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PART ONE : Analysis and Descriptive Explication

CHAPTER ONE

OVERALL OBJECTIVES, STRUCTURE AND POSSIBLE AUDIENCES

Abstract

> '[T]he most difficult problems of all are hidden problems, the sense of which is naturally concealed from all those who still have no inkling of the determinative fundamental distinctions. In fact, it is … a long and thorny way [to] phenomenological data.'[1]

'It is of the very essence of such prejudices, drilled into the souls even of children, that they are concealed in their immediate effects.'[2]

If true, the second short quote from Husserl, above, has major implications for the study of hate crime as a lived experience. This chapter outlines what we set out to achieve in the present study, its overall aims and objectives. It also explains our two-part structure. The descriptive-analytical Part One is concerned with the prejudicial mediation of experiences of hate crime-related issues by the natural attitude. This chapter prepares the ground for the more advanced Husserlian critique of the impact of such prejudicial presuppositions that comprises the task and bulk of Part Two. The final chapter of Part Two strives to spell out the constructive implications of such critique. Thus, our second part aims to both build upon and fulfil the overall potential and trajectory of an analytical movement initiated by Part One.

[1] Husserl, 1982: 212.
[2] Husserl, 1970: 120.

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Introduction

Our study has many possible audiences. Their presumed expectations have helped influence, to some extent, what we have written and how we have written it. Without indulging in the vain exercise of telling readers how they should read and interpret our work, we nevertheless identify – perhaps more precisely speculate about - three different possible audiences, while explaining how our study is intended to contribute to each.

The present study contains an extended discussion of the pervasive - yet prejudicial - nature and obstructive characteristics of the so-called "natural attitude." It considers the negative effects of the natural attitude's objectivist presuppositions operating to embody, reiterate and reinforce societal prejudices that are familiar to students of hate crime.[3] As Moran rightly notes: 'Clearly, the "natural attitude" as an all-encompassing attitude must be shot through with prejudices of all kinds – religious, metaphysical, cultural, educational, technological and scientific.'[4] We regularly address the implications of these prejudicial characteristics for the rationale of a Husserlian phenomenology of hate crime formulated and justified as an "immanent critique" of prejudice: one that is developed from out of the implications of our experience of the topic itself, as opposed to being superimposed on the basis of external value-judgements.[5]

Each new chapter and section illuminate the multiple ways in which our radically experiential and

[3] Husserl elaborates on the idea of the natural attitude in his *Ideas* (1913, Husserl 1 982), and *Ideas 11* § 49 (Husserl 1953). For Husserl, all interpretive and cognitive activities of our consciousness, including those of researchers, initially take place from a position of *already being entangled* within the interpretive matrix of often prejudicial belief (*doxa*) of the natural attitude (Hua 13: 112). Our extensive concern with the natural attitude is explicable because of how it functions as an always-already available interpretive resource and cultural source for all manner of often implicit, sometimes explicit, prejudices directed against one or more hate crime victim group.

[4] Moran, 2012: 207.

[5] We recognise that this sounds close to Hegel's phenomenology, but we cannot argue this meta-methodological point here. Instead, will carefully demonstrate its implications for the incremental critique of the societal prejudices reiterated by the natural attitude.

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reflective Husserlian approach to hate crime, as lived unfold and develop, in a manner that is fundamentally *incompatible* with the perspective of the natural attitude.[6] The sheer degree and intensity of an experiential and reflective approach is so incompatible that it has required the researcher's deliberate neutralisation, and then reversal, of the interpretive operations and fruits of the natural attitude. This process has, - we suggest – formed vital preconditions for the further step-by-step development of our own phenomenological approach to hate crime as lived. The initially purely methodological drivers for transcending the grip of the natural attitude supersede the bounds of the technical realm of methodological debate. This is because the implications of the reasons for such transcendence, as well as its own trajectories, both push us towards the realisation of a substantive social scientific critique of cultural prejudices relevant to hate crime-related issues.[7] The latter critique develops its own momentum towards developing the constructive implications of such critique of prejudice in terms, for example, of both methodological and substantive analyses. The latter, which demonstrate that Husserlian criticism is not critiquing for critique's sake: it embraces the "intersubjectivity" of the life-world as well as the possibilities of developing an empathetic understanding of the impact of being subjected to hate crime victimisation.[8]

At the outset, one challenge stems from the potential confusion that arises with the Husserlian critique of the natural attitude. This challenge stems from the words 'natural attitude' themselves. The terminological difficulty and problems arise in part because the correlate of the natural attitude, what its interpretive orientation refers to, is not "nature itself" – at least not in an

[6] In the essay 'Philosophy as Rigorous Science' (1910–11), this orientation is linked with a naïve naturalism/objectivism. However, the terminology here is potentially confusing. Indeed, Husserl deploys different phrases for this attitude, e.g., 'natural theoretical attitude' (1982: 94, Hua 3: 1 94) and, in *Ideas 111*, the 'natural-naïve attitude' (Hua 5: 148).
[7] The co-existence of sporadic critiques of irrationalism and Husserlian methodological rationalism is not especially well-blended in Husserl's own writings. The cultural critique related to "renewal" and critique of "crisis tendencies" within modern Europe is barely integrated into his more systematic critique of the prejudicial *cognitive* effects of the natural attitude of impeding the progress of science. We have aimed for a more coherent integration of these two elements.
[8] We follow Husserl in conceiving of the term intersubjectivity to designate a plurality of subjects and the ontological, affective and normative intertwinement of self and other relations that exists between them. Hua 13, 14, 15.

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objectivist/naturalistic sense of an *essentially physical realm supposedly independent of, and prior to, cultural understandings*.[9] Hence, the idea of there being a "natural attitude" orientation towards hate crime should not, in any sense, be confused with a "natural scientific" approach to this topic, such as a neurological or biochemical approach to hate crime offenders. Nor should it be thought that the natural attitude refers to the "natural" aspect of hate crime as experienced in any sense that equates what is "natural" with physical nature alone. Indeed, such a physicalist notion of reality is precisely one of the targets of our critique of the natural attitude's objectivist presuppositions.

Instead, what is meant by "natural" is "perceived of as natural in the sense of something conventional and in line with familiar and customary handed-down cultural expectations as to, say, traditional gender and sexuality distinctions. Indeed, when immersed within the natural attitude, the intentional reference of our consciousness of this (or any other) topic is primarily to the surrounding life-world of communalised ego-subjects, in the sense of whatever a more or less "shared" cultural framework currently considers (more exactly predefines, prejudges and takes for granted) *as* "natural" (or *as* "unnatural), *as* "normal" (or *as* "abnormal"). Such determinations of meaning arise relative not to physical nature in its strictly material qualities, properties, and tendencies but rather in relation to ever-contingent and historically-variable cultural projections and expectations.[10]

It is only through the mediation of the intermediary lens of the life-world's interpretive schema that it is possible for the natural attitude to address the significance-for-us (a hypothetical "us-together") of entirely natural objects, events, and processes, such as physical injuries. For its part, this mediating

[9] Husserl's critique of naturalism and especially its mediation of the natural attitude's objectivism will be addressed repeatedly later in this and later chapters.

[10] For example, Husserl recognises that perceived bodily abnormalities and experiences that stem from these refer not to nature itself but rather to a certain interpretation of a rule-like regularity conventionally considered "normal" that arises as something interpretively constituted. 'the abnormal functioning of our lived-corporeality (which of course is itself only taken into account as constituted from a phenomenological perspective). However, every abnormality that belongs here as well—a blow to the eyes that modifies our visual images, a burnt hand whereby the tactile appearances break the rule of normality, and the like—even such abnormalities I say only indicate new rules for the interconnections between lived-experiences; they, too, belong in a grand preshaped constitutive nexus; …' Husserl, 1991: 267. See also *ibid* xx, xxix, xxxvii, xlv. 27.

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life-world is precisely that surrounding cultural world of meant things, situations, and relationships that we all wake up within and confront (and are confronted by), every new morning. It is an overarching life-context and cultural medium within which we subjectively "live out" and negotiate our way through the course of our days, frame-by-frame, as it were before, sleeping. That is, a frame-by-frame "handling" of the day's questions, frustrations, challenges and opportunities as we move from, say, family breakfasts, to commuting, work activities and pressures, commuting home, to evening leisure activities etc., all of which "mean something" to us. The mediating life-world also appears as a distinctly cultural/linguistic world of acquired *communicative practices* supplying the necessary background context of interpretive resources for all my intentional acts of coming to an understanding of whatever I become conscious.

The latter practices, to some extent, help "make sense" of hate crime issues, together with anything else I encounter within "my world" of lived experience.[11] This world of everyday life is, in part, lived through as "my" relatively permanent "surrounding world," or subject-centred "environment," complete with its own horizons of possible current and future possibilities. For us, this the background context of our lifeworld has included possibilities for conducting academic research into hate crime-related issues.

In sum, because of the natural attitude's pervasive and ongoing mediation of the life-world, there is nothing distinctly "natural," in the sense of physical nature, about this "attitude" (or better "orientation.") This "unnatural" nature remains the case even, or perhaps especially, whenever subscribers to the natural attitude denigrate transgendered or gay individuals as somehow "unnatural," or by means of other derogatory and vulgar phrases that carry a similar implication. On the contrary, the term "natural" within our conception of the natural attitude refers to the experience of having this

[11] Husserl, 1982: § 28; § 50

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interpretive orientation as a *taken-for-granted customary and unreflective default position:* one which is permanently on hand and – precisely because of its implicit character. The natural attitude only appears to "arise naturally" but – for us – this natural quality takes shape only in the culturally-specific sense of "as a matter of course," or "it is only natural to presume that …" In other words, what is "natural "about the natural attitude is to orient oneself towards whatever takes shape within one's lifeworld context through the lens of handed-down cultural-linguistic categories and distinctions that are typically pre-given and taken for granted as a matter of course. All derogatory and prejudicial slurs relevant to hate crime issues that rely upon customary conceptions of what is "unnatural" or "abnormal" with respect to gender, sexuality, bodily abilities etc., need to be critically analysed by our Husserlian approach. Here, they are addressed as outgrowths of customary and questionable cultural definitions whose status as such generally remains glossed over and concealed in ways that demand exposure and critique.

