

Hate Crime in Northern Ireland

An Overview



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Introduction

The recent conflict in Northern Ireland has highlighted the unquestioned assumption of the division and antipathy between Protestant and Catholic. However, there is a wider diversity in the society beyond the two main communities. Hate crime, the threat and reality of violence towards an 'Other', simply because they are 'Other', different, not us, is thus presented as the baseline for relations between different communities in Northern Ireland.

Violence involving Catholics, Protestants and the British state was at its peak in the 1970s, but ironically this was also a time when a wider diversity of minority communities began to establish themselves in the north. The mid-seventies thus represents the beginning of a long period of transition, and the search for a political solution amidst violence conflict and a growing ethnic diversity. This process would come to a strange fruition some thirty years later: with the establishment of a devolved administration in which the Unionist Democratic Unionist Party (DUP) and the Nationalist Sinn Féin dominate, the first Chinese person elected to a legislature in Europe, but also with Belfast having a reputation as the 'race hate capital of Europe'.

Reducing Hate Crime in Europe (RHCE) commissioned this paper which has been produced by the Northern Ireland Association for the Care and Resettlement of Offenders (NIACRO) and the Institute for Conflict Research. Funded by the European Programme AGIS, this research is an attempt to develop a deeper understanding of hate crime, its historical antecedents and potential solutions within the Northern Ireland jurisdiction. One would have thought that a discourse on hate crime would have been well established but as the House of Commons Northern Ireland Affairs Committee 2005:7 noted:

We were astonished to learn that, while the police had monitored over 6,000 sectarian incidents in 2003, and 700 for the period to November 2004, until recently there has been no agreed definition about what constitutes sectarian hate crime" and, "nothing could illustrate the dysfunction of Northern Ireland society better than the absence, until recently, of an agreed, official definition of sectarian hate crime.

The AGIS programme focuses on race and faith hate crime. During the past number of years the issue of race crime has acquired a higher profile in Northern Ireland particularly since the conflict has subsided, at least in its violent manifestations. Few dispute the fact that the number of reported racially motivated incidents has increased dramatically, however many would argue that it is inappropriate to define the Northern Ireland conflict as primarily religious in motivation. Whilst it is indisputable that some of the origins of the conflict are rooted in the European religious wars of the sixteenth and seventeenth centuries, the conflict also has its origins in the impact of colonialism and competing nationalisms.

For the purposes of this paper we use the terms Catholic and Protestant as the primary descriptor as regards the main protagonists; many but not all Catholics describe themselves as nationalists, they desire a United Ireland and this grouping includes the Irish Government, constitutional nationalists and republicans as well as armed republicans. Similarly many but not all Protestants describe themselves as unionists, they desire the maintenance of the Union between Great Britain and Northern Ireland and include the British Government, constitutional unionists and loyalists as well as armed loyalists.

NIACRO, a non governmental organisation (NGO) that works to reduce crime and its impact on people and communities, has an obvious interest in hate crime of any description and can learn from and contribute to attempts to address it. Throughout the conflict NIACRO has managed and been involved in processes and projects that have had a direct relationship with the conflict. NIACRO also feels it has a role to play in terms of addressing other forms of hate crime. NIACRO not only provides policy comment but through its range of services it is particularly interested in developing practice that reduces hate crime in communities and actual perpetrators of hate crime.

The organisation took part in the design of a scoping tool in February 2005, in conjunction with organisations representing England and Wales, Germany, Malta and Bulgaria. This included an examination of legislation, policy and practice, societal attitudes, factors which fuel hate and, probably most importantly, problem solving mechanisms. This scoping tool provided the foundation for a paper written by Larry Ray in November 2005 on race and faith hate crime in Europe (Ray 2005).

In September 2006 NIACRO supported by RHCE, hosted a seminar in Belfast on Race Hate Crime, entitled 'Learning from the Experience in Northern Ireland' we posed the question 'What can be done?' and participants in the seminar suggested that a broad front approach was an imperative involving the political, as well as civic society which promoted legislative, structural and attitudinal actions which actively sought to combat hate crime. This paper is a contribution to that wider process.

