Measuring Islamophobia

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Ireland's Muslim communities hail from a diverse array of regions around the globe, including Ireland. Historically the concept of racism has revolved around phenotypical characteristics. However, this biological perspective has since evolved to recognise and incorporate racism and discrimination premised on a person's particular culture including their religion. This research examines the existing statistical and qualitative methods employed to measure hate crime and discrimination in Ireland. Specifically, it focuses on offences committed against Muslim communities in Ireland on the basis of their faith. This paper argues that the inadequate recording of religiously aggravated crime and discrimination against Muslims in Ireland is tantamount to institutional racism. Governments need to be able to identify who the targets of racially or religiously aggravated offences through disaggregated data collection are if they are to form effective policies to address these phenomena.

Introduction

Muslim communities in Ireland are rich in their diversity. Growing since the 1950s and 1960s, today the Irish population includes second and third generation Irish Muslims as well as members newer to the communities, representing at least fourteen different nationalities in all (Flynn 2006, p.224; National Consultative Committee on Racism and Inter-culturalism 2007, p.1). Members of Muslim communities are currently more vulnerable to prejudice and discrimination than before (European Monitoring Centre on Racism and Xenophobia 2006, p.60; Marsh and Keating 2006, p.315). This sentiment can be described as *Islamophobia*: a form of racism specific to members of Muslim communities, reinforced by stereotypical negative images of Muslims (National Consultative Committee on Racism and Inter-culturalism 2007a, p.7). This research evaluates whether or not hate crime and discrimination against

Muslims (*islamophobia)*, is being captured by the current practices of recording and reporting such events through the bodies identified by the National Action Plan Against Racism (NPAR) to monitor and analyse data on racism in Ireland (Department of Justice Equality and Law Reform (Ireland) 2005, p.79).

Evaluation Research

This study employs a qualitative evaluation research methodology to assess how hate crime and discrimination are recorded in Ireland. It evaluates the effectiveness of the current research instruments and methods used to measure levels of discrimination in Ireland with a particular emphasis on Muslim communities therein (Bachman and Schutt 2007, p.368).

The following specific criteria form the basis of this study, by which the capacity of the research instruments currently employed in Ireland to measure discrimination and hate crime will be evaluated:

1. Data collection instruments used to record discrimination and hate crime in Ireland are required to employ disaggregated information to highlight bias against Muslims.
2. Mechanisms of recording discriminatory behaviour in Ireland specifically measure hate crime and discrimination against Muslims (*Islamophobia*)
3. Regular monitoring of discrimination in the form of victimisation and equality surveys are employed in Ireland to measure instances of hate crime and discrimination against Muslims.

The criteria mentioned here are specifically applied to the institutions identified by the National Action Plan Against Racism to fulfil the role of monitoring and analysing incidents of racism in Ireland which include: An Garda Síochana; the Central Statistics Office (CSO); the Economic and Social Research Institute (ESRI); the Equality Authority and the National Consultative Committee on

Racism and Inter-culturalism (NCCRI) (Department of Justice Equality and Law Reform (Ireland) 2005, p.79).

Theoretical Framework

The work of Michel Foucault (Faubion 2000) provides the theoretical basis for this paper. Employing the Foucauldian concepts of governmentality and bio-politics (Faubion 2000, p.221; Rainbow 1984, pp.261, 262), one can argue that it is possible to utilise the apparatuses of the state with positive effect for Muslim communities in Ireland through effective recording and reporting of hate crime and discrimination. Foucault's concepts of governmentality and bio-power are employed here in a positive context, emphasising the reciprocal nature of power. Foucault claimed that bio-power took the workings of life into the world of 'calculative prediction and scrutiny'. The knowledge gleaned would serve to inform government policy, and the manipulation of society, aiming to increase the wellbeing of the population while allowing assessment of what they could do for the state (Dreyfus and Rainbow 1983, pp.134, 139; McNay 1994, pp.115-116).