In this sense, we will later be able to show that there is no contradiction between two distinct phenomena:

1/. Our phenomenological critique of "naturalism" (i.e., the reduction of all phenomena to the events, processes and causal characteristics of the strictly physical world of nature where these appear in the form of, say, physical injuries of a racist attack); and:

2/. The authors' endorsement of the idea of there being a "natural attitude" towards hate crime-related issues, whose prejudicial results in terms of the reiteration of, say, racism and xenophobic reactions to designated "outsiders" in a religious, nationalistic or ethnic sense, needs to be taken especially seriously.

The challenge here is that even the most rigorous analytical effort to develop a Husserlian approach to hate crime issues in a strictly methodologically-controlled fashion, unaffected by any substantive social policy considerations and implications, would run up against its own limits. This is because it

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soon becomes apparent that the natural attitude's interpretive practices of dogmatic closure are themselves a substantive part of the various issues raised by the experience of hate crime-related prejudices. We must recognise that this is the case insofar as the natural attitude's orientation towards the experience of cultural difference is driven, in part, by a process of the "passive association" of perceived individual members of victim groups with derogatory general category-types, often stereotypes.

These categories are handed down across generations from an appropriated cultural-linguistic tradition that might, for example, include a range of attitudes towards questions of the perceived nature of marriage, gender, "religious truth," ethnic, bodily and racial difference. The latter provides an always-available interpretive resource for the societal-cultural reiteration, mainly through language and sometimes physical violence, of deep-seated prejudices directed at - and against - those constituted as members of different hate crime victim groups. The result of such prejudicial understandings of meaning is that the range of positive qualities of such members are not fully perceived or otherwise grasped. Indeed, these qualities are often distorted in a one-sided way that is clearly an inadequate and insufficient basis for any credible form of cognitive judgement about what it means to be transgendered, experience physical or cognitive disabilities etc.

Thus, there is a strictly methodological imperative for our phenomenology of hate crime to bracket out, neutralise, and suspend, as far as humanly possible, the operations of the natural attitude precisely to allow a less distorted and prejudicial view of members of victim groups to emerge. In this respect, and despite arising from the abstract realm of research methodology associated with a striving for a more adequate descriptive elucidation of lived experiences, the demand to suspend and neutralise the natural attitude can, in itself, operate as a critical intervention: one that Part Two of the present study

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shows is clearly saturated with substantive ethical and policy dimensions.[12] In this respect, even the *purely descriptive* thrust of our Husserlian phenomenology of hate crime is, from the start and almost despite itself, a critical intervention. Our investigations themselves participate in the ethical becoming of the very core structures of intelligibility of this topic that the present authors are also describing and explicating from within. Hence, through our critique of prejudices reiterated by the natural attitude the present phenomenology of hate crime develops itself into a *distinctly normative project.* It has evolved into a contribution, albeit in a modest manner, to the way in which these ethical structures develop and unfold historically as we carry out our analysis.[13]

This critical interventionist dimension of our phenomenology of hate crime may appear to many as an unfortunate contradiction, as well as a failure of adequate and sufficient descriptive rigour from a strictly methodological perspective. However, it may also need to be reinterpreted as a *positive gain* for the potential societal relevance of our applied Husserlian phenomenology: one for which no defensive reaction or apology is called for. Our phenomenological approach to hate crime must explicitly embrace a necessarily revised and refined version of the rationalistic Enlightenment and Renaissance projects.

Subscribers to these projects and orientations are expected to strive to overcome the unreasonable distortions of their prior acceptance-captivities where the latter stem from enslavement to traditional

[12] For Husserl's early work on ethical theory see his *Vorlesungen iiber Ethik und Wertlehre, 1908-1914,* ed. Ullrich Melle, Hua 28. Husserl suggested that phenomenology may have to recognise the invisible power of higher ethical realities linked to an extra-factual "purposefulness" or "teleology" internal to phenomenon, in the value-driven processes of completing the still-unfinished business of culture and human development more generally: 'In all this, since the rationality made actual by the fact is not a rationality demanded by the essence, there is a marvellous teleology. Furthermore: The systematic exploration of all teleologies to be found in the empirical world itself, for example the factual evolution of the sequence of organisms as far as human being and, in the development of mankind, the growth of culture with its spiritual treasures, is not yet completed with the natural-scientific explanation … [Phenomenological analysis] leads necessarily to the question about the ground for the now-emerging factual-ness of the corresponding constitutive consciousness. Not the fact as such, but the fact as source of endlessly increasing value-possibilities and value-actualities forces the question into one about the "ground"— which naturally does not have the sense of a physical-causal reason.' Husserl, 1982: 134. Clearly, this claim about our mediation by a higher ethical power and source of normative obligations to each other can be read in both religious and secular terms.

[13] Steinbock, 1995: 14-15.

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prejudices against, say, one or more hate crime victim group. Such societal prejudices, lacking any evidence-based justification of credible experiential grounding, are viewed as often shaping our perceptions of, and responses to, other people "behind our backs," as it were; and in ways that demand both recognition and possible correction.

Without ignoring evidence of deliberately and freely chosen malice among perpetrators, we must also recognise how prejudices relevant to hate crime rely largely upon a range of implicit and taken-for-granted assumptions that perpetrators themselves almost certainly have not consciously formulated as their "authors". The latter contrast markedly with enlightenment ideals of rational freedom, autonomy, and self-determination that inform, as well as motivate, Husserlian phenomenology.[14]

Considered in terms of ethics, our phenomenology of hate crime responds critically to a culture and subcultures whose social cohesion is often scarred by the effects of often vicious religious, racial and other traditional prejudices. The latter's enduring - and in some contexts of rising and intensifying populist-nationalism - xenophobia also includes to prevailing crises of rationality generally and concrete rationalities in particular. Here, "reason" is understood as the governance of our words and deeds by experientially-grounded principles of optimal and demonstrable validity. In this sense, the negation of reason includes suppression of our latent human potential to interact largely free of unnoticed and taken-for-granted prejudices, especially those especially harmful and vicious prejudices directed against members of hate crime victim groups.

It is possible to assume that various voids of rationality, including those stemming from the conviction politics and "alternative facts" of contemporary populism, mean that these prejudices are themselves often widely misunderstood. To people located within the natural attitude without

[14] Husserl, 1970: § 3, 290-91.

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reflection, the ideas are frequently ideologically-misrepresented. The various devices of the natural attitude construct prejudicial understandings of culturally-defined difference (i.e., differences-from an always contestable and often falsely over-generalised "norm") - as if these are both self-evidently valid and as generally applicable.[15] Adopting a distinctly critical and corrective stance towards the natural attitude's role in such misrepresentation remains integral to even the *descriptive* elements of our phenomenological approach. This status stems from the inner logics of Husserlian phenomenology itself; and is thus optimally independent of the personal religious moral or political value-judgements of those carrying out Husserlian-based experiential research.

Insofar as it is rationally-grounded, such research can expose to criticism all manner of prejudices relevant to hate crime-related issues without total reliance upon its author's value-systems. This study has not been written for propaganda purposes or to articulate our personal opinions. So, it should come as no surprise if some of our hard-won critical analyses exhibit, say, a mixture of ultra-liberal and illiberal implications that do not themselves fully harmonise with one or both authors' prior personal convictions or opinions published elsewhere - or even their current ideological preferences.

Husserl remains the founder of contemporary phenomenology. Through his published and unpublished writings, he must be recognised as a vital source of our following experiment in devising a phenomenology of hate crime as both an inquiry into, and an example of, lived (inter)subjectivity. Some of Husserl's most important phenomenological insights were forged between 1933-37. They arose both in – but also against - a specific historical context marred by the rise of extreme right-wing nationalism, xenophobia, anti-Semitism, militarism and outright Fascism within Spain, Italy, and his native Germany. The ideological expressions of these movements include viciously discriminatory ideas with genocidal implications that, today, would in many domestic legal systems be criminalised

[15] Of course, this can be contested. Yet, attempts to think, argue and theorise ourselves out of a minimum core of rationalism are subject to performative self-contradiction akin to "fighting for peace."

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as cases of hate speech, or – at the level of international criminal law – as incitements to genocide.

As a German and mildly nationalistic citizen with a Jewish ancestry living his final years in Nazi Germany, Husserl had personal, familial, as well as strictly intellectual, issues with the rise of this form of irrationalism.[16] Professionally, his rationalistic form of social scientific and philosophical analysis was at risk of being sidelined. To many academics, it became seen as both irrelevant and outmoded relative to the fascistic spirit of the times. It was often compared unfavourably with the growing popular and academic interest in "irrationalist" life-philosophy and so-called existentialism, including that problematic version developed by his former mentee, and sometime Nazi supporter, Martin Heidegger, which repudiated scientific values in favour of an essentially poetic appreciation of the mysteries of Being.[17]

The latter extended elements of phenomenological studies fall outside the vital framework of (social) scientific critical rationalism for whom questions of evidence and evidence-based judgements, developed and refined through repeated private and interpersonal self-criticism and peer-reviewed dialogue, is pivotal. Nothing could be further from Husserl than the cult-like Being-mystique of Heidegger. The latter found a ready audience precisely because of the cultural crisis of rationality taking place in late-modern European civilisation, whose mixture of cultural and moral relativism with nihilistic implications, so disturbed and provoked Husserl's final published studies.

The tone of Husserl's late works during the fateful period of 1933-37 radiate, for us, youthful vitality and a sense of being engulfed in an emerging crisis and in the midst of an urgent mission,

[1616] Nazism appeared to Husserl, not as an approach that correctly registered and recognised a pre-existing material reality of "racial" difference; but rather as a new worldview: one that interpretively (re)constituted such "difference" as having a particularly emphatic prejudicial significance *as its own performative accomplishment*. See Husserl's correspondence in the 1930s, *Briefwechsel*, 4: 313 cited in Moran 2012**:** 206.

[17] For Husserl, Dilthey, Heidegger, Nietzsche, Scheler, and Simmel each developed irrationalist life-philosophies that had lost faith in scientific rationalism. It is possibly instructive to contrast the intense humanism of Husserl 1970, with Heidegger's nihilistic critique of such humanist ideals in his 'Letter on "Humanism"' (1947). It is questionable whether Heidegger's massively important intellectual legacy, some of which was derived from Husserl not always with open acknowledgement, cannot be reduced to his deplorable one adherence to Nazism.

