such as Gelber (2002) and Butler (1997) have recommended that marginalized speech actors engage with a process of speaking back, of returning the gaze to make perpetrators’ contributions to the marketplace of ideas marginal and aberrant. However, as will be demonstrated by an analysis of maledictive force and effects, the ideal speech situations of communicative action theory, and the recasting of terms of abuse by “speaking back,” require both rational speech actors—something clearly absent in many acts of maledictive hate—and an institutional validation of the authenticity of marginalized subjects and their speech. Constructing new truths in the marketplace of ideas is both socially and politically contingent. As such, the capacity for marginalized subjects to contribute to the marketplace rests on their ability to be able to speak with authority and to be authorized to speak. Yet, validation as authorized speech actors can be withheld from marginalized groups such that, even when individuals feel empowered to speak back to their victimizers, their speech and writing may be forestalled, gagged, frustrated, and disabled by the social and historical context of their outsiderhood. Furthermore, speaking back is offered by those who oppose the regulation of speech as inherently noninstitutional: as an act of individual agency. This failure to read institutional responses as a process of speaking back—which recontextualizes social relationships, as they exist at the time of enactment—fundamentally devalues the contributions that the state, and law, can make in managing maledictive hate when it is embodied in dynamic constitutional law, government policy, and equitable social interactions.

Malediction is critical to the effectiveness of most hate violence. In previous research, maledictive hate was found to occur in 80 percent of all reported cases of antisemitic and heterosexist violence. Explicit, personalized abuse constitutes one of the identifying characteristics of hate violence and establishes it as a practice unique to this form of interpersonal violence. Maledictive hate acts as a warning and as a justification: a prelude of things to come, and—if addressees respond—a justification for the transformation of malediction into physical and sexual violence. Too often in accounts of hate violence, escalation from malediction to physical or sexual assault occurs when those named in hate violence respond to their victimizer’s heed and
take on the label spat out in hate. Embracing outsiderhood is proof enough that disorder is contained in the marginal body and that order must be reinstated by physical containment of the body.

Rather than employing a simplistic Millian or equally unresponsive poststructuralist theoretical framework to account for this transformation from speech to action, Bourdieu’s critical engagement with Austinian speech act theory (Bourdieu & Thompson, 1991) and Langton’s (1993) twist on speech act theory have been foregrounded in this chapter. Employing such frameworks does not mean that I privilege state intervention over a radical reworking of social institutions and social interactions—for that would fall prey to the misrecognition of state power as arbitrary. However, it will also be shown that “speaking back” from unauthorized or deauthorized social positions is as ineffective as state intervention that is purely symbolic or overly zealous; both are incapable of bringing about real change to the lived experiences of survivors of heterosexist, anti-Muslim, and antisemitic hate violence.

PERFORMATIVE “SPEECH” ACTS

In 1955, Austin (1980) presented a series of lectures titled *How to Do Things with Words*. This work reconstructed the field of linguistic philosophy at that time and, later, reconstructed the debate over the regulation of pornography and “hate speech” in the United States. In an attempt to short-circuit the limitations imposed by the First Amendment on the regulation of “content,” MacKinnon (1997) and critical race theorists (Matsuda, 1993) have recontextualized the maledictive hate of pornography and “hate speech” as conduct, rather than mere words. Central to this conversion from malediction to conduct was the redeployment of Austin’s (1980) analysis of perlocutionary and illocutionary performative speech acts. In *How to Do Things with Words*, he argues that

we first distinguished a group of things we do in saying something, which together we summed up by saying we perform a *locutionary act*, which is roughly equivalent to uttering a certain sentence with a certain sense and reference. . . . Second, we said that we also perform *illocutionary acts* such as informing, ordering, warning, undertaking, &c., i.e., utterances which have a certain (conventional) force. Thirdly, we may also perform *perlocutionary acts*: what we bring about or achieve by saying something, such as convincing, persuading, deterring, and even, say, surprising or misleading. (p. 109)

From this seemingly simple classification of speech and the ways in which speech can be action, theorists such as Bourdieu, Butler, and Langton have developed a sophisticated system for assessing the force and effects of subordinating and silencing malediction. However, particularly for Bourdieu and
Langton, it is Austin’s deeper analysis of the forms of *illocutionary* speech that provides the basis for their claims about the authority to speak and the power of authorized speech. Austin, in his analysis of performative acts, details five classes of illocutionary utterances (Austin, 1980), two of which Langton has reclassified as *authoritative illocutions*: verdictives (exercise of judgment) and exercitives (exercising of power; Langton, 1993).