Catholics and Protestants

The population of Ireland was comprised predominately of members of the Catholic faith until the seventeenth century, when Britain extended its domination and rule over the island. In order to exercise its authority over Ulster, the particularly troublesome northern region of Ireland, the British encouraged Protestants from England and Scotland to settle in Ireland from 1609 onwards, and when William III defeated James II at the battle of the Boyne in 1690, the Protestant succession in England and Protestant domination in Ireland were consolidated. Under the Protestant Ascendancy, Catholics were excluded from positions of authority, discriminated against, and socially, economically, politically and geographically marginalised. These processes were sustained both by law and through the use of force.

There were numerous attempts to limit British rule in Ireland and end discrimination against Catholics, including armed rebellions in 1798, 1803, 1848 and 1870. Millions of Catholic Irish also died in the potato famines of 1845-1849 or fled to start a new life in America (as had many thousands of Presbyterians in the previous century). A sustained campaign for Home Rule from the 1870s onwards, supported largely by Catholics and opposed largely by Protestants, led to the Easter Rising in 1916 and the division of Ireland into two political entities, the Irish Free State and Northern Ireland in 1921.

Northern Ireland had a majority of Protestants but with a Catholic population of around one third of the total of one and a half million people. (In contrast the Free State was overwhelmingly Catholic, but with a Protestant minority of some ten percent of the population.) Partition led to a Protestant and unionist government being established in Northern Ireland, which was to rule without interruption from 1921 to 1972. Catholics remained politically marginalised and discriminated against under the new regime, while the overwhelmingly Protestant Royal Ulster Constabulary were able to draw upon extensive emergency powers to maintain law and order.

There had been a long history of sectarian violence and inter-communal rioting in the north of Ireland dating from industrialisation and the expansion of urban centres from the early nineteenth century. This appears, at least in part, to have been linked to competition for economic resources and access to political power. But tensions and rivalries were also sustained and perpetuated by symbolic displays and cultural activities. The numerous annual parade used by both communities to recall their history, demonstrate their strength and assert claims to territory, regularly triggered outbursts of rioting and disorder. This violence helped to sustain and emphasise the sense of difference between Catholics and Protestants, it also served to encourage and reinforce patterns of residential segregation and helped to sectarianise public space as controlled by one community to the exclusion of the other. Power and discrimination have always had geographical and territorial dimension in the north of Ireland, to complement the use of force and intimidation.

Tensions over the discrimination of Catholics reached a peak in the 1960s when the Northern Ireland Civil Rights Movement, based on the American model, began to challenge the Unionist government and demand equality for Catholics. The civil rights protests led to increasingly violent reactions from sections of the Unionist community, were often constrained by the police, and were a factor in the emergence of the first loyalist paramilitary group, the Ulster Volunteer Force (UVF) in 1966. In 1969 increasing street violence led the British Labour government to send troops to Northern Ireland to restore order. However within a few months the violence had escalated still further and was transformed into an armed conflict (primarily) between a resurgent Irish Republican Army (IRA) and the British Army. The Troubles, as they are known locally, lasted for some twenty-five years, when the IRA declared a ceasefire in August 1994. It is generally recognised that Northern Ireland is still in a period of transition and whilst there have been violence incidents resulting in the deaths of individuals that are conflict associated most but not all of the main protagonists have signed up to an ongoing and evolving peace process.

During the troubles, the British government introduced several key pieces of legislation and made numerous reforms of local government, which were designed to reduce the scope for institutional discrimination of Catholics and to promote greater equality between the two main communities. However, the political polarisation between Catholic nationalists who favoured a united Ireland and Protestant unionists who wanted Northern Ireland to remain part of the United Kingdom underpinned the conflict and ensured that enmity and violence were not limited to those involved in armed organisations.