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which is remarkable for a person in their final years. Arguably, this urgent tone, which is not merely a question of style, stemmed from his concern to defend the rationalist legacy of his phenomenological movement shaped by Hegel, Descartes and Kant, and confront what he diagnosed as the intellectual, cultural and spiritual crises besetting mid-1930's Europe marred by the rise and expansion of extreme nationalistic, irrationalistic and fascistic prejudices that had even diverted his mentees like Heidegger. This was, he argued, a crisis in credibility and foundations both affecting and undermining the entire scientific cultural tradition of Europe, for which elements of the often-self-contradictory practices of scientific investigations, especially by the positive sciences founded upon misplaced objectivism and naturalism, were in part responsible.

Husserl begins his *Crisis* work (1936/Husserl 1970) by announcing a 'crisis' in the 'total meaningfulness' of cultural life within Western Europe, and belief in the continued importance of European civilisational values and goals that originated from Classical Greek philosophy, including aspirations towards enlightenment from taken-for-granted prejudices.[18] For Husserl: 'Europe's greatest danger is weariness,'[19] in that - at this time - its development was characterised by nihilistic tendencies towards 'despair' relative to the optimistic thrust of this continental culture's earlier enlightenment ideals.

In addition, during the early to mid-20th Century, there had arisen a general loss of belief in generally valid and binding values, such as generic respect for cultural differences, sufficient to guide interpersonal relations. More generally, for Husserl, we have witnessed a hollowing out of the basis for the responsible and mutually respectful conduct of human life, including by reference to reasonable laws and public policies. This cultural and civilisational crisis has also surfaced in a widespread sense of alienation, estrangement, the collapse of confidence and, ultimately, to cultural

[18] Husserl 1970: 12, § 4.
[19] *Ibid*: 299.

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conditions under which it becomes increasingly difficult to withstand a revival of xenophobic 'barbarism.'[20]

For Husserl, the previous abstractions of reductive naturalism and objectivism had become expanded to the point of operation as pervasive cultural forces driving all manner of viciously prejudicial orientations and actions. Reductionism includes the tendency to take one among a range of factors about a person as somehow definitive for what they are in essence. Hence, Husserl himself, despite his Christian faith, could be categorised as "nothing but a Jew;" while "Jewishness" could, in turn, be characterised by the Nazis' master race ideology in purely biological/naturalistic terms of "race."

In turn, the mediation of everyday "common sense" by reductive forms of objectivism and naturalism had become increasingly problematic. This mediation had made it difficult for "subscribers" to either understand or show respect not only for the importance of humanistic values and ideals, including mutual recognition and respect for difference, but also for our own subjectivities capable of being mutually recognised as persons, not as mere things.

The cluster of Husserl's already published and unpublished works associated with the *Crisis of European Sciences* amount to a spirited defence and would-be renewal of an increasingly endangered critical rationalism and "enlightenment" values that had always implicitly informed his own phenomenological approach. This lively defence is directed against the growing tide of European irrationalism of the times, which Husserl defined as a historical "wrong turn" and denigration of the possibilities and goals of the human spirit. Husserl came to present phenomenological investigation as an exemplar of an endangered form of critical rationalism within both philosophy and the cultural and social sciences.

[20] *Ibid*: 298-9.

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Yet, such rationalism was becoming increasingly vital to help with the urgent task of restoring a critically-informed scientific culture: one grounded upon genuine and distinct human values and potential. Phenomenology must, he claimed, both defend the role of critical philosophy as a reasonable critique of prevailing irrationalistic tendencies menacing European culture; while also promoting within the realm of ideas at least the conditions for the self-creation of a 'new humanity'.[21]

There may well be no direct connection between these points and contemporary hate speech and crime. Our contemporary situation is in one sense far removed from mid-1930s Europe and the emerging Holocaust. Echoes of a fascistic form of xenophobia found within the hate speech of contemporary populism, white supremacism and xenophobia within, for example, Australia, North America, Italy, Germany, Austria, Britain, Hungary, and Poland are almost certainly not precursors to an exact repeat of the 1930s. Historical events only happen once, at least in their precise details.[22]

Furthermore, our effort to develop a phenomenology of hate crime has, of necessity, involved plumbing the obscure deaths of Husserlian studies of highly technical subjects quite distant from Husserl's critique of the claimed cultural crisis of the mid-1930s within Europe. For both these reasons, we need to be especially careful about drawing overly close parallels between Husserl's 1930's critique of irrationalism and contemporary forms of hate speech and crime. It is an open question whether the latter are reflective of even a broadly similar type of 1930's xenophobia. A recent hate crime atrocity involving a mass killing of Moslem worshippers in Christchurch New Zealand appears to claim historical inspiration from Serbian anti-Moslem role models, including convicted war criminals.[23] Contemporary populist movements, from President Trump to the Italian

[21] See Vienna Lecture, Appendix to Husserl 1970.
[22] This perhaps over-optimistic view is based on the notorious instability of xenophobic movements, their tendency to internally fracture and ultimately disappoint their one-time supporters. The rise and fall of UKIP within the UK, and the National Front and BNP before them, is perhaps instructive. Developments in Hungary, the USA and Italy may be seen as providing counter-examples.
[23] https://www.nytimes.com/.../asia/new-zealand-gunman-christchurch.htm

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and Hungarian nationalist movements seem to more closely resemble Mussolini-style fascism that a genocidal Nazism. For all these reasons, it would be dangerous to draw exact historical parallels with the rise of Nazism.

On the other hand, Husserl's already published and unpublished studies still retain contemporary relevance for hate crime studies. They address the way in which the "natural attitude" of everyday life is vulnerable to a type of "common sense" awareness saturated with unnoticed and taken-for-granted prejudices, some of which overlap with the words and deeds of hate crime perpetrators. Such "common sense" can be appropriated and mobilised by ideologies of cultural prejudice that are all-relevant to contemporary experiences of hate crime and speech.

In part, this appropriation occurs because of a combination of the natural attitude's interpretive naiveté, lack of critical self-reflection, and outright dogmatism. These are characteristics that not only immunise prejudicial mindsets from the overcoming of those viciously harmful prejudices all-too-relevant to hate crime issues, but also obstruct the possibility of both the identification of prejudice and critical reflection upon their "dehumanising" effects, including by phenomenologists concerned with such issues.

Our final chapter's Husserlian model of prejudice directed against those from different cultural backgrounds, or sexual or gender orientations, is vital here. This critical analysis suggests that relations between subscribers to parochial homeworlds pitted against their own projected alienworlds, need not be entirely or permanently prejudice-driven: at least not in an unreflective way immune from self-questioning. Instead, life-world overlapping commonalities can sometimes be identified through a process of understanding of differences, which begin to build bridges across divergent homeworlds. Where this occurs to some degree, members of each divergent homeworld may begin a process of overcoming - or at least diluting the intensity of - specific prejudicial stereotypifications that each

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possessed regarding members of the other.[24] The precondition for this is set out in our Husserlian model of prejudice that better allows us to identify and differentiate various kinds of prejudice relevant to hate crime studies.

Another highly technical – and apparently non-political – element related within Husserl's writings to the topic of prejudice, which we have investigated when preparing the present study, is "passive association." That is, the pre-reflective form of association of all members of X hate crime victim group (all-Xs) with Y derogatory and prejudicial characterisations of the essential nature of each. A fully-developed phenomenology of hate crime, which is only foreshadowed here, must address in optimal detail how such association operates experientially to help renew, reiterate and further entrench cultural prejudices in ways that operate almost on autopilot, as it were, with a minimal degree of conscious ego-involvement.

We must further recognise Husserl's enormously complex account of how acts of making value judgements operate experientially within such passive constitution of prejudicial understandings of victims. There is also the related question of their linkages to underlying and, by now habitualised and taken-for-granted, prejudicial cultural beliefs, interests and emotionally-driven "allure" and "affections." We must also recognise the mediating connections of such value-judgements with apparently "immediate" intuitive evidence given by our perceptions of surrounding life-worlds, which appears to corroborate the prejudicial starting point of perpetrators and their supporters for example. Each of these elements operating with the depths of passive consciousness, are not only richly varied

[24] We have no illusions that social groups who are victimised by hate crime perpetrators are entirely free of their own prejudicial stereotypes concerning *other* victimised groups, which can be expressed as hate speech. Identifying oneself as gay is, in itself, no protection against ingroup racism or sexism, for example; any more than becoming a victim of anti-Moslem violence a guarantee of a rejection by all victims of prejudices directed against one or more of *the other* legally-protected groups. Hence, we do not use the terms "victim" and "perpetrator" to refer to discrete and mutually exclusive empirical realities involving nothing but "pure" victims in both senses of this term. There are clearly degrees of prejudice relevant to each group spread across a wide spectrum, which may itself be widely shared among hate crime perpetrators and victims.

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but also extremely difficult to identify, fully grasp and clearly explicate.

And yet, throughout the present study our creative adaptation and extension of Husserl's own studies, we have sought to illuminate how those one-sided value-judgements and prejudicial perceptions, which are so endemic to hate speech in particular, operate experientially. It has proved especially important to generate a critical understanding capable of disclosing how these interpretive sense-constitutive operations operate, especially by exposing and analysing their often-latent preconditions and covert foundations.

Only in this reconstructive way can a fully-developed phenomenology of hate crime realistically hope to find ways of both disclosing and exploiting the vulnerabilities of these prejudicial stereotypifications to being challenged and dismantled in a manner that remain consistent with Husserl's critical social scientific and philosophical rationalism. At different stages of our analysis, this ulterior critical purpose may not always be clearly apparent to our readers. This is especially the case when our study ventures, with neither a reliable map nor a compass, through the often dense and thorny thickets of Husserl's not always consistent ideas, claims and research methods. As a result, it may now be useful to readers to provide a brief overview of our study, a large-scale map.

Overview

The core of the present book critically addresses the apparently "common sense" approach of the natural attitude to the experience of perceived essential differences between persons insofar as these are interpreted in prejudicial ways and expressed as hate speech and hate crime. The authors focus on how, within everyday life and more specialist social worlds, the pervasive - yet unreflective and dogmatic - orientation of the "natural attitude" both creates and sustains such prejudicial understandings within different subcultural "homeworlds." We aim to show how, in principle, a distinctly Husserlian phenomenology of hate crime, deploying the interrelated methodologies of

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sense-explication, intentional analysis, and generative analysis, can be adapted and refined in ways that lead to genuinely critical insights and interventions. We refine these methodological approaches to both identify, and then successfully challenge, the interpretive basis upon which such prejudicial orientations directed towards one or more hate crime victim can be constituted, reiterated and sustained.[25]

The authors are aware that our social scientific project directed critically towards one area of societal prejudice may strike many social scientists as contradictory. This is because Husserlian phenomenology is commonly associated with *an essentially descriptive and static form of analysis:* one that lacks any evaluative potential or social dimension.[26] Yet, there is a credible argument for beginning our research work with a largely static and structural form of Husserlian analysis. The latter is concerned to correlate the perceived "whatness" of a prejudicial understanding, with the underlying "howness" of its interpretive constitution. Our Husserlian contention is that it is preferable to *initially* address and explicate a phenomenon "at rest" - as distinct from starting off with the complexities of its temporal movement.