The first of these classes of illocutions relates to the “delivering of a finding, official or *unofficial*, upon evidence or reasons as to value or fact” (Austin, 1980, p. 153, emphasis added). Verdictive illocutions aim to rank and value the addressee and thus establish a verdict on the “truth and falsity, soundness and unsoundness and fairness and unfairness” (Austin, 1980, p. 153) of their subjectivity or contributions to the marketplace of ideas. In maledictive hate, verdictive illocutions include naming and pathologizing individuals within a hierarchy of social positions according to their proximity to dominant representations of the body and identity. The second class of illocutions are exercitive performatives, and unlike verdictive illocutions, they are a judgment that it “is to be so, as distinct from a judgment that it is so: it is advocacy that it should be so, as opposed to an estimate that it is so; . . . it is an award as opposed to an assessment; it is a sentence as opposed to a verdict” (Austin, 1980, p. 155). More than verdictives, exercitives require an authorized or conventional force to bring about the objective of the “speech” act. Furthermore, where verdictives are temporally present or an assessment of the past, exercitives are statements about how the future should look: an advocacy of things to come. As such, if exercitives are spoken with authority or by an authorized delegate, they are capable of influencing addressees in more ways than verdictives.

**HARMS OF HATE: SUBORDINATION AND SILENCE**

Langton argues that authoritative illocutions are capable of achieving two types of action: subordination and silencing. There is an important relationship between subordination and silencing. Many free speech theorists suggest that the best way to dismantle explicitly subordinating malediction—which ranks individuals and groups, legitimizes inequitable treatment toward them, and withdraws rights and privileges from them—is with more speech (see, e.g., Allen & Jensen, 1995; Butler, 1997; Gates et al., 1994; Gelber, 2002; Heyman, 1996). However, as Langton (1993) highlights, fighting maledictive hate with more speech is an impossible task when marginalized individuals or groups are also silenced. She argues that “free speech is a good thing because it *enables people to act*. . . . Speech that silences is bad, not just because it restricts the ideas available on the shelves, but because it constrains people’s action” (p. 328). However, when
gay men, lesbians, Muslims, and Jews are unable to make recognizable contributions to the marketplace—as authorized participants in discussions and as experts on the subject of hate—they are not only silenced, they are also subordinated.

Addressees are subordinated when maledictive hate “rank[s] certain people as inferior . . . legitimates[] discriminatory behavior towards them . . . [] and[] deprive[s] them of powers and rights” (Langton, 1993, p. 307). Being ranked as inferior, and having that assessment legitimated (e.g., through the devaluation of violence against gay men or lesbians, or the conflation of Muslim with terrorist), also creates the conditions for withholding rights and privileges, such as the banning of same-sex marriage and adoption or guardianship by same-sex couples (as is the case in Australia), or for regulatory controls that make religious faith the new racial profile for governmental policy, institutional practices, and localized interactions.5

The second set of actions achieved in performative malediction is silencing. Langton (1993) suggests that if speech (or text) is action, “then silence is the failure to act” (p. 314) or the failure of speech to count as an action. This failure to act can be seen in the locutionary gag, perlocutionary frustration, and illocutionary disablement. While Langton privileges the latter form of silencing (illocutionary disablement)—perhaps due to her need to operate within the confines of First Amendment jurisprudence—all three forms of silencing have sufficient force to harm marginalized subjects.