Sectarianism

Northern Ireland was established on the basis that there is a fundamental difference between members of the Protestant and Catholic community with the two communities having distinctive and different cultures, histories, beliefs and allegiances. The presence of two essentialised and distinctive collective identities remains the fundamental basis for much social and political life in Northern Ireland. However, forms of ethnic identity do not simply remain, unchanged and unchanging, the sense of distinctiveness and difference is a process that has to be maintained and sustained through a variety of practices (Eriksen 1993; Smith 1986). These include many routine daily activities, social structures, institutions, ritual events, public celebrations and commemorations.

Among the key forms of activity that are used to mark and sustain ethnic difference are acts of violence, in which members of the other community are targeted, often at random. Such acts of violence are used to affirm positions of power and authority, establish control over territory and resources, instil fear, define the boundaries of acceptable behaviour and punish transgressors of the communal boundaries. Violence frequently becomes a more common and widespread activity at times of political tension and uncertainty. In such situations it may be used both to provide support for and offer opposition to change (Tambiah 1996; Varshney 2002).

Violence has been widely used in Ireland both to sustain and to challenge positions of power. The uses of military force by the state, of unarmed rebellion, and of armed force by paramilitary organisations have been extensively documented and analysed, so to a lesser degree have the more extensive outbreaks of inter-communal violence and rioting (see for example Boyd 1987; Farrell 2000; Purdie 1990; Wright 1996). Less attention has been paid to the more mundane incidents of sectarian violence and intimidation that have helped to maintain and deepen the sense of ethnic difference, fear and hostility that is felt on a daily basis.

These are the types of incidents that Frank Wright referred to as acts of 'representative violence'. They are incidents where the victim is targeted because he/she is, or is assumed to be, a member of the other community, where the victim thus represents the 'Other' in its most general form, and where an act of representative violence is intentioned to warn, threaten or punish the other community in general, and as a collectivity. Such acts are one of the foundations of difference and

polarisation and remain key elements in ensuring that the divisions between the two main communities remain important factors in the routine of daily lives.

Hostility and antipathy, expressed in forms of ideas, beliefs, practices and actions, by members of one of the two majority communities in Northern Ireland towards members of the other community is generally referred to as sectarianism. Historically sectarianism in Northern Ireland (and in Ireland more generally) has been associated with forms of discrimination and inequalities resulting from the differentials of power between the Protestant and Catholic communities. Increasingly such differences have become less significant, and patterns of power and authority are much more diverse and varied, with considerable divergence of domination being possible in neighbouring territories. Robbie McVeigh has offered a useful general definition of sectarianism, and one that was designed to acknowledge the presence of sectarianism in Ireland as a whole (McVeigh 1995:643):

Sectarianism in Ireland is that changing set of ideas and practices, including, crucially, acts of violence, which serves to construct and reproduce the difference between, and unequal status of, Irish Protestants and Catholics.

This definition highlights the importance of inequalities of power, the role of ideas and practices and the role of violence in the maintenance of the sense of difference. Sectarianism and sectarian violence are both well-established historical phenomena in Northern Ireland, but more particularly they remain contemporary phenomena. In spite of extensive legislation and numerous institutions designed to reduce inequalities and guarantee equal rights since the end of Stormont in 1972, many of the key social structures and institutions, and many mundane and routine practices remain conditioned by, and contingent upon, a sense of sectarian difference.

It is sometimes claimed that sectarianism remains such a prominent part of life in Northern Ireland that it is frequently not recognised or acknowledged as a significant problem any longer. On the other hand when it is acknowledged as a fact of life, it is frequently considered to be such a big problem that it has to be accommodated and worked around rather than challenged and confronted.

Sectarian violence falls within this conceptual framework as something that is either no longer a real problem or too deeply ingrained in practice to be able to deal with. For example, the recent prominence given to the growing problem of racist attacks has led to speculation in the media that sectarian violence is no longer a significant problem. The fact that there is very little data available on sectarian violence compounds the problem. Individual cases are frequently reported in the media, but the lack of any official statistics means that longer-term trends and patterns in nature, scale or location of sectarian violence have not been monitored, described or analysed. The problem of sectarian violence is thus largely considered in subjective rather than objective terms.