This static-structural starting point allows the relatively "simple" surface-level dimensions to be first clarified by first asking what-type questions. Once the qualitative whatness of experienced hate crime-

[25] There are few published phenomenological studies of hate crime in the Anglophone world, with the exception of work by Danny Willis, which focused upon gay males. D. G. Willis, 'Hate crimes against gay males: An overview,' 25(2) *Issues in Mental Health Nursing*, (2004): 115-132. Phenomenological contributions to the study of criminology, criminal justice, sociology or social psychology exist. Yet, they are rarely adequately grounded in Husserl's works and methodology: Cf. E. Buchbinder and Z. Eisikovits 'Battered women's entrapment in shame: A Phenomenological Study', 73/4 *Am Journal of Orthopsychiatry* 2003: 355-366; P. K. Manning, 'On the Phenomenology of Violence' 14 *The Criminologist* (1999) 1-22; J. M. Clinton, *Behind the Eurocentric Veils: The Search for African Realities*, Massachusetts: Univ. of Massachusetts Press, 1992.

[26] Following the publication of his *Logische Untersuchungen* at the turn of the 20th century, Husserlian phenomenology has been widely presumed to be an essentially a descriptive science: one whose method requires faithfulness to the way in which phenomena, the "things themselves," present themselves to our consciousness of them. This descriptive project initially appeared as a static approach focusing on the distillation of the "essential structures" (essences or eidos) of a phenomenon. Yet, almost from the start, a more credible supplementary *counter-impulse* that can be termed "generative" phenomenology related to experienced temporality, passive association, cultural, and historical phenomenon (including the intersubjective origins and habitual reiteration of specific prejudicial beliefs relevant to our project) also made itself felt. A. Steinbock, 'Generativity and the Scope of Generative Phenomenology,' in Donn Welton (ed.) *The New Husserl: A Critical Reader*, Bloomington: Indiana University Press, 2003: 32.

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related understandings have been clarified in terms of their perceived meanings, and clusters of meaning-connections, implications, and associations, we can then move on to more challenging constitutive investigations. That is, to begin to address the undoubted complexities of temporal syntheses and originating genesis involving all manner of many-levelled intersubjective dynamics. Here, there is a logical progression from the starting point of what-type questions to more complex how-type questions: e.g., how – over lived-time - does the interpretive dimension of a racist perception of an individual or group continually re-constitute the latter's enduring and habitual significance in the eyes of perpetrators?

Husserl refers to phenomenology's initially descriptive phase as:

> 'the task of continuing the pure description and raising it to the status of a systematically comprehensive characterization, exhausting the breadths and depths of what can be found as data accepted in the natural attitude (to say nothing of the attitudes which can be harmoniously combined with it). Such a task can and must be fixed — as a scientific task; and it is an extraordinarily important one…'[27]

The vital point to recognise here is that, when taken as a whole, our phenomenology of hate crime's *descriptive impulse* is a defining characteristic of only the opening and – in one sense - immature phases of Husserlian analysis. The descriptive character of the necessary first steps of a phenomenology of hate crime is not to be confused with what the entire journey aims to achieve.[28]

[27] Husserl, 1982: 56. He immediately goes on to state that this descriptive element is *not* the whole of phenomenology and rapidly moves on to its other features and aspects.

[28] However, as Husserl recognises, we must not discount the difficulties of securing in practice even the initially descriptive dimension, of clarifying the nature of descriptive analysis itself: 'If phenomenology, then, is to be entirely a science within the limits of mere immediate Intuition, a purely "descriptive" eidetic science, then what is universal of its procedure is already given as something obvious. It must expose to its view events of pure consciousness as examples and make them perfectly clear; within the limits of this clarity it must analyse and seize upon their essences, trace with insight the essential interconnections, formulate what is beheld in faithful conceptual expressions which allow their sense to be prescribed purely by what is beheld or generically seen; and so forth. This procedure, followed naively, serves at first only for the sake of looking about in the new province, acquiring some general practice in seeing, seizing upon and analysing in it and becoming somewhat familiar with its data.' Husserl, 1982: 150-51. He then proceeds to show how much taken-for-granted methodological *naiveté* there is in such an apparently "obvious" notion of "pure description." The idea of a purely descriptive-qualitative approach to hate crime purely as experienced is less a "solution" than a statement of a methodological problem.

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Steinbock has successfully argued, and demonstrated in impressive detail, the absolute centrality within Husserlian phenomenology of distinctly *evaluative issues*. These largely concern the recognition and non-recognition of interpretively constituted "difference" from continually posited and renewed cultural norms. In particular, he has critically addressed what it means to belong-to relative "insider" and comparative "outsider" communities and subcultures. Steinbock specifically cites hate crime as a topic for a renewed and essentially critical form of the phenomenology of intersubjectivity and cultural differentiation into relative "insider" and "outsider," "homeworld" and "alienworld" groupings:[29]

> 'Questions concerning the philosophical problematic of identity and difference are never so poignantly formulated as when they bear directly on the dimensions of social life. It is here that such questions gain a privileged experiential weight because they are framed in terms of our very coexistence. The problematic of identity and difference is formulated when we ask, for example, what it means to belong to a family, to a group of friends, or to an organization. How is it possible to say "we" or to speak of "our" community? Is unity asserted to the exclusion of difference? Who counts as a stranger? If we tend to be the same for ourselves, how is it that we can experience ourselves as different? When we pose such questions, we are also inquiring into sharply contended political and historical issues: What is the sense of ethnic and attempts at so-called ethnic purification? … When individuals or groups are identified as "different," say, women, who are claiming the voice of "the same"? Does asserting one's national identity of necessity result in crimes of hate, neo-Nazism, or totalitarianism?'[30]

We note – and draw some inspiration from – Steinbock's final sentence in particular.

As already noted, during the following phenomenological investigations, our Husserlian methodology develops itself from an initial position as a predominantly *descriptive* to – in later more advanced reformulations - an authentically *critical* social scientific approach to hate crime or other *essentially intersubjective phenomena*. The latter involves the *phased subversion* of the generally

[29] More generally, see Klaus Held, 'Heimwelt, Fremdwelt, die eine Welt,' in *Perspektiven und Probleme der Husserlschen Phänomenologie: Beiträge zur neuen Husserl-Forshcung*, Freiburg (Br.)/München: Alber, 1991.
[30] See Anthony J. Steinbock, *Home and Beyond: Generative Phenomenology after Husserl*, Evanston: Northwestern University Press, 1995.

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unreflective dogmatism of the natural attitude's objectivist ideological practices. This subversion is not wholly destructive because it serves to renew an authentic phenomenological sensitivity and receptivity towards the lived experience of *interpretively designated* cultural differences. (Differences relevant to hate crime issues cannot – for reasons we address later, be taken to exist in themselves as simple and immutable "facts-in-themselves" after the fashion of natural attitude's naturalism and objectivism.)

Adequately understood, our Husserlian receptive sensibility to the experience of cultural differences is located at the very opposite end of the spectrum from the dogmatically closed orientation of many of those who are engaged in hate speech and crime. As a result, any self-reflective phenomenology of the significance of such criminality must, despite containing an initially and provisionally descriptive element, consciously develop its critical potential. This, in turn, needs to be developed in a methodologically-controlled social scientific manner. The latter cannot be confused with the all-too-common strategies of an "external" form of criticism of prejudice: one that merely superimposes the critics' own ideological preferences and prejudicial understandings as a singular and absolute normative benchmark for the whole world to conform to.[31] Instead, our approach needs to reconstruct from within its own *potential critical implications* for the fruits of the natural attitude, as well as in relation to the generative dynamics of this attitude itself. The latter, a form of immanent criticism, is the watchword for the majority of our chapters.

In demonstrating our overall thesis concerning the often-ideological *complicities* of the natural attitude generally, together with the latter's interpretive constitution and reiteration of prejudices characteristic of hate crime and speech, we also provide some substantive - as well as distinctly methodological - insights. For example, we offer an expressly formulated account of the nature,

[31] On the immanent vs external critique distinction, see G. Pearson and M. Salter, 'Getting Public Law Back into a Critical Condition: The Rule of Law as a Source for Immanent Critique,' 8(4) *Socio-Legal Studies*, (1999): 483–508.

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objectives and methodological stages of our version of an *applied phenomenology of this topic*.

Our study has both reinterpreted and deployed Husserlian research methods of "sense-explication" that researchers must necessarily carry out in a reflexive and self-critical manner: one that proceeds step-by-step.[32] In particular, the practice of such explication moves our focus progressively from "surface" to more deeply "buried" levels of lived-experience of hate crime, from what-questions about the already constituted sense contents of hate speech for example, to how-questions. Here, the goal of this transition is to unveil and probe the obscure depths of how the significance of prejudicial understandings of, say, victim groups becomes is "re-constituted" (or "achieved again through being performed"). We can ask: "How are such derogatory interpretations constituted anew in - and through the medium of – the interaction between various interpretive acts (of perceptual- judgement, perception, recollection, anticipation, imagination, willing, fearing, linguistic signification etc.). Such interpretive acts not only arise from but are also directed towards real-world contexts: contexts just as these appear and take shape within the perceptual judgements, recollections, etc. themselves).

As we identify and become limited by various problems arising from the initially descriptive and static methods of *immature versions* of Husserlian phenomenological research methods for studying hate crime as lived, it has become necessary to integrate more genetic and generative approaches. Husserl's more mature investigations developed these but only in a patchy manner. The latter supplementations are, we suggest in the final chapter, far better attuned to addressing the distinctly cultural, linguistic and temporal characteristics of hate criminality as these take shape experientially. These aspects need to be investigated just as they are (inter)subjectively being lived and experienced

[32] Without doubt a more fully-fledged applied phenomenology would need to include an extensive PhD-style methodology chapter outlining the character and stages of Husserlian sense-explication, bracketing of the natural attitude's general thesis, intentional analysis of noematic-noetic correlations of whatness and howness, egological, genetic, generative and life-world analyses. However, it is not until our final chapter that we set out how a Husserlian critique of the contradictions stemming from the natural attitude's prejudicial interpretive practices opens the door to - and provides a clear rationale for - a remedial type of intentional and life-worldly analysis.