Foucault, however, did not see 'relations of power' as inherently negative, but in fact as necessary for the successful operation of society. Moreover, relationships of power include the ability and freedom for one to resist (Cuff et al 2006, pp.265-266; McNay 1994, pp.125-127). This paper argues that effective use of governmental technologies of state can serve to inform us of the true nature of hate crime and discrimination, revealing the extent of these offences against Muslim communities in Ireland: As power is dispersed throughout society, the technologies that could serve to repress can be utilised to ameliorate the position of those subjected to hate crime and discrimination by demonstrating the true levels of these offences and who they affect.

'Race' and Ethnicity

People have been categorised on the basis of 'race', in its modern form, from as early as the sixteenth century when an effort was made to explain human diversity on the basis of biology. This concept of 'race' proposed that those sharing certain physical characteristics were members of a unique human stock. The categorisations which were constructed around this concept of 'race' promoted a stratification of humanity premised upon racialised identity associated with purportedly innate characteristics for example in the form of higher or lower intelligence (Bonilla-Silva 1996, p.473; Fulcher and Scott 2007, p.197; Marsh and Keating 2006, p.317; Lewis & Phoenix 2004, p.124).

These categorisations were used to justify oppressive behaviour and legitimise social inequality, portraying some 'races' as inherently inferior. Modern science has proven that the level of genetic difference within a particular 'race' is often far greater than that between two supposedly different 'races'. People may differ in appearance but this does not mean that peoples of differing appearance either constitute biologically distinct groups or can be hierarchically ranked. The diversity presented by phenotypical difference is purely the result of insignificant genetic variations and the influence of environmental factors (Cole 1998, p.38; Fulcher and Scott 2007, p.199). Social science recognises that distinctions based on 'race' are the products of society and not inherent aspects of human genetics.

Ethnicity differs from 'race' as it presents diversity as being based not on biological distinctiveness but upon differences in culture, language and religion (Jenkins 1997, p.10; Fulcher and Scott 2007, pp.200-201). Members of an ethnic group base their unity and identity in the belief that all members of that group share a common ancestry often associated with notions of nationalism or linguistic traits. Although an ethnic group may share some common ideas of

history and culture this does not preclude diversity occurring within an ethnic community especially as how people construct their ethnicity may indeed change over time (Jenkins 1997, p.10; Fulcher and Scott 2007, pp.200-201). The concept of ethnicity, like 'race', is a social construct and illustrates the learned, cultural aspects of identity (Haynes 2007, p.164-165). A group's ethnic identity may be constructed from their own self perception or as the result of societal power relations depending on whether or not they are the dominant group in that society (Fulcher and Scott 2007, p.201). Ethnic identity may also be premised upon shared experiences of oppression and discrimination resulting with diverse communities responding by unifying under a shared identity, for example the Muslim communities in Britain (Fulcher and Scott 2007, p.201)

Racisms

Racism is the practice of exclusion and discrimination of particular members of society because they are perceived as biologically different and belong to a particular 'race' (National Consultative Committee on Racism and Inter-culturalism 2007a, p.7). Oppressive and exclusionary practices have historically been legitimated by racist beliefs portraying those of a particular background as either superior or inferior on the basis of certain phenotypical characteristics (Fanning 2002, p.9). This is the basis of racism which can be further defined and subdivided into racial prejudice and racial discrimination. Racial prejudice refers to beliefs which are racist in their nature, while discrimination is the physical manifestation of these beliefs resulting in the unfavourable treatment of those perceived to be part of a particular group. These manifestations may take the form of verbal abuse and social exclusion through to acts of genocide on basis of perceived difference (Lewis and Phoenix 2004, p.121; Marsh and Keating 2006, p.320).