The primary form of silencing is the locutionary gag. This is where speech or text is unavailable because the conditions for articulating are made “unspeakable” (or unwritable). The principal way silence is secured is through the loss of mechanical means (such as limited access to a public forum or a physical incapacity) to create speech or text. Silence as the result of mechanical loss is a significant factor in any traumatic incident. Traumatic memory, unlike automatic memory or narrative memory, resides largely in corporeal sensation and dysfunction. Recollecting traumatic memory calls on different parts of the brain than those required to speak and construct narratives of experiences (Brison, 1999). Brison suggests that this is one reason why many survivors of trauma (such as hate violence) lose the ability to articulate a coherent narrative of the encounter, and why memories of these events can appear as “full of fleeting images, the percussion of blows, sounds, and movements of the body” (Culbertson, as cited in Brison, 1999, p. 42).

The second way that Langton (1993) suggests that silence can be secured is through perlocutionary frustration. While locutionary silence is the failure to make a sound, perlocutionary frustration is achieved by letting a person speak but not letting those speech or textual acts have the intended effect. Austin (1980) argues that by saying something—in contrast to the illocutionary force created in saying something—“often, or even normally . . . certain consequential effects upon the feelings, thoughts, or actions of the audience,
or of the speaker, or of other persons” are produced (p. 101). These perlocutionary effects may be that the audience is persuaded, or intimidated, or convinced by the speaker’s arguments. Perlocutionary silence or frustration is a regular part of everyday life such that “one invites, but nobody attends the party; one votes, hoping to oust the government, but one is outnumbered” (Langton, 1993, p. 315); one refuses consent in sex, and it is ignored. However, for marginalized subjects, perlocutionary frustration is more likely to be integral to their life experiences because their marginality results in the construction of their identity as flawed, suspect, and inadmissible (e.g., the “don’t ask, don’t tell” policy of the U.S. military). For a perlocutionary statement to be successful, it must be articulated by a social actor recognized as a “speaker” with authority. If marginalized subjects are proscribed from positions of authority (even on the subject of marginality), then the effects of their speech and writing are bound to be frustrated.

The final form of silence is presented by Langton as the most serious way that the objectives of marginalized subjects are disabled. An illocutionary malediction is one that does something in the saying or writing. Illocutionary disablement occurs when “when one speaks, one utters words, and fails not simply to achieve the effect one aims at, but fails to perform the very action one intends”: one refuses to accept hate speech, and it is transformed into “fighting words”; one refuses consent in sex, and it is transformed into an eroticized “yes” (Langton, 1993, p. 321). In illocutionary performatives, not only are addressors required to speak with authority (or, at least, with a veneer of expertise), but they are also required to be authorized to speak. Consequently, those with no recognized authority or expertise, or those who are not delegated to speak on a given topic, can have their speech, text, and actions disabled.

SPEAKING WITH AUTHORITY AND THE AUTHORITY TO SPEAK

When Judith Butler (1997) turned to Austin’s work four years after Langton’s analysis of sexual violence, it was to interrogate the use of perlocutionary effect and illocutionary force as a theoretical and legal tool in regulating subordinating and silencing maledictive hate. Butler rejects a straightforward reading of illocutionary force and the idea of a state-sponsored response to maledictive hate. She advocates an appropriation of maledictive hate, which creates new contexts of meaning and thus deauthorizes, then reauthorizes, the words or text. In the space between meaning and intent—between speaking and acting—Butler (1997) argues that there is a slippery reiterative moment where there is an opportunity for a reversal, an appropriation, or an expropriation that undermines the hatred and intentions of the speaker or writer and offers new meanings, new intentions, and the chance of linguistic agency.
Butler (1997) further argues that illocutionary force is reserved for few occasions in contemporary societies as it relies on prior convention to convey what is said (the meaning and intent) and the physical, corporeal power to bring about the uttered intent or meaning. She suggests that there are moments of illocutionary force but that any analysis of malediction that claims this rare moment as the primary social process closes or fixes the possibilities of changing or uncoupling the hurtful connections between meaning and intent and the ability to act on that meaning and intent. Butler (1997) contends that every utterance is unstable and open to reinterpretation. In fixing the meanings of maledictive hate within a state framework such as law, she argues, we undermine the possibility of inscribing new meanings and therefore hinder the addressee’s linguistic agency.