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within collective linguistic traditions of a homeworld's shared cultural prejudices directed – sometimes from one generation to the next - against those constituted as relative "outsiders" or denizens of "alienworlds."[33]

A vital point to stress here is the *internal logic* of such transitions. Husserl's radically experiential qualitative method of sense-explication (of the "whatness" of a range of relevant prejudicial understandings) leads, by its own internal logic, to a constitutive analysis of the latter's "howness," whose implications explore and transcend a static structural approach. Taken together, these radically qualitative methods for carrying out experientially-grounded social research into hate crime as lived aim to provide a rich resource with *still untapped potential*: one that other social scientists – including PhD students - can usefully draw upon, irrespective of their particular topics and academic disciplines.

Our general methodological aims are among the more fully developed aspects of the present study. This is because we have extracted, and then re-edited, its contents from a far longer original, yet horribly unwieldy, manuscript. The latter's revision may, perhaps, generate further volumes in which we set out, and illustrate in far more detail, both the nature and limits of phenomenological sense-explication as an initially descriptive - but ultimately critical - social science research method. In such a follow-up study, themes of a phenomenology of the experience of *ideologies* of prejudice, as well as a *passive association* as a vehicle for the application and reiteration of such ideologies, would take centre stage.

Nevertheless, the present study still devotes attention to critically analysing the natural attitude's

[33] The static dimensions of phenomenology include a constitutive analysis concerned with *how* something is given or *modes* of givenness, as well as identifying unfolding *essential formal and material structures.* e.g., the "criminality" of hate crime, etc). Such analysis can address the meant features of hate crime as experienced, the defining qualities of interpretive acts through which meaningful experiences of this topic take shape experientially, as well as intentional relations of correlation between such acts and intentional objects, e.g., between a hate incident as perceived and the structure of the act of perception through which the former takes shape.

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ultimately prejudicial role in reiterating often viciously negative understandings relevant to hate speech and crime. These understandings are generally reiterated in a dogmatic and unreflective manner *as if* they amounted to a self-evident "common sense" approach to designated cultural differences relevant to hate crime issues. An underlying presumption here is that such "common sense" must be accepted without radical questioning of its qualitative basis, underlying value-judgements, and other interpretive preconditions.

Our initial effort to develop a *self-consistent critique* of such "common sense" approaches to types of cultural difference relevant to our topic is, we suggest, a vital supplement: one that is implied from the start of any form of phenomenological analysis of this topic. This is because such reiteration is the area where a *distinctly critical and ethically-charged* form of Husserlian analysis (as opposed to "only" descriptive, uncritical one-sided appropriations), has the most relevance for the future development of qualitative hate crime studies.[34] At this point, however, we are reminded of a distinctly hermeneutic truth, which is rich in self-critical implications: namely, that every academic publication is but one necessarily partial - and non-definitive - contribution to a forever-provisional ongoing conversation: one that has not only already started, but also which many others will continue, each in their own way. Furthermore, these future contributions can be neither predicted nor controlled in advance by any single contributor to this overall ongoing dialogue. It follows that our phenomenology of hate crime can, at most, be a logbook entry of an ongoing and, in principle,

[34] Husserl's advocacy of a radically experiential qualitative approach rehabilitates the potential integrity of everyday perceptions of, say, hate crime victims, founded upon a belief in what appears in the perceived world as, for all its relativities and contingencies, an integral part of the web of (social) scientific knowledge. He connects fields of knowledge to the realm of lived experience. He then orders the latter to show how they rest upon our ordinary and everyday engagement with things saturated with a primordial belief in both the surrounding intersubjectively relative life-world, and the integrity of our everyday perceptual engagements with it. Belief and knowledge are not, therefore, defined as polar opposites. If falsely divorced from his critique of the natural attitude, extensively discussed, developed and applied below, Husserl's epistemological restoration of belief would encourage an uncritically descriptive form of qualitative analysis. This misapplication would lack any critical edge of the ethical and social scientific type that our phenomenology of hate crime surely requires. Instead, such a misconceived and one-sided form of qualitative analysis would merely reinterpret, clarify and cross-reference experiences of the status quo only in the latter's own ideological terms. Our approach entirely rejects this conservative approach for reasons explained and illustrated more fully in the final chapter.

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unfinishable journey: one characterised by both open horizons and infinite tasks.

In practice, Husserlian phenomenology does not first conceptualise a research method free of experiential concreteness, and then execute its methodologies mechanically - as if the latter constituted a self-contained, off-the-shelf and self-sufficient "qualitative research method." Rather, our conceptualisation of the phenomenological method has been refined and – in part - accomplished anew *through its very application in successive drafts* on a "trial and error" and "learn from our mistakes" basis. In turn, the draft text's repeated revision has been guided, even in part driven, by our self-critical reflections upon *the limits* of what such deployments have, to date at least, been able to accomplish in practice.

Through systematic and sometimes accidental forms of self-reflection, our sense of what it could mean to "apply" Husserlian phenomenology to the lived experience of hate crime issues has developed incrementally, sometimes haphazardly, over numerous drafts. It has changed markedly as we have repeatedly attempted to describe, explicate and refine different dimensions of this challenging phenomenon through phenomenological investigations. Along the way, we have been discovering various nuances of what, for us, *actually constitutes* the production of viable forms of phenomenological research in a distinctly Husserlian sense of this term. The viability of the Husserlian method, (more precisely mixture of methods that are never *purely* methods in an empirical social science sense), and what has proved necessary to enhance a Husserlian approach, have themselves become secondary research topics.[35]

Hence, during our preparation of the final draft of this study not only has the adequacy, in the sense of potential experiential-grounding, of the initial approach been reconsidered and repeatedly revised but so too has our idea of what counts as the least bad starting point for a distinctly Husserlian

[35]*Ibid*, 7.

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phenomenology of hate crime. We have had to rethink anew the justification for the research methods considered appropriate to this challenging subject matter. These methods and rationalisations have – during a confrontation with aspects of different sides and dimensions of the phenomenon itself - been revised continuously. We have revised these to further advance our overall project in an optimally self-consistent, as well as suitably self-critical, manner. For all its shortcomings, the present version – made up of less than 50% of the draft chapters - represents a hard-won culmination.

Such a process of reflexive and self-critical revision has proven necessary, and in one sense, has forced itself upon us in an instructive – if sometimes vexing - manner. This is because the phenomenologically unavoidable question of what precisely constitutes "the research field for a Husserlian phenomenology of hate crime," remains a stubbornly open and complex question for us to confront and respond to thoughtfully. As Husserl recognised, as an interpretive realm, the research field itself is not simply "there" to be "grasped" – like the juicy, low-hanging fruits of an orchard.

The very question of just what comprises the research field of a Husserlian interpretation of hate crime, the intelligibility of both its complex of meaning and their scope, and how best to proceed to analyse this field's defining qualities, cannot be resolved arbitrarily. In particular, we cannot resort to the familiar type of a legislative-style stipulation of operational definitions from on high. Instead, and as our investigations advance, the very nature and implication of such questions must themselves carefully addressed as reflexive - and hence highly challenging - research topics in their own right. As Husserl states:

> 'But how can we find the right beginning? As a matter of fact, the beginning is what is most difficult here, and the situation is unusual. The new field does not lie spread out before our view with a wealth of salient data in such a manner that we can simply reach out and be sure of the possibility of making them the objects of a science — to say nothing of being sure of the method by which we ought to proceed.'[36]

[36] Husserl, 1982: 147.

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It follows that our analysis must, as it unfolds over time, become increasingly scientifically rigorous even though it begins from a pre-scientific basis. This goal can be achieved by optimally securing the very possibility of our methodological foundations, not least by critically reflecting upon and clarifying the core components of its own analytical procedures. It is important to give the latter a fulsome grounding in the data of lived-experience. We must, according to Husserl, expressly demonstrate and clarify the nature of those: 'modes of givenness functioning in it, on the essence, the effect, the conditions of perfect clarity and insight as well as of perfectly faithful and fixed conceptual expression…' For 'any given case' such reflective clarification of, say, hate crime as lived: 'allows for practising a limiting and improving criticism by applying the strictly formulated norms of method.'[37]

In turn, we can neither avoid nor bypass a striving for reflexive self-improvement through self-critical feedback loops with respect to still-unclarified procedures and underlying analytical categories. Indeed, for Husserl, they demonstrate: 'the essential relatedness of phenomenology to itself.' We must no longer refer glibly to notions of "common sense," "prejudice" "hate crime" "description," "critical," etc., as if the core meanings, significance, and implications of these notions and analytical practices, as well as the latter's outcomes, are somehow self-evident and "obvious." This is because the clarification of such analytical ideas and idea-driven practices *are themselves*: 'included in the domain of phenomenology.' Indeed, all that we can secure and acquire by such reflective analysis must be rooted in the intuitions of immediate experience:

> 'must square with the norms which they formulate. Therefore, one must be able to persuade oneself at any time, by new reflections, that the predicatively formed affair-complexes asserted in the methodological statements can be given with perfect clarity, that the concepts used actually conform faithfully to what is given, etc.'[38]

[37] *Ibid*.
[38] *Ibid*: 151.

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In other words, hate crime as experienced must be systematically described, clarified and critically analysed. The same also applies to the very methods we are deploying to actually carry out such description, clarification and critical analysis. The ultimate ideal here is to ensure that no part of the research field is left in that obscure, vague and ill-defined condition of taken-for-grantedness that is characteristic of – and recreated by - the natural attitude's deeply prejudicial and assumption-driven orientation.

As already noted, Husserl wrote his major works on phenomenology during the first three decades of the twentieth century. Inevitably, these reflect some of the quite specific historical contexts in, but also against which, he was then immersed and intervened. The present book is partly an attempt to "road test" our broadly sympathetic - but still highly selective - *reconstruction* of a distinctly Husserlian form of a phenomenological approach in relation to the lived experience of contemporary hate crime. Those many elements of Husserl's published works that now appear self-contradictory, incoherent or no longer relevant to today's world have, we hope, been simply ignored or reinterpreted to correct these difficulties. Such distancing has proven itself necessary for a combination of methodological and philosophical reasons that it would take an entirely different type of book (or book series!) to fully explain and adequately justify.[39]

With respect to the Husserlian legacy, we prefer the constructive role of re-animating and reconstructing what appears to us to be still alive, resonant and relevant for today's world. We reject the role of destructive external critics. The latter arrogantly set up their own projected and ready-made prejudices as the sole criteria for truth and, on this extrinsic basis, critique Husserl by reference to superimposed standards that are external to – as well as alien for - phenomenology itself.