This relative invisibility of the bigger picture of sectarian incidents has been enhanced by the fact that levels of segregation and separation are high and have been increasing

in many areas of social life. The high current levels of residential, educational and social segregation means that many people can live comfortably with little interaction with the 'Other' and with a reduced fear of violence in their daily routines. The high levels of segregation have helped reduce the possibilities and opportunities for random sectarian attacks or acts of intimidation.

Furthermore, activists, community leaders and politicians often contest that there is any sectarian intent to acts of violence, preferring instead to ascribe them to criminal or anti-social elements, or claim that violence is merely a reaction to hostility from the other community. There is thus a resistance to any suggestion that 'our community' is responsible for acts of sectarian violence, but rather that it is the fault of a few 'bad' people and blame should not be ascribed to, or associated with the majority of 'honest and decent' people. Such factors all contribute to a process of denial that sectarianism and sectarian violence remains a problem in Northern Ireland.

Telling

Sectarian violence, whether perpetrated by armed groups, state forces or by civilians, relies on a capacity to identify the victim as someone from the other community. Unlike the context of racist violence, a society based on sectarian difference provides no obvious visual signifiers to determine that any individual is an 'Other'. Instead people have developed a complex array of markers of cues that can be used to 'tell' what community any individual belongs to (Burton 1978). While ethnic categorisation is important ascription is rarely reliant on anything as blatant as asking what community a person is from.

The process of 'telling' will vary according to context. Conversations may focus on an individual's name, place of residence, school, or the pronunciation of the letter 'H', as individuals joust to obtain key information of the other, while revealing little of themselves. Visual markers may include religious jewellery, badges, sports wear, school uniforms and tattoos, as well as more transient markers that are dependent of temporary fashions among sub tribal groupings. Spatial markers may include waiting at a particular bus stop, walking along one side of the street rather than the other, or crossing a road at a particular spot.

Everyone is aware of the process of telling, of the centrality of community background to perceived public identity and of the risks that may accrue from being in the wrong place at the wrong time. In most contexts most people do not worry about being classified / identified as it will have no impact on their routines or their safety. In some situations people will flaunt their identity to provoke a response, a practice known locally as coat-trailing. Many Catholics would claim that the practice of organising Orange marches through or near to a Catholic area is no more than coat-trailing, designed to cause offence and provoke a hostile response. Flags are often flown from lampposts in interface areas to mark out the identity of an area, but also in the knowledge that it will annoy people from the other side. Sometimes individuals will deliberately wear a Celtic or Rangers football shirt in a context that is expected to provoke a reaction.

Telling is thus a core element of the process of sustaining, perpetuating and extending a belief in the essential difference between Catholics and Protestants. Telling is also always a subjective process, and one that is more refined, detailed and specific in particular contexts and among certain sections of the communities. Young men, for example, appear to be more vulnerable to sectarian attacks and also more likely to perpetrate such attacks, and probably also more reliant on crude stereotypes of otherness. But telling is always a crude and an inexact process, and reliance on simple stereotypes and prejudices will always ensure that some people do not readily fit the established social categories. Forms of telling however remain a key tool in the process of targeting victims of sectarian hate crime.

Sectarian Hate Crime

Forms of sectarian violence have been extensively noted through anecdote, assertion and claim over many years in Northern Ireland, but it has been a poorly documented phenomenon. Beyond the major incidents, outbreak of rioting and set piece events, sectarian violence has been obscured and ignored. Under the Stormont government (pre 1970s) institutionalised sectarianism was the focus of most attention and it was overt sectarian discrimination in the allocation of housing in the 1960s that stimulated the civil rights movement, rather than sectarian attacks by the emerging Ulster Volunteer Force or the use of force by the police.