Cultural racism describes a form of racism that is grounded in beliefs of cultural rather than genetic difference. Thus cultural racism may depict all humans as biologically equal, but demarcates society on the basis of immutable cultures, depicting some cultures as superior, and others as inferior. It is also argued that all cultures should 'remain' homogenous and separate based on the idea of the bounded nation state (Fanning 2002, p.17; Wren 2001, p.143). Modood (2005, pp.11, 29), argues that cultural racism leads to inequality and exclusion requiring it to be understood as a unique form of racist behaviour.

Muslim Diversity

In the EU there are fifteen million people who can claim to be Muslim and within this population there is significant diversity. Some Muslims are politically active, while others are apolitical. Some identify with the state of their birth, others with the state in which they have settled (Modood 2003, p.100). The modern Muslim communities have been expanding as a group since the 1950s and 1960s. The current population includes second and third generation Irish Muslims as well as members newer to the community, due in no small part to conflicts in predominantly Muslim regions as well as the ongoing impact of international movements of students and labour. One third of the entire Muslim community are Irish citizens.

The diversity present in the national background of non-Irish Muslims is vast, with at least fourteen other nationalities represented (Flynn 2006, p.224; National Consultative Committee on Racism and Inter-culturalism 2007, p.1). Muslim men have also married non-Muslim Irish women some of whom have also embraced Islam as their faith. The fastest growing part of the Muslim community is that of Irish Muslim children (Flynn 2006, p.234). Although the majority of Muslims in Ireland are of the *Sunni* tradition, there are also approximately two thousand *Shia* Muslims residing here (National Consultative

Committee on Racism and Inter-culturalism 2007a, p.5). However, despite this diversity essentialist mono-cultural perceptions of Muslims prevail. One of the legacies of the terrorist attacks in New York and London, for example, has been the interchangeable use of the terms Muslim and terrorist.

Islamophobia and Institutional Racism

Muslims may be discriminated against for potentially manifold reasons including colour and culture. For example a person may be discriminated against for being black and/or for being Muslim, they are recognised on the basis of their visible difference. To classify discrimination against Muslims only on a purely 'racial' basis ignores that religion itself may be a catalyst for discrimination and can result in a failure to recognise for example, white Muslims experiences of discrimination (Fulcher and Scott 2007, p.227; Modood 2005, pp.162 -163; Quraishi 2005, p.62). Recently the growth of discrimination against Muslims has been identified as a new and worrying trend in racial intolerance with members of Europe's Islamic communities the target of prejudicial behaviour and discrimination that can take many forms, including violence. Negative perceptions mean that members of Muslim communities are today more vulnerable to prejudice and discrimination than before (European Monitoring Centre on Racism and Xenophobia 2006, p.60). This sentiment can be described as the afore-mentioned *Islamophobia*: a form of racism specific to members of Muslim communities, reinforced by stereotypical negative images of Muslims (National Consultative Committee on Racism and Inter-culturalism 2007a, p.7).

Fulcher and Scott (2007, p.228) posit that if an institution fails in its provision of adequate professional service to people due to their ethnicity, colour or cultural heritage, it is practicing, knowingly or otherwise, institutional racism, evidenced through exclusion, prejudicial behaviour and discrimination.

Institutional racism may manifest itself in a manner that goes unidentified, stereotyping people due to their perceived 'race' and resulting in their being disadvantaged (Lewis and Phoenix 2004, p.122). It is important to note for the purposes of this study that, institutional racism which could be unintentional on the part of individual members of an institution may also exist due to the resistance of an organisation to account for the diversity present in the population they cater for. This may manifest itself in the denial of racial discrimination and heterogeneity of a society (Fanning 2002, pp.12-13).

The following sections evaluate, in turn, the institutions identified by the National Action Plan Against Racism in fulfilling the role of monitoring and analysing incidents of racism in Ireland. These include: An Garda Síochana; the Central Statistics Office (CSO); the Economic and Social Research Institute (ESRI); the Equality Authority and the National Consultative Committee on Racism and Inter-culturalism (NCCRI) (Department of Justice Equality and Law Reform (Ireland) 2005, p.79).