Regulating some hateful speech, for Butler (1997), is a partial task of interrogating “words that wound” because contexts and meaning change over time and place and because some performatives actually gain their force from the break with prior contexts (e.g., “queer” in the mouths of gay men and lesbians, or “nigger” in the mouths of African Americans). Bourdieu rejects Butler’s (1997) position, claiming instead that social power is invested in all speech acts prior to this utterance of “words that wound” (Bourdieu & Thompson, 1991). They highlight that the conventional means that bring about linguistic success are not embodied in language use—nor is convention authorized internally to language; rather, convention is effective because of the social conditions external to language, that is, the social conditions of those who get to speak, those who are allowed to speak (but within limitations), and those who are silenced completely. Bourdieu argues that the illocutionary forces of performative utterances do not gain their efficacy from “the fact that they seem to possess in themselves the source of a power”; rather, this efficacy “resides in the institutional conditions of their production and reception” (Bourdieu & Thompson, 1991, p. 111). This theoretical approach has the advantage of foregrounding the social construction of authority and thus the social conventions required for individuals to wield hate as an act of power.

In this sense, language is a social structure instituted prior to any utterance by the speaker (or writer), and maledictive hate is a habit that requires generational reinscription for it to do its social magic. Intergenerational reinscription (whether of hate or respect) requires structural processes—not just social interactions—for hate or respect to pass to the next generation. In this sense, as Langton (1993) argues, speaking (or writing) with authority requires social recognition of one’s position as a specialist on the subject under discussion, while being authorized to speak requires a social delegation of power to define the subject of discussion, and whether the subject is in fact a valid, legitimate matter to be discussed at all.
SPEECH ACT THEORY AND ANTI-VILIFICATION LEGISLATION IN AUSTRALIA

Given that institutional validation or recognition has been the most potent form of social recognition available in Western democratic states, it appears counterproductive to suggest that a privatized response is the principal and most successful way to eliminate maledictive hate. Although a small number of individuals and communities may at times feel empowered to engage with perpetrators of hate violence without the intervention of the state, prioritizing this form of response not only constructs others unable to act in this manner as socially deficient, but it also constructs social change as a localized process. Unlike privatized individual or community responses to maledictive hate, state intervention can establish the ground rules of social engagement for all citizens. This is not to say that marginalized groups have no role in the elimination of maledictive hate or that individuals and communities cannot make significant changes to the experience of hate; rather, it is to argue that these groups require state support and intervention for their voices to be perceived as being authorized and as having the requisite expertise or authority to be contributors to the issues raised by hatred.

Without a First Amendment to hamper their intervention, since 1995, Australian state and federal governments have adopted a variety of mechanisms to seek remedies for the damages caused by maledictive hate. While these laws have been constructed as great symbols of the intent of Australian government, unfortunately, this intervention has been largely obviated. In part, the lack of success of Australian vilification law is due to the conditions under which intervention is tolerable to the electorate, but also because Australian governments (unlike their counterparts in the United Kingdom, South Africa, and Canada) have abrogated their responsibility as active participants in this adjudication of maledictive hate in favor of an individualized, privatized system of civil law. In particular, anti-vilification measures, such as the New South Wales Anti-Discrimination Act 1977 and the Commonwealth of Australia’s Racial Hatred Act 1995, seek to regulate only complaints of vilification submitted by individuals who are recognized members of the victim groups named in the legislation. In practice, this means that only a Jew can make a complaint of antisemitic vilification, or only gay men and lesbians could make complaints of sexuality vilification. Furthermore, under these Acts, a case of vilification can only be met if the speech or text incites—or could possibly incite—another person to hate. Vilification in Australia is judged not on the basis of the intent of perpetrators; rather, harm is assessed through the eyes of the reasonable third person of law. While an objective assessment is preferable to the subjective assessment of intent, the reasonable third person is also problematic. Finally, Australian models for regulating maledictive hate, while requiring a public act
of hatred, are adjudicated in camera. This effectively hinders the capacity for these institutional responses to maledictive hate to create a social commitment to—that is, perlocutionary effects for—the elimination of vilification.