During the course of the conflict the rise in paramilitary violence became the focus of attention and an emphasis was placed on the role of loyalist paramilitary groups, the Ulster Defence Association (UDA) and the Ulster Volunteer Force (UVF), in perpetrating sectarian violence in contrast to the ‘political’ violence of the IRA. The republican version of the conflict idealises the IRA as a ‘national liberation organisation’ fighting the colonial British state, while the loyalist paramilitaries are considered as little more than ‘sectarian death squads’, manipulated by the state to direct their hostility towards the Catholic population. A loyalist version of the conflict promotes militant groupings as resisting the transfer of Northern Ireland from British to Irish control. Successive British governments during the conflict portrayed nationalism and unionism as two warring tribes with government acting as a neutral arbiter¹.

In reality the Troubles was a complex process in which both targeted and random acts of violence were used by all of the main actors to achieve their respective aims, and in which civilians were the vast majority of casualties. Loyalist paramilitaries did target and kill Catholics simply because they were Catholics, but so too did republican paramilitaries target Protestants. And although the full details of the ‘dirty war’ fought by the British state will probably never be known, British forces did undoubtedly kill civilians in a wide variety of circumstances. However, the scale of low-level sectarian

¹ A more sophisticated account of this analysis is provided by the late John Whyte in his 1990 study “Interpreting Northern Ireland”.

hate crime, the harassment, abuse, intimidation and fear that is experienced on a daily basis is not captured in any statistics.

One of the consequences of the sustained conflict was an increase in the levels of segregation and separation between the two main communities. Working class residential areas had been relatively segregated by faith from the early years of the expansion of urbanisation and industrialisation in the 1800s, but this process gathered pace during the Troubles. Paramilitary violence, street violence and intimidation were all factors that 'encouraged' people to seek the safety of living with their own kind. By the late 1990s the Northern Ireland Housing Executive estimated that 98% of public housing in Belfast was segregated (NIHE 1999).

Furthermore, this growing segregation was reinforced by the construction of physical barriers between many Catholic and Protestant residential areas. Known locally as 'peacelines', the first such barriers were constructed by the British army in 1969. They were made of barbed wire and were regarded as temporary measures to reduce rioting and attacks on neighbouring communities. But the 'temporary' barriers were soon replaced by more solid and permanent structures, made of steel sheeting, brick and metalwork. By 2005 there were forty-one government authorised peacelines or interface barriers across Belfast², with others in Derry Londonderry, Lurgan and Portadown. But there are also numerous other barriers and defensive structures that serve to segregate and divide the two communities. These include small walls and fences; gates that can close off roads; barriers of trees and vegetation; and larger structures as business parks and the Westlink thoroughfare, which divides Protestant from Catholic along much of its route.

The barriers continue to serve a practical purpose: they provide a degree of safety and security for those living nearby. But they have also proved to be a double-edged sword, in so far as the barriers have also become sites for violence. The barriers clearly demark the interface or boundary zone between the two communities and thus they provide a certainty that those on the other side will be members of the 'Other' community. People living near an interface are thus easy targets for sectarian attack, particularly at times of rising tension, and many interfaces have been sites of recurrent and persistent violence and disorder over many years.

The paramilitary ceasefires and the beginnings of the peace process in 1994 brought an end to the worst of the armed violence but did not lead to an end of the fear, mistrust and suspicion between the two main communities. The trend towards greater residential segregation continued, half of the interface barriers have been built, heightened or extended during the peace process. None of them have been removed.

Sectarian violence is an established feature of inter-communal tensions and rivalries in Northern Ireland, but the police only began to keep records of the number of sectarian incidents in 2004, in response to the introduction of hate crime legislation (see below). Nevertheless, it is possible to give some indication of the scale of the

² See Belfast Interface Project for a description and images of all the Belfast interface barriers <http://www.belfastinterfaceproject.org/>

more recurrent forms of sectarian violence that have occurred since 1994, as some limited data is available in relation to attacks on symbolic properties, outbreaks of rioting, requests for re-housing and complaints of workplace discrimination (Jarman 2005).