An Garda Síochana

An Garda Síochana started recording crime electronically in 1999 on the new Police Using Leading Systems Effectively (PULSE) system. Gardaí began using PULSE to enable the effective recording of criminal activity. The PULSE system itself is an instrument to aid the Gardaí carry out their primary tasks and as such is not solely used for the provision of statistical data. However, it does offer the ability to record data that may be used for statistical analysis (Central Statistics Office 2007, pp.1-2).

As a result of the Ionann Report (Walsh 2009, p.726) into Garda practices in the early part of the last decade, the Gardaí implemented the "Policing in a Diverse Community" plan which included measures to engage with racially motivated

crime. One part of this plan was the inclusion of a category for victims' nationality on the PULSE system enabling the identification of diverse communities subjected to racism (Walsh 2009, p.726). The recording of a victim's nationality may, through analysis, identify if particular groups are being targeted by 'race' crime (Garda Inspector Noel Carolan, email to author, November 2009). However, the recording of nationality is problematic. Schweppe and Walsh (2008, p.99), argue that nationality is not being rigorously recorded by the Garda in the field. They further state, that if it is being recorded effectively on the ground, this information is not being inputted onto the PULSE system. Either way this impedes the identification of trends in racism in Ireland (Schweppe and Walsh 2008, p.99). More importantly, employing a category such as nationality is not sensitive enough to elucidate if a particular vulnerable group is being subjected to racism (Walsh 2009, p.727).

An offence is regarded as racist by the Gardaí if it is subjectively deemed be so by the victim of the offence or any other person present that judges it so (Schweppe and Walsh 2008, p.92). Garda Sergeant Jim Molloy (in a communication to the author, October 2009) stated that all criminal offences believed to be racist in nature are recorded as such. However, Gardaí currently do not record the religion of the victim of a criminal offence. It is believed that there is "no business or legal need" (ibid) to do so. Gardaí argue that it is possible to discern if religion was a factor in a criminal offence by analysing other details of the said crime.

The findings of the European Monitoring Centre on Racism and Xenophobia Network (2005, p.24) stated that as the Garda PULSE system does not provide disaggregated data on racially motivated crime it is therefore impossible to discern if a racist crime was motivated by 'race' or religion for example *Islamophobia*. In a subsequent publication, the EUMC argue that incidents

specifically recorded as Islamophobic are the best means of measuring Anti-Muslim sentiment that a state can deliver, recommending governments put in place instruments that effectively and <u>specifically</u> define and document Islamophobic, Xenophobic, racist and Anti-Semitic discrimination (European Monitoring Centre on Racism and Xenophobia 2006, pp.110-112).

The Garda PULSE system still does not capture if religion was an aggravating factor in a crime thus, we cannot tell the extent of incidents Islamophobic behaviour from Garda recorded crime statistics.

Central Statistics Office

The Central Statistics Office (CSO) is a statutory, independent agency with government responsible for statistics on crime and the criminal justice system (Carey 2008, p.1). As stated, the publishing of police recorded crime statistics became the responsibility of the CSO in 2006 (Central Statistics Office 2009, p.5). The CSO are provided with information on crime that is recorded as being racially motivated. However, as the Gardaí do not record religiously aggravated crime, the CSO do not have any data on offences that are religiously aggravated (direct correspondence from Crime Statistics Division, Central Statistics Office, September and October 2009). Victimisation surveys offer a possible avenue around these deficiencies.