[39] Hence, unfortunately, our own project must remain abbreviated relative to its own ideals just discussed. This is because elements of our methodological rationale, notions of "contemporary relevance," are left unclear, imprecise and unsubstantiated experientially.

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By striving repeatedly to overcome its own limitations, our reconstruction further develops the optimally reflective, self-critical potential of a broadly Husserlian-type orientation towards social scientific research. The latter is concerned not only to illustrate and apply our interpretation of Husserlian analysis but also - in the very act of *selective* application – cast light upon limitations that still need to be overcome in the future. However, we have generally deferred the admittedly vital task of engaging in protracted debates with Husserlian purists and critics published in the secondary literature in favour of focusing on the "things themselves." Here, we recall that Husserl himself was never a Husserlian purist. Instead, he was constantly entangled in the continual re-editing and revising of his work, most especially with respect to the latter's founding axioms, presuppositions, and research methods.

Whatever the pragmatic merits of our approach, it leaves us vulnerable to two charges. Firstly, of taking a specific and selective reconstruction of the Husserlian legacy as somehow definitive, without explaining the basis upon which we have filtered out elements of Husserl's work. Secondly, we have not provided detailed arguments justifying our choice of Husserl, as opposed to Judith Butler or Jacques Derrida for example, as the main representative of modern phenomenological research.

There are dozens of useful books on the relationship between Husserl, the founder of the phenomenological movement, and later contributors to this movement ranging from, say, Heidegger, Sartre, Merleau-Ponty, Simone de Beauvoir, Judith Butler, Paul Ricouer, and Derrida. In addition, there are, of course, various sub-branches of this tradition, spanning ethnomethodology, symbolic interactionism, Gadamer's hermeneutics, and Derrida's deconstruction, and interpretive qualitative social science, including phenomenological psychology, criminology, and sociology. Each of these contributions, extensions, and sub-branches, have been shaped, in various ways and - to a greater or lesser extent - by selective interpretations of *only partial* aspects of Husserl's writings.

Rather than rework these existing genres of comparative writing on the nature, and pros and cons of

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different contributions to the overall phenomenological movement, together with the latter's various backwaters and muddy tributaries, our aim is more ambitious, if perhaps riskier. In particular, a major objective of this study is to return to the founding primary source of this complex movement: Husserl's extensive studies and expositions of what, *in practice*, is involved in developing a step-by-step and self-critical phenomenology of lived experience. We highlight this issue just as it "comes to light" during our application of broadly Husserlian methods of experiential analysis to the qualitatively rich lived-experience of hate crime.

This project just outlined requires a necessarily selective *re-contextualisation* of theories that Husserl developed in an earlier historical period to our contemporary realities, without making any impossible "purist" claims that our account is precisely the one that Husserl himself would have written during the second decade of the 21st Century. Instead, our re-contextualisation involves a contingent and highly selective *re*interpretation: one which inevitably highlights and applies those elements of Husserl's legacy that appear to us as especially thought-provoking, insightful and potentially illuminating with respect to the interpretive dimensions of (sub)cultures of homeworld specific prejudice relevant to the phenomenology of hate crime. Our account is then written in the spirit, if not strictly to the letter, of Husserlian phenomenology. (Indeed, arguably there is no "to *the* letter" only diverse and often contradictory *letters*.) We give special attention to what a phenomenological clarification of the interpretive conditions for becoming-prejudiced and being-prejudiced against hate crime victim groups would actually look like.

While authors cannot hope to dictate how their books will be interpreted and applied, we would make a plea that the chapters addressing the defining qualities and premises of the "natural attitude" should not be skipped over. As already explained, these are not addressing abstract methodological considerations devoid of any subject-specific relevance to the topic itself. Instead, they go the very heart of what a phenomenology of hate crime must both address and contribute to. These chapters on

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the "common sense" of the natural attitude progressively unfold the rationale for developing a critical sensibility in the face of the reiteration of societal prejudices against one or more victim groups. They clarify the interpretive processes in and through which various "prejudicial" understandings of victim groups (and perpetrators) are constituted, sustained and potentially revised, often in "common sense" ways that are dogmatic, naive, and unreflective. (The words "naive" and "natural" both stem from the same Latin root "nasci.")

The analyses contained in these opening chapters address, clarify, and explain the natural attitude's interpretive naiveté, its dogmatism, and displacement of critical self-reflection, together with the distinctly conservative implications of its objectivist premises. They will not be repeated in later sections where we are engaged in concrete explications and detailed analysis of the meaning(s) interviewees have given to lived-experiences of hate crime, and the experience of being on the receiving end of precisely those prejudicial expressions that constitute hate speech.

We are conscious of the various criticisms of both Husserl, and the application of his ideas in the field of criminology, including complaints of "essentialism."[40] Indeed, in an earlier study of phenomenological approaches to the experience of law-in-action, one of us has summarised, and in part endorsed, elements of these varied critiques [41] On further reflection, however, it appears that much of the critique within this field is either superficial, or subject to a highly unsympathetic and distorted interpretation of only selected parts of Husserl's total work. These are often taken out of their broader contexts. Possible critiques of Husserl can thus be carried out without addressing either possible broadly Husserlian responses, or those self-corrections contained in his writings considered

[40] There are many critiques of the type of essentialism deriving in part from Plato which claims that things are what they are because of some essential qualities whose absence would mean they would be different in kind. One critique is that the stereotypical quality is portrayed as all- pervasive, not contingent or historically related. However, for present purposes, it is not generally the variety of the concept under discussion that is the issue.

[41] Michael Salter, 'A Dialectic Despite Itself? Overcoming the Phenomenology of Legal Culture', 4(4) *Social & Legal Studies* (1995): 453-476.

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as a whole.

For example, our strictly and exclusively Husserlian approach cannot duck the charge of "essentialism" because this will regularly be made against our project. By "essentialism" we are referring to the idea of seeking to identify and analyse supposedly timeless "essences," or "essential structures," of phenomena, e.g., "prejudice as such", "crime as such," or "hate crime as such." Husserl claimed that, by deploying a special - but intermediary - methodology of "eidetic analysis," we are able to abstract such "essences" from historical experiences and concrete institutional realities.[42] However, we cannot fully endorse his essence-seeking "eidetic method" in an unqualified way, as if it somehow exhausted the scope and jurisdiction of a Husserlian phenomenology that also contains a "genetic phenomenology" of origins. On the contrary, we adopt a minimalist response, largely preferring instead to deploy Husserl's methodology of sense-explication and intentional analysis linked to his later genetic phenomenology. The latter was more centrally concerned with the interpretive dynamics of underlying intersubjective processes considered in their temporal flux.

Ironically, a remarkably unreflective and reductive form of essentialism is precisely one of the characteristics of the "natural attitude" that is exhibited in the words of many perpetrators of hate speech and hate crime more generally. One example could be the essentialist idea that being a "normal English person" means being a "white-skinned Anglo-Saxon," without a physical and/or cognitive "disability," conventionally gendered, and heterosexual. On this unreflective and prejudicial interpretive basis, it is possible to perceive and respond to those who are deemed to fall outside the narrow scope of this specific singular category, but who are encountered in the UK, as somehow

[42] Husserl, 1925/77: 22-25; 53-63.

problematic, as comparatively "alien" to the "homeworld" of the interpreter.[43]

Such essentialist understandings can then yield the viciously problematic idea that these individuals are, in themselves, and because of *who they are,* "deserving" of discriminatory abusive treatment. Crude and simplistic versions of latent essentialism can implicitly support the prejudice that, as relative "outsiders," who form part of a fixed "them," within an often largely taken-for-granted "us/them" dichotomy between designated "homeworlds" and homeworld-projected "alienworlds," such individuals somehow *merit* verbal and/or physical abuse. Allegedly, these designated "outsiders" somehow "deserve" this abuse because it stems directly from the provocation supplied by their very "alien" presence. It follows from this spurious logic that these "outsiders" bring down such verbal and physical abuse upon themselves by the very fact of displaying their cultural difference from a taken-for-granted "single correct norm" (often a "type" or "stereotype"), which is routinely superimposed upon them.

The criticism of exhibiting reliance upon a far less vicious form of essentialism can certainly be directed at Husserl's middle-period, best captured in his major work *Ideas* (1913). Yet, his later writings on the temporal, interpretive and historical relativities of all phenomena, together with those interpretive acts that apprehend them (such as perception), surely offsets and counter-balances this critique. In particular, we are referring to his important studies entitled *Crisis of European Sciences*, *Experience and Judgement*, and the *Phenomenology of Internal Time Consciousness.* Here, it is interesting that, in developing her critique of gender-related essentialism, Judith Butler draws precisely upon Husserl's constitutive-genetic phenomenology.[44]

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[43] In an unpublished manuscript stemming from 1930 or 1931, Husserl addresses the generative phenomena of homeworlds and alienworlds, their (re)interpretive constitution anew as such, in terms of a "transcendental aesthetic," defined as 'the correlative system of validity of the world as the world of experience.' Hua 15: 214. The task of elucidating the constitution of a homeworld: 'becomes the task of a transcendental aesthetic ...' Hua 15: 234.

[44] Judith Butler 'Performative Acts and Gender Constitution: An Essay in Phenomenology and Feminist Theory,' *Theatre Journal* Vol. 4, (1988), 135-49. More generally, see Diana Fuss, *Essentially Speaking: Feminism, Nature and Difference*. Abingdon: Routledge, 2013; Andrew Sayer, 'Essentialism, Social Constructionism, and Beyond,', 45 *Sociological Review*,

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There is also the point that a minimal form of essentialism, understood as the idea that phenomena can have not only context-dependent contingencies but also core structures - ones that endure from one fleeting episodic context to another - may be unavoidable. Take, for example, the very idea of a "phenomenology of hate crime". There is no doubt that we could have selected an early or late Husserlian definition of what counts as "phenomenology," or rejected both in favour of that of Sartre, Heidegger, Merleau-Ponty, Derrida, Judith Butler - or any other distinctive contributors to our still evolving the phenomenological movement. And yet, throughout all the often-profound differences between each of these contributors to this lively argumentative movement and school of thought, there remains an enduring sense in which their writings remain continually *identifiable as* distinctly "phenomenological," at least in some c*ore and enduring sense*: one that we can identify as persisting throughout all the diverse variations. Throughout all their variations and disagreements, each remains a vital contributor to "the same" phenomenological movement, with such contributions revitalising this movement itself.