- In the period from 1994-2002 the police recorded 318 attacks on churches and chapels, 230 attacks on Orange halls and forty-six attacks on Gaelic Athletic Association clubs or Hibernian halls. This gives an average of five such attacks a month for nine years.
- Between 1996 and 2003 the police recorded 376 riots and 1,021 disturbances in seven of the main interface areas in north Belfast alone. They also recorded over 1,300 assaults and over 3,800 acts of criminal damage in the same area over the same period.
- Since 1994 the Northern Ireland Housing Executive has received an average of nearly 1,400 requests a year from people seeking re-housing due to intimidation and harassment.
- And, although discrimination in the workplace is no longer considered a serious issue, the Fair Employment Tribunals received 1,674 complaints of sectarian discrimination between January 2000 and the end of March 2003.

Although the various paramilitary organisations have had a role in sustaining inter-community tensions during the peace process, the persistence of sectarian violence on such a scale cannot be reduced the continued presence of such groups. Sectarian attitudes are much more widespread across Northern Ireland. More worryingly it has been suggested that younger people, who grew up during or after the Troubles are more sectarian in their attitudes than older adults who had experienced life before the Troubles began (Shirlow and Murtagh 2006). This is one factor in the prominent role that young people have been playing in sustaining sectarian tensions, and which has resulted in the concept of 'recreational rioting' to describe the socialisation of the production of disorder (Jarman and O'Halloran 2001). Data from various recent surveys indicates that one in four young people aged 18-24 had experienced sectarian abuse within the past year, while thirty percent of young people have a relative or a friend who had been injured by sectarian violence (Jarman 2005: 30-31).

The reality is that sectarianism and sectarian violence have continued to be significant problems in Northern Ireland throughout the duration of the peace process. A growing range of research has revealed how many people have increasingly structured their lives, their patterns of movement and their daily routines on the basis of the sectarian divisions (Hargie et al 2006; Murtagh 2002; Shirlow 2001; Shirlow et al 2002). This includes choosing where to live and to shop, where they will be prepared to work, where they send their children to school, where and when they engage in leisure activities.

Despite the extensive levels of segregation and separation, the defensive architecture and the restricted patterns of behaviour, sectarian violence remains a significant problem. In the first year of gathering data on sectarian incidents (2005-2006), the PSNI received over 1,700 reports of such activities. Data on racist and homophobic

incidents suggest that in the first year or two of recording the police receives only a limited amount of information, and we can thus assume that this provides a limited insight into the scale of sectarian violence in Northern Ireland.

Minority Communities

Although the Irish ethno-political landscape has been dominated by the relationships between Catholics and Protestants, there has long been a variety of other minority communities on the island. The Travellers are an indigenous minority, historically Catholic by faith and nomadic by culture (Noonan 1998; Ní Shúinéar 2002); the Jewish community has been documented in Ireland since the seventeenth century, while in the north the community grew steadily between 1870s and 1960s (Warm 1998; Lentin 2002); Italians have been recorded in Belfast since the seventeenth century and from the mid-nineteenth century the city had an area known as ‘Little Italy’ (Mackin 2006) and it has been estimated that there were between two and three thousand black people in Ireland in the eighteenth century (Rolston and Shannon 2002). More recently the Indian (Irwin 1998), Chinese (Watson and McKnight 1998) and Pakistani (Donnan and O’Brien 1998) communities had all established a significant presence in the north by the 1980s.

Collectively these minority communities have been small in numbers, in the 1990s the minority ethnic population accounted for barely one percent of the total population, and until relatively recently they have had only a limited profile in any of the histories of Ireland or Northern Ireland. The small numbers of people from minority ethnic and faith communities and their low social visibility led to an assumption that racism was not a problem in Northern Ireland (McVeigh 1998). This is perhaps one reason why the British government did not extend the anti-race discrimination legislation, the Race Relations Act, to Northern Ireland until 1997, twenty-one years after it was introduced in Britain.

There is limited evidence of the nature and form of racism experienced by members of the early-established minority communities in Ireland and some accounts go to some lengths to deny there is any problem of forms of racism (Kapur 1997: 149-152; Warm 1998: 236-238), but racism clearly existed in a variety of forms. Probably the most extreme example occurred in Limerick in 1904 when a Catholic priest delivered a series of anti-Jewish sermons which resulted in a two year boycott of Jewish businesses as well as violence and harassment directed at the Jewish community and their property. This campaign led to the departure of virtually the entire Jewish community from Limerick (Lentin 2002:159-161).