The right to demand a life free from targeted violence requires state interventions that establish a set of standards for good citizenship. Law should never be solely an exercise in symbolism; it must also be able to change the circumstances of hatred. Too often, institutional measures, such as the *Anti-Discrimination Act 1977* (NSW) and the *Racial Hatred Act 1995* (Cth), are presented as symbols of the intent of state and federal governments, rather than as mechanisms for real social change. The containment of these legislative responses to acts of symbolism stems primarily from the adjudicating framework employed to seek redress for marginalized subjects. In particular, these institutional measures only partially capture the acts of hatred experienced by marginalized subjects because these civil procedures only relate to public speech and textual acts that incite *others* to hate. These regulatory measures only trap those acts that create effects on others, rather than those that create force against the primary addressee. This is the reverse of the regulatory system in the United States, which can only ever regulate maledictive hate that is constructed as action (such as illocutionary speech acts of “fighting words”). In Australian regulatory systems, it is not enough that one person hates, that hatred must be able to infect another’s mind. Governments in Australia have deemed that the damage of vilification is not contained in the initial authoritative *illocution*; rather, the damage is contained in the maledictive, *perlocutionary* infection of another. This preference for secondary effects over primary force significantly devalues the damage done in the one-on-one engagement between addressee and addressor.

The second major concern in relation to the regulatory frameworks adopted by Australian governments is their use of the objective, reasonable third person to assess the harm caused by maledictive hate. To adjudicate the secondary effect of malediction, governments have established the *ordinary reasonable person* as the third person in every encounter of vilification—whether or not there is an actual third person present in the encounter. In *Harou-Sourdun v. TCN Channel Nine* (1994; as cited in McNamara, 2002) the Tribunal of the Equal Opportunity Commission set the reasonable person as one who is neither “immune from susceptibility to incitement” nor compelled to act with “racially prejudiced views.” Given that the objective approach requires an analysis of the social and historical contexts that play a part in each incident of vilification, it appears counterintuitive to start from a position of the ordinary reasonable person not being inclined to racist or heterosexist views. Australia was founded on the racist proclamation of *terra nullius* (empty land); it did not give indigenous Australians full citizenship until 1967; it maintained a white Australia immigration policy until 1967; it criminalized sodomy (in Tasmania) until 1998. How, then, can we expect that the ordinary
reasonable person is somehow immune from this socialization? Takach (1994) suggests that vilification legislation was introduced to remedy a perceived social problem. However, in the conversion from social policy to a legal framework, the objective approach “may not take into account the viewpoint of the very group[s] that the . . . legislation is designed to support” (p. 41).

Finally, as both Gelber (2002) and McNamara (2002) argue, civil complaint systems that require public acts of discrimination, harassment, and vilification to be adjudicated primarily through a private, in camera conciliation process fail to achieve either the objective of establishing a symbol of the intent of governments or the production of real social change. While vilification must be a public act, remedies to vilification are confined largely to private conciliation, where neither parties (nor the tribunals hearing the matter) are permitted to speak publicly about the proceedings. Gelber (2002) argues that confining these acts of vilification to the public sphere, and the conciliation of these acts to the private sphere, fundamentally undermines the stated goals and objectives of the legislation, as decisions reached are not made public and do not serve as symbols of unacceptable behavior.

Each of these imperfections in the regulatory frameworks in Australia limit the ability for marginalized subjects to seek justice. However, they offer some limited remedies to maledictive hate, albeit partial and available in a few privileged cases. Adopting Austin’s performative speech act theory may, however, assist in ameliorating some of the more debilitating impediments of Australian vilification law. This is not to make a case for textual analysis as the only tool in adjudicating malediction; rather, speech act theory could serve as an additional framework to clarify the purpose, intent, and consequences of malediction and, as a result, lead to a more effective system that is based on the force and effect of malediction, instead of the assessment of the reasonable third person.