Although not wholly conclusive, victimisation surveys provide a rich insight into the nature of crime by capturing offences that may go unreported to or, unrecorded by the police by surveying a sample of the general public for their experiences of crime within a stated period (Coleman and Moynihan 1996, pp. 70- 75; National Crime Council 2001, p.85; Watson 2000, p.9). These surveys are undertaken by the CSO and allow for the generation of data on crime that is comparable with the statistics produced by the police (European Monitoring

Centre on Racism and Xenophobia Network 2005, p.19). To date, the CSO has run three crime and victimisation surveys starting in 1998, then 2003 with the most recent in 2006. The published data categorises respondents by: sex; nationality: "Irish or Non-Irish"; and by age. 'Race' is not discussed as a basis for victimisation (Central Statistics Office 2007a, pp.1, 5, 45). Importantly for this study, religion is also not investigated as a factor in respondents being victimised (direct correspondence from the, Crime Statistics Division Central Statistics Office, October 2009). If crime and victimisation surveys do not ask about particular offences then obviously it is impossible to discern the rates of victimisation (National Crime Council 2001, p.85).

QNHS Equality Module

The CSO QNHS (Quarterly National Household Survey) Equality module rolled out in 2004 was the first national survey on the experience of discrimination in Ireland. This 'Equality' module investigated subjective reports of discriminatory behaviour by the victims themselves in the two years prior to the survey. The detail recorded by the Equality module includes data on levels of discrimination; contextual information and the perceived basis for the discriminatory behaviour (Russell *et al.,* 2008 pp.iii - ix). The Equality module has been described by analysts as comprehensive and nationally representative; providing a high response rate and good quality data. Indeed the data collection and analysis processes employed in the Equality module are described as in line with best practice internationally on monitoring discrimination. Importantly, the Equality module included questions that are not routinely collected in QNHS surveys including respondents' religion (Russell *et al.,* 2008 pp.iii - 8).

The Equality module offered a brief glimpse into the experiences of discrimination against Muslim communities in Ireland, although the CSO has

stated in the past that the QNHS undercounts members of the immigrant communities by approximately twenty per cent (Russell *et al* 2008, p.87).

It is worth bearing in mind that approximately two-thirds of Muslim communities in Ireland are not Irish citizens (National Consultative Committee on Racism and Inter-culturalism 2007, p.1). Moreover, while the Equality module is a useful mechanism to measure discrimination, this module has only ever been run once and thus cannot be deemed a systematic barometer of discrimination Ireland (Central Statistics Office 2005). The CSO does plan to run another Equality module as part of the QNHS. While an exact date has yet to be decided, it is expected to run by the end of 2011, a full seven years after the last (direct correspondence from Labour Market and Social Inclusion Division, CSO January 2010).

National Consultative Committee on Racism and Interculturalism

The National Consultative Committee on Racism and Interculturalism (NCCRI) came into being in 1998 with a remit to engage racism while at the same time promoting an intercultural Ireland. It operated as an interface with relevant national and international actors (National Consultative Committee on Racism and Interculturalism, 2008, p.5; Schweppe and Walsh 2008, pp.86-87). This included acting as Irish national focal point for the European Racism and Xenophobia Network (RAXEN) from 2000 to 2008 which involved working on specific projects under the direction of RAXEN (National Consultative Committee on Racism and Interculturalism 2008, p.31).

In 2001 the NCCRI set up its 'Racist Incidents' reports which were based on reports of racism provided by individuals and NGOs, including reports that did not constitute a criminal offence (Schweppe and Walsh 2008, p.87). These qualitative Racist Incidents reports were vital in providing an indication of the

nature of racism in Ireland, and while they were not a comprehensive measure of racism, they illustrated the contextualised experience of victims of racial abuse (European Monitoring Centre on Racism and Xenophobia 2005, p.17; Schweppe and Walsh 2008, pp.87, 91). The NCCRI Racist Incidents reports identified who the victims of racism really are, thus potentially aiding state policy formation (Schweppe and Walsh 2008, p.91). This included evidence of instances of racism experienced by Muslims in Ireland as a result of the terrorist attacks in New York in September 2001. This evidence was then used to encourage dialogue between Muslims and Irish politicians as well as the publication of literature to dispel misinformation on Muslims (National Consultative Committee on Racism and Interculturalism 2008, pp.19-20).