More recent accounts have acknowledged the widespread and persistent racism experienced by all of the minority ethnic communities. Travellers have long experienced various forms of harassment, discrimination and marginalisation in Ireland, north and south, similar to that faced by Roma peoples across Europe (Noonan 1998; O’Connell 2002), while the Chinese and South Asian communities in

the north have also recorded problems of persistent abuse and harassment in recent years (Watson and McKnight 1998: 147-150; Donnan and O'Brien 1998: 207-217). However, it is only since the late 1990s that survey data and police records have begun to identify anything resembling the true scale and extent of racism within Northern Ireland.

The increase in the local awareness of racism and in the number of racist incidents occurred during a time when the minority ethnic, national and religious communities were growing in size, in prominence and in visibility. There is some evidence of a rise in the minority ethnic population through the 1990s as the armed conflict came to an end and the peace process was established, although a lack of any official statistics until the 2001 Census limit our precision. The Census indicates that there were just over 14,000 members of minority ethnic communities and that there were also some 4,000 people belonging to diverse faith communities and 26,000 people who were born outside Britain and Ireland. The minority communities accounted for between one and one and a half percent of the total population.

From 2001 onwards the growing black, Chinese, south Asian and Filipino communities were joined in turn by migrants from a range of European Union countries (Bell, Jarman and Lefebvre 2003). This movement was largely triggered by the limited availability of labour within Northern Ireland, the growing economy and the increasing needs of employers. The first phase of this new cycle involved Portuguese-speaking people who were employed to work in food processing factories in a number of the smaller rural towns, such as Dungannon. This was followed from May 2004 by substantial numbers of people from the eight European Union accession countries in eastern Europe, particularly Poland, Lithuanian and Slovakia, moving to Northern Ireland to take up work in a growing variety of locations and employments.

The exact numbers of new migrants in Northern Ireland is uncertain due to the difficulties of accurate enumeration³, but it is probable that the minority ethnic, national and faith population of Northern Ireland has at least doubled between 2001 and 2007. The changes were visible and evident in most urban centres and many welcomed the growing diversity and cosmopolitan nature of Northern Ireland. Unfortunately some people did not. Although there has been little political capital made of the growing minority population, and the media have generally been positive of the changes, there has been a growing problem of racism, abuse and harassment.

Racism

The racism directed towards members of the various black and minority ethnic communities, members of minority faith communities and towards European Union nationals draws upon a complex array of prejudices and stereotypes. But it is also based on the fact that prejudice itself is still too readily accepted as a norm in Northern Ireland. The forms of prejudices include those that draw upon wider British

³ Government data based on the numbers of people registering under Workers Registration scheme, receiving Work Permits or applying for National Insurance numbers indicate figures of 10-11,000 people arriving each year, although some may not stay very long. (Beatty, Fegan and Marshall 2006).

and European attitudes to blackness and forms of difference predicated upon 'race' and ethnicity and which are based on presumptions of superiority and inferiority and concepts of essentialised differences. These have in turn been compounded and refined by attitudes and conceptions that have been forged and 'confirmed' in the context of empire, colonialism and imperialism, which have taken place both through the role of Irish actors within the imperial domain and also in the context of a long history of a black presence within the geography of Ireland (Rolston and Shannon 2002).

Irish attitudes to race and difference have also been affected by the experiences of being the subject of colonialism and discrimination, particularly by the British, both in Ireland and in Britain, and within America, where the creation of a social identity and a social space for the Irish immigrants involved the process of defining a sense of difference and otherness to mark them as distinct from the other non-WASP communities. Here racism was let dependent on an assumed sense of superiority and more on claiming a better place in the social hierarchy.