CONCLUDING REMARKS

The primary defense to free speech—that which Gates (1994) argue constitutes “armchair absolutists’ Old Reliable” (p. 23)—is a slippery slope. Over the last six years, since the attacks on the World Trade Center and the Pentagon, many Western nations have lost traction on the free speech slippery slope, perhaps with the belief that regulating the speech and text of terrorists will forestall similar attacks. Whether this curtailment of speech and writing has been successful or not, for some, this regulation is a clear demonstration of the slippery problems associated with abridging speech. However, if we are to accept that the slope is slippery, then we must also accept, as Gates (1994) point out, that

a more accurate account of where we currently stand is somewhere halfway up the side of the mountain; we already are, and always were, on that slippery slope. (p. 23)
This view of free speech theory—from the side of the mountain, rather the pinnacle—highlights the negotiated nature of speech regulation and the social effort required to manage speech and text and their force and effects. We must also contextualize the slippery slope: where does the slope lead; what is its gradient; who and how many are making the trek up its slope; and is there a commitment to trekking the slope for time immemorial, even when the costs are high and borne disproportionately?

The state (in all Western nations) has defined the illocutionary acts of terrorists as unspeakable and unwritable because they may cause harm or may represent the beginnings of harm; that is, that the perlocutionary effects of speech, rather than the illocutionary force of speech acts, are sufficient to warrant curtailment. In effect, they are what Iganski (2002) considers in terrorem. Maledictive hate—especially threats of death—are speech and textual acts that do things in the saying and create a set of consequences for the addressees. Equally, these acts of malediction are, in effect and force, in terrorem. Yet, while the former set of speech and textual acts is regulated, its complementary partner in malediction is constructed as ethereal, as somehow less harmful than threats of terrorism.

It has been suggested throughout this chapter that the simple remedy proposed by traditional Millian theory—that maledictive hate can be countered by additional speech acts in the marketplace of ideas—fails to account for the legitimated power of illocutionary force. When viewed through Austinian speech act theory, Australian anti-vilification laws appear either to ignore or devalue the force of authoritative illocutions, preferring instead to privilege the perlocutionary effects of malediction. This not only reduces anti-vilification legislation to ineffectual, symbolic law, it also indicates to those citizens most at risk of social death that their governments are largely unconcerned by the violence of their everyday lives, except when it incites others to action. It has been suggested that the limited success achieved to date through civil anti-vilification complaint procedures can be remedied by the employment of a more nuanced interpretation of the textual properties of maledictive hate and the illocutionary force of authorized speech. The reformation of institutional measures will ensure that the symbolism is converted into an authorized redistribution of justice.

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NOTES


3. In this chapter, I have made a break with traditional analyses of violence against gay men, lesbians, Muslims, and Jews, particularly in relation to the terms used to define “mere words.” In the construction of “hate speech” (and, of course, in the deployment of speech act theory), most analyses gloss over the fact that these practices include spoken and written forms of hatred. To remedy the shortcomings of the term hate speech, I have resurrected the term malediction—and maledictive hate—for its verbal and textual properties and for its stronger meaning: “the utterance of a curse, the condition of being reviled, and an evil intention or deed” (as defined in the Shorter Oxford English Dictionary, Oxford University Press, 2002).

4. See Asquith (2009). The claims and recommendations made in this chapter are based on a quantitative and textual analysis of 1,227 complaints of antisemitic and heterosexist hate violence, discrimination, and vilification lodged with the Lesbian and Gay Anti-Violence Project, the Executive Council of Australian Jewry, and the New South Wales Anti-Discrimination Board between January 1995 and December 1999. This initial research has been enhanced by the textual analysis of 173 articles relating to the Cronulla riots published in Australian newspapers between December 10, 2005, and January 19, 2006.

5. As per the Marriage Act of 1961 (Cth), as amended in 2004 by the Parliament of Australia.

6. In the analysis of complaints lodged by gay men and lesbians to the Lesbian and Gay Anti-Violence Project, only 17 percent of complainants indicated that they felt capable of responding to their perpetrators or of fighting back (Asquith, 2009).


REFERENCES