The NCCRI throughout its existence documented instances of discrimination against Muslims on the basis of their religion. Between 2001 and 2008 when these reports were in operation, various instances of racism and discrimination towards Muslims were reported ranging from verbal abuse to physical assault. As a result of budgetary cuts by the Irish government in 2008, the NCCRI is no longer in operation. The disbandment of the NCCRI has resulted in eliminating the only systematic method used to identify the lived experience of racism and discrimination in Ireland, a method that identified Muslims as targets of racism and discrimination.

Equality Authority and the Economic and Social Research Institute
The Equality Authority's (EA) goal is to promote equal opportunities for all while also eliminating racist activity in line with the Equality legislation on employment and the provision of goods and services (Harvey and Walsh, 2009, p.22). The aims and tasks of the EA include (Harvey and Walsh 2009, p.51);

1. Legal Casework;
2. Equality promotion;

3. Research

4. Creating awareness.

In terms of research, the EA is in a position to commission or conduct research on a variety of topics covered by Irish equality legislation. However, although discrimination against minorities and the topic of diversity are subjects of EA investigations, there is no systematic programme of research in place by the EA into these areas (Equality Authority 2009). The EA has in the past commissioned the Economic and Social Research Institute (ESRI) to perform research on various topics related to equality.

To date, the ESRI has published five reports as part of its brief from the EA in its "Research Programme on Equality and Discrimination". These reports have included topics such as gender discrimination; discrimination in recruitment; immigrants at work and an analysis of the QNHS module on Equality.

The EA produces annual casework statistics which include data on the alleged causes of breaches of equality law and also on the gender and geographic profiles as well as a macro category on religion of those involved. However, the statistics on religion are not disaggregated by faith (Equality Authority 2009a).

The Equality Authority does not record racism or discrimination against Muslims in Ireland in a manner that is representative and generalisable to the population. As noted, this body along with the Gardaí, the CSO, the NCCRI and the ESRI are the agencies that were identified by the NPAR to monitor and analyse data on racism and discrimination in Ireland (Department of Justice Equality and Law Reform (Ireland) 2005, p.79).

Conclusion: Why are we not collecting data on hate crime and discrimination against Muslim communities in Ireland?

The aim of the National Action Plan Against Racism was to create a strategy to fight racism and build an integrated society in Ireland (Department of Justice Equality and Law Reform (Ireland) 2005, p.27). One of the priorities mentioned in NPAR included the 'development of a comprehensive and integrated data strategy' for offences involving racism enabling effective policy formation. However, as we have seen this has not materialised. The best data we currently have can only establish levels of police recorded racism and is not published in police recorded crime reports. Furthermore, by focusing solely on 'race', this data ignores the other multifarious bases for discrimination including sexual preference, religion or ethnicity (Carr 2008, p.33).

In Ireland, the increase in the technologies of government has not resulted in improved monitoring of racism and religiously aggravated crime. As we have seen, the technologies of state are blind to racism vis-à-vis minority groups such as Muslims. As argued, the provision of effective disaggregated data collection should and can be used to provide more effective government policy, in turn addressing the situation those groups such as Muslims that are vulnerable to discrimination.

The role of the apparatuses of state is vital in the areas of hate crime and discrimination. Technologies of government may indeed serve to perpetuate the repression of minority groups. On the basis of the evidence presented this paper has argued that the inadequate recording of religiously aggravated crime and discrimination against Muslims in Ireland is tantamount to institutional racism. Governments need to be able to identify who the targets of racially or religiously aggravated offences through disaggregated data collection if they are to form effective policies to address these phenomena, the arguments presented

throughout this study, supported by the evidence herein, evince a need for the apparatuses of state to record the religion of those minority groups. If this detail is not recorded, then the repression of these groups in society is sustained.

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