If anyone stretches the critique of essentialism to the point of denying the presence of this, or any other, enduring and stable structure of experience, then he or she would be faced with irresolvable problems. For example, it is difficult to understand on what basis any of these phenomenological writers can be credibly identified as contributors to "the same" singular, if diverse and still developing, intellectual movement: one that, in one respect, remains "common" to them all. However diverse the phenomenological movement, it remains something identifiable as a distinctive academic orientation and approach to, say, the conduct of social research. As such, every instance remains different in kind from, say, naturalistic and objectivist alternatives, including quantitative social science, logical positivism, and utilitarianism.

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Even the hermeneutic and deconstructionist critique of Husserl's essentialist phase, which addresses its alleged failure to recognise the interpretive contingencies, context-dependencies, and temporal becoming aspects of phenomena, has its own definite presuppositions. For instance, such critique relies upon the idea that none of these phenomena *are themselves contingent, context-dependent or historically-specific.* It is not as if lived experience demonstrates that the phenomena of lived-temporality, context-dependency, and interpretive contingency come and go, apply here but not there, now but not then, with no core, enduring structures spanning different contexts. In other words, even those who are most committed to the critique of essentialism in Husserl and others do so by referring to core structures which they necessarily presuppose to be trans-contextual and invariant.

Our different approach is to develop a sympathetic reading of what we have come to consider as the most "viable" aspects of a Husserlian phenomenology of hate crime in terms of producing a compelling account of lived-experience - understood as *both a process and as a research topic*. We have attempted to rework these salvaged aspects of Husserl's major works in a positive constructive manner: one that is suitable for the task of redeveloping a Husserlian phenomenology of prejudice with respect to the lived-experience of contemporary hate crime. Then, and perhaps only then, can we develop a *suitably nuanced and well-informed critique* of applied Husserlian phenomenology, based in part upon this case-study, and developed *from the ground up, as it were*.

Yet, we frankly accept that our concentration upon only a Husserlian phenomenology of hate crime to achieve sufficient depth of insight, analysis, and concrete application, risks criticism of developing an *unduly narrow analysis*. However, this critique, although understandable, has its own difficulties, particularly whenever it becomes self-reflective. For example, is it realistic for an applied study of hate crime to develop, say, five different models of phenomenology, and then apply each in turn to the lived experience of this phenomenon? Or to spend the first half of a book explaining the rationale for the precise synthesis of selective aspects of Husserl, Heidegger, and Butler? The former approach

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would risk superficiality; it would perhaps be more fitting for a postgraduate course on phenomenology that merely uses hate crime as a running illustration. The latter approach would inevitably squeeze out the applied element, or become, in effect, a multi-volume series of monographs.

Our approach, although clearly open to various objections, has some pragmatic advantages relative to these two alternatives, especially as our "application" - like any good road test - also entails an implicit critical evaluation of Husserlian phenomenology itself. Indeed, defenders of a "pure" Husserlian phenomenology will notice how we have silently filtered out some elements of Husserl's work. We have filtered out aspects we consider implausible, internally contradictory and difficult to apply without distortion, or which run up against irresolvable obstacles, including the Kantian dimensions of transcendental idealism. We recognise that, in his final major works from 1929, Husserl appears to have rejected such idealism - or at least subjected it to substantial qualification. This was because of his renewed interest in the foundational role played by the historical contingency, intersubjectivity, and temporalities of lived experiences, which such idealism either ignores or denies. In his 1935 letter to the French anthropologist Lucien Lévy-Bruhl, Husserl refers to how we live primarily in an always-already communalised 'we-world':

> 'Saying 'I' and 'we,' they find themselves as members of families, of associations, social units, as living 'together,' exerting an influence on and suffering from their world –the world, which has sense and reality for them, through their intentional life, their experiencing, thinking, [and] valuing. Naturally, we have known for a long time that every human being has a 'world- representation,' that every nation, that every supranational cultural grouping lives, so to speak, in a distinct world as its own surrounding world, and so again every historical time in its [world].'[45]

We are also conscious that, even though we have not addressed the relative merits of later

[45] See 'Edmund Husserl's Letter to Lucien Lévy-Bruhl, 11 March 1935', trans. Dermot Moran and Lukas Steinacher, 8 *New Yearbook for Phenomenology and Phenomenological Philosophy* (2008), 349–54: 350.

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contributors to the phenomenological tradition, our work remains lengthy. Arguably, this length stems in part from the fact that our study excavated the depths of Husserl's extensive primary sources. In part, this length is because an adequate account of the dense thicket of Husserl's prose, which resists gross simplification, is simply not amenable to any simple and short summary, at least not one that avoids distorting Husserl's complexities.

Furthermore, the present study would be unacceptably longer if we had also addressed the relative merits and limitations of the existing massive academic literature on hate crime *from other, non-phenomenological perspectives*, as found in the instructive works of Iganski, Perry, and others. Such a comparative project is surely a worthwhile one. However, it can be developed as a *follow-up study to our own*. Indeed, this comparative project would clearly presuppose the findings of our own more basic investigation of the interpretive preconditions of the phenomenon itself. Such a project would presuppose the results of our demonstration of just what a rigorously Husserlian approach to this topic looks like and is capable of achieving in practice.

In sum, our central argument is that a Husserlian approach to the lived experience of hate crime, developed rigorously in a step-by-step methodologically-controlled and reflexive manner, offers a fresh and insightful account of this topic's distinctly experiential aspects. At both constituted and constitutive levels of "whatness" and "howness" respectively, this approach articulates vital experiential dimensions that more conventional social science perspectives, subject to the prejudices of various types of positivism, naturalism, objectivism, and post-structuralism, tend to either gloss over or otherwise take for granted. We are referring here to the daunting complexities contained in understanding the actual lived-experience of *being-prejudiced and suffering from the expression of such prejudice.* So, we are also referring to the experiencing of forms of prejudice that are directed towards oneself, both generally, and with respect to perceived group membership.

And yet, at the same time, our study must recognise that only certain strands of Husserlian analysis

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that have retained their general contemporary relevance are pertinent to the study of the specifics of hate crime as lived. In other words, the "Husserlian" character of our study draws only upon a subset of Husserl's total work. Our repeated reference to sense-constitution draw less on Husserl's earlier emphasis on supposedly isolated and atomistic individual consciousness and static structures of individual ego-based subjectivity, than on his later genetic and generative analyses of passive "syntheses of association" and in the temporal/temporalising and distinctly *intersubjective* dimensions of lived experience. Following Steinbock, generative Husserlian analysis studies the various ways in which cultural worlds take on sense and are (re)constituted anew as meaningful for entire groups, subcultures, and societies.[46]

As our final chapter demonstrates, what is studied here is the process of historical, intersubjective movement across various generations whose primary loci are the differentiation of "normal" and "abnormal" geo-historical "homeworlds" and "alienworlds."[47] Because it focuses upon geo-historical intersubjectivity, while also recognising how communication operates as a constitutive feature in the regeneration of shared cultural life-worlds of prejudicial understandings, this approach overcomes a purely atomistic and individualistic focus.[48] In addition, certain phenomena relevant to hate crime, such as long-standing vocabularies of prejudicial expressions relating to one or more hate crime victim group, as well as counter-expressions that contest such prejudice, become prominent. They

[46] Hua 29: 329–31.

[47] Husserl's reflections on conceptions of normality were not incidental points made in passing at a single phase of his life-work. On the contrary, they preceded his path-breaking Logical Investigations 1900/1901 and came to fruition in the 1917-21 period, and then extended into the period 1930-37. In terms of their substantive permeation of concrete phenomenological theme, these conceptions are vital for the discussion of "constitution" as well as the lived body and the constitution of specific "homeworlds" set against "alienworlds." Furthermore, the implications of a sustained phenomenology of normality and abnormality extend into the field of methodology as their analysis breaches the confines of static methodologies by pointing to the necessity for specifically genetic analyses, for a genetic methodology that recognises the streaming of temporality, the flux of historical becoming at different levels. Husserl's collection of his papers and manuscripts gathered together in the Husserl archives under the heading of "primordial constitution" substantiate these claims. Steinbock 1995: 8.

[48] Such transcendence does not mean that a constitutive/genetic analysis focusing on egological experience is entirely jettisoned. See Joona Taipale, 'Twofold Normality: Husserl and the Normative Relevance of Primordial Constitution,' 28(1) *Husserl Studies*: 2012: 49-60.

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take shape as constitutive not of a purely individual consciousness but that of an entire interpersonal community whose homeworld of subcultural prejudices is passed down from one generation to another. This collective dimension is concerned with the welfare of all members of a specific cultural tradition as persons and citizens. These include the *distinctly emotional* sphere of interpersonal belonging-together and mutual caring, out of which supportive responses to hate crime victims can arise and be strongly motivated.[49]

At this communalised level, we draw inspiration from Husserl's critical analyses of the constitutive roles of (re)appropriation and renewal of meanings stemming from distinctly *normative* territories and cultural traditions. The latter are shaped by essentially normative differentiations of interpretively constituted homeworlds and alienworlds, populated by relative "insiders" and "outsiders." In turn, these subcultural worlds are themselves formative of our (derivative) sense of "subjectivity,"[50] of being precisely this type of an individual ego-subject belonging to this - but not that - cultural tradition. On this basis, a sense of belonging arises and is sustained, a sense of being an "insider" here but no more than an "outsider" there. In this context, we become subject to all manner of "us" and "them" differentiations related to a sense of personal, as well as a group, identity. In turn, these lived cultural differentiations may place ourselves "with" or "against" the situation of hate crime victims and the perpetrators who have abused them; or thrust us into a position of mere bystanders whose stance is one of indifference to the suffering of others, or at least some others.