These diverse experiences have helped construct and consolidate not only racist perspectives, but also anti-Semitic attitudes and behaviour, which has been directed towards the minority communities that have been established here for many decades. More recently this has expanded to include the members of the increasingly diverse minority communities. Anti-Islamic views and positions have been expressed more prominently, one example being the hostility voiced by local councillors in 2003 to the proposal to construct a mosque in Craigavon. Most recently forms of prejudice and antagonism have increasingly been expressed towards the growing numbers of white eastern European migrants who have moved to Northern Ireland.

The deeply rooted sectarianism that underpins inter-communal relations in Northern Ireland provides a foundation for the diverse variants of racism and xenophobia that are currently being expressed and experienced. The broad acceptance of sectarian difference, of the necessity of forms of social segregation and a culture that has tolerated and legitimised the use of force to defend 'our' community from outside threat is fertile ground for racism. Attitudes, beliefs and behaviours that help to sustain suspicion and mistrust between Catholics and Protestants can readily be transferred to members of other communities. If not liking / trusting / understanding Catholics of Protestants can be understood and rationalised, then so too can the same sentiments be transferred to the minority communities. Sectarianism and racism are not the same, but they both draw on an insufficiently challenged tolerance and rationalisation of prejudice and bigotry.

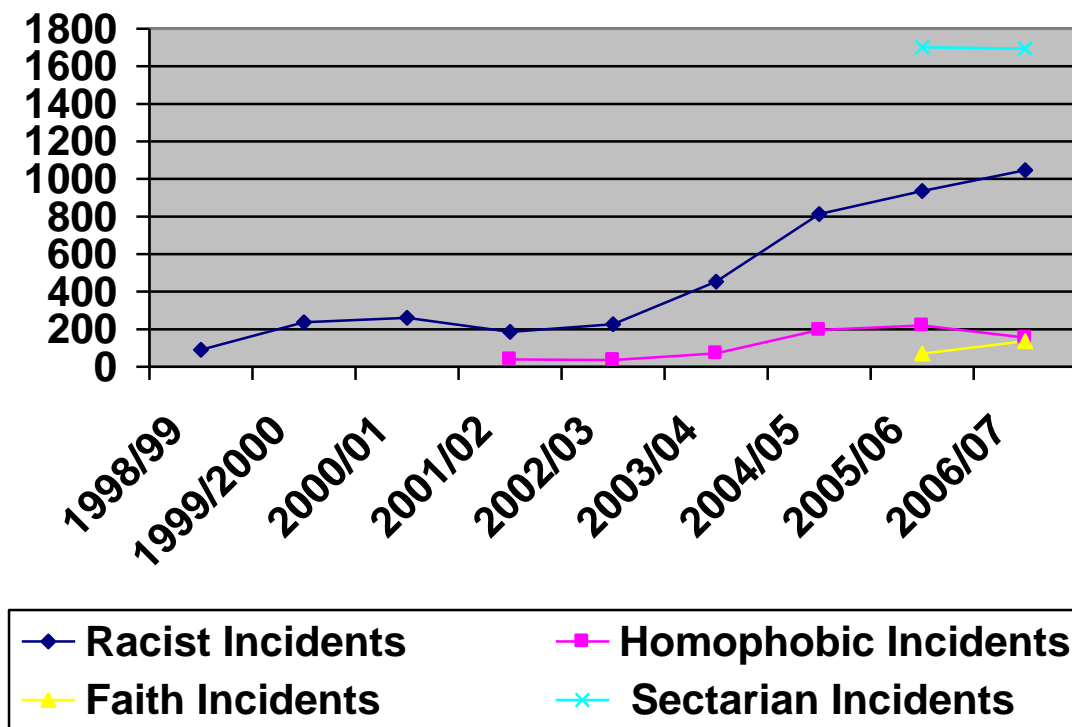
Hate Crime Statistics

The Royal Ulster Constabulary began to record racist incidents in 1996, and has recorded homophobic incidents since 2000. In 2004 following the introduction of new legislation on hate crimes (see below) the Police Service of Northern Ireland began to record sectarian incidents for the first time and also began to record hate incidents directed towards people of a different faith as a separate category, before that date

attacks