Our phenomenological focus on *generative constitution* recognises that the scope of more static forms of phenomenological description, which necessarily predominate in the early phases of an applied Husserlian study of hate crime, is not merely the unity of a singular life. Instead, it is the 'unity of a tradition,' the 'unity of historicity,' bound to the here and now of specific geographical

[49] See Hua 15: 171–72, 472–73; Hua 29: 87–89, 332–35; Hua: 42.
[50] Steinbock, 1995: 14.

territories understood as distinct and never-universal homeworlds via the normative, rhetorical and cognitive resources a transmitted cultural tradition.[51] For the latter, the presence of "alienworlds" is constitutive. No national community can constitute its collective sense of identity as citizens-together without the category of "foreigners;" there can be no constitution of an "us," who belong together in a certain sense, without - during the course of the same constitutive movement - also constituting a sense of a "them" of "another people," who belong to *some other homeworld but not ours*. As Husserl states: 'The most original lifeworldly sense is the sense of a historical community, for instance, a community living together generatively in a people with a tradition,' as they are co-foundationally intermixed with alienworlds.[52]

By disclosing the human world of culture normatively and constitutively in the co-relative structure of homeworld and alienworlds, we can come to grasp how such differentiation is rich in potential for all manner of vicious prejudicial abuse of victim groups. In turn, such a realisation means that our revised Husserlian phenomenology of hate crime can address not only sense-constitution at the level of individual constituting subjectivity, the sense of what is "other than - and alien for - me" but also what takes shapes as "other than - and alien for - us" with respect to constituting *intersubjectivity*.

Structure of this Study and its Possible Audiences

There is a distinctly phenomenological structure to our step-by-step methodologically-driven analysis of hate crime as lived experientially: one whose sequencing is dictated by the demands that these phenomena make upon us. For example, it is only possible to carry out sense-explication once we have already successfully completed the tasks of many preliminary stages designed to cut through and minimise obstructions created by an overlay of prejudicial reinterpretations superimposed by the

[51] Hua 29: 9, 16, 57, 60, 258.
[52] Hua 29: 211; 11, 42, 63, 198–201.

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natural attitude's interpretive-linguistic framework. Furthermore, the more straightforward descriptive "noematic" analysis of surface level phenomena, such as the "whatness" of expressly intended meanings of hate incidents, needs to be completed during the opening phases. Such analysis must be completed *before* it is possible to carry out more in-depth investigations of underlying *interpretive preconditions* of such experiences uncovered when we go on to ask how-type and for-whom questions about such lived experiences.

In addition, and contrary to the obstructive resistance of so-called "common sense," conducting sense-explication requires a high measure of methodological self-awareness in relation to precisely what does such explication itself involve. Because of the reflexive and self-critical nature of the Husserlian approach, the sense of sense-explication itself cannot be allowed to remain unexplicated. In addition to refining an experientially well-grounded consciousness of hate crime as our research topic, we also need to develop a measure of methodological self-awareness and express justification for our own interpretive practices and general orientation.

As hate crime researchers working with the Husserlian tradition, we are, therefore, faced with a spiralling and self-critical incremental process whose internal logic consists of a *necessary sequence of stages*. Fulfilling the demands of this process involves moving "into" a highlighted theme, such as the preconditions for grasping hate crime as experienced, and then developing and refining a qualitative methodology that is demonstrably adequate to this theme's analysis. Next, we must carry out that Husserlian type of phenomenological analysis; while thereby also coming to better appreciate its *demonstrable limitations and restrictions.* The latter need to be identified in comparison to the Husserlian ideal of achieving total clarity, explicitness and distinctness; as well as a more general optimal (never complete) liberation from the prejudicial and distorting effects of previously hidden and unnoticed presuppositions, biases and normative as well as cognitive blind-spots.

In turn, such appreciation of *the limits* of Husserlian constitutive analysis, which is forged by the

researcher's own reflexive self-critical awareness, encourages us to apply a further set of Husserlian methods. These methods are designed to remedy, as far as possible, these previously identified restrictions and limitations.

There is, then, a definite logical rationale to our structure of chapters. As far as possible, its logic is dictated by, and tailor-made to, the requirements of the topic itself, at least insofar as this is susceptible to being explicated at all. These requirements amount to links within a sequentially-developed chain demanding both illustration and supportive argumentation at each stage. Each of these links not only builds upon and carries forward the accomplishments of its predecessor(s), but also lays and renews the groundwork for its upcoming successor phases.

When caught up and immersed in the sometimes-intricate details of sense-explication of specific hate crime phenomena, it remains vital to appreciate and keep in mind the *underlying rationale* behind the series of phased progressions: to see the forest as well as all the trees. Even whilst focusing on the significance of detailed specific experiences, we ask readers to keep in mind the step-by-step methodological progression of our study, the trajectory of its sense of direction. That is, where we currently "are" within an incremental movement from:

1/. "Surface" to "intermediate," and then to "depth" levels of lived-experience.

2/. From express and pre-constituted surface-level meanings to those that are implied, veiled, buried and emerging; and

3/. From relatively static to more dynamic forms of analysis of the temporal-genetic *constitution* of such meanings driven by specific interests, concerns, values and general orientations of interpreters.

No doubt individual parts of our analysis can be torn from this overall methodological progression and strongly criticised, perhaps on grounds that we cannot even anticipate. However, we stand firm in our claim that, when taken as a whole and in context, our approach is robust and as true to the phenomena itself - and its demands - as we have been able to make it. We hope even our study's

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inevitable all-too-human limitations, blind-spots, and omissions can at least be redeemed by critical readers as *instructive* failures that others will recognise and not repeat.

We hope that different sections of the present study will be of interest to three very different potential audiences:

1/. Those with a general social science or philosophical interest in Husserl, some of whom may partly contest, and - perhaps in some measure - endorse elements of our selective appropriations of his writings. Here, our emphasis upon a concrete qualitative social scientific, as opposed to a Neo-Kantian transcendental idealist, interpretation and application of Husserl, may be of special interest.

2/. Individuals, like ourselves, who are primarily interested in the application of *any type* of rigorously-grounded qualitative social scientific approach to the lived experience of concrete contexts, including social policy and legal issues. Here, our step-by-step reconstruction provides various rich illustrations of each of the methodological stages of Husserlian sense-explication, as well as the "logic" of the various advancing transitions between them. This phased reconstruction of our radically experiential research methodology may be of particular interest to research students and other qualitative researchers who have no specific interest in hate crime. Here, we would hope that this group of readers would find good reasons to take our methodological discussions to be of primary interest and relevance; and seek to apply each stage to their own different fields, perhaps with some adaptations dictated by the exigencies of the topic and access to it.

3/. Those scholars who are primarily interested in studies of hate crime who, to date, have no background or preconceived interest in *any type* of phenomenology whatsoever. Here, it will be the implications of our qualitative analysis of the rich interview material that could be of particular relevance and interest. This qualitative material is derived from those interviewees who have been personally and professionally involved in the field of hate crime, including British officials with responsibilities for making legal and other official responses to these phenomena.

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These three possible - more precisely - presumed audiences may find different parts of the present work to be of special interest for "dipping onto." Hence, we have – as far as possible - written each chapter in a way that does not presuppose that the reader has entirely digested the full content of previous chapters. In places, this has proven especially difficult because - as just discussed - there is a spiralling process of step-by-step argumentation unfolding over each part that is akin to the links in an overall chain. Yet, authors cannot prescribe in advance how readers are to interpret their writings.

Few writers are themselves the "ideal reader" that they would wish for in others. That is, readers who begin at the start and read through to the end. With respect to the present book, such readers may come across apparent repetitions of points made in one or more earlier chapters. However, without such "repetition" it would surely be difficult for those readers who tend to "dip in" to specific chapters, or even subheadings based upon the index entry, to grasp the ideas we are developing.

Why, however, is there *any need* for a phenomenology of hate crime? One possible answer is that hate crime is a field dominated by both the deep-seated and damaging prejudices of the natural attitude (discussed below), and unexplicated meanings and distinctions that still await sustained clarification. One of our interviewees, a hate crime victim support worker, admitted that he had still to grasp a key technical distinction, and felt that he was far from alone in his confusion: '… the difference in racially aggravated offences and a racist offence, because a lot of police officers don't understand that one. I don't really.'[53] Arguably, this statement highlights a familiar experience. That is, of knowing implicitly that events are emphatically meaningful for those responsible for responding to hate crimes, and that such meaning arises in part through a process of distinguishing situations perceived as similar but not as identical that takes the form of a largely passive association of the X situation with Y category.

[53] Interviewee 241012.

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And yet part of this overall experience is an awareness of one's partial, or complete, inability to make such relevant distinctions with full confidence as to their validity. For example, to confidently distinguish between hate crime offences as such, and "simple offences," by differentiating cases of "criminal damage" that – under specific circumstances - are capable of attracting enhanced sentences owing to perceived "evidence" of a perpetrator's discriminatory motives.

In turn, this common experience of being conscious of lacking a clear understanding of an underlying sense, or a distinction between meanings and meant values, is itself an important phenomenon. It highlights a continuing need for a phenomenology of hate crime to identify, to explicate, distinguish, compare and clarify various underlying meanings that mediate the presence of this topic to our consciousness of it, together with questions of relative doubt, probability and certainty with which such interpretations are "held to be true." In particular, we need to identify and analyse those experienced meanings that that fall "within," or "at the margins," or entirely "outside," the scope of socially and legally defined *categories* of hate crime; and yet which - on self-reflection - appear inadequately grasped.

Although the brief quotation set out above addresses an issue of legal meaning, the lived experience of being conscious of inadequately comprehended meanings more generally, including those understood only in a vague, confused and implicit manner, encompasses the whole of conscious life.[54] That which we ourselves appear experientially to be is not even fully and clearly present, even to ourselves. Even what it means for our consciousness of a topic to be a vague, confused and implicit one is rarely present to us in an optimally clear, precise, emphatic and distinct way; it is rarely given

[54] Interviewee, 131212. For phenomenological discussion of applied phenomenological methods, see Giorgi Amedeo (Ed.) *Phenomenology and psychological research*, Pittsburgh: Duquesne University Press, 1985; Don Idhe, *Experimental phenomenology: an introduction*, Albany, New York: State University of New York Press, 1986; Clark Moustakas, *Phenomenological research methods*, Thousand Oaks: Sage Publications, 1994; Donald. E. Polkinghorne, 'Phenomenological research methods', in R. S. Valle, and S. Halling, (Eds.) *Existential phenomenological perspectives in psychology*, New York: Plenum Press, 1989. 41-60.

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to us in the form of self-transparent lightness lacking shadowy depths.

Our next section aims to clarify some formal legal classifications of designated hate incidents and hate crimes. This material is relevant at two levels: it clarifies the terminology that some of our interviewees deploy; but often without fully defining, clarifying or explicating their terms. Secondly, explicating certain legal definitions will help alert us to a subset of the various interpretive issues that need to be further developed through qualitative research addressing our interviewees' concrete lived experiences.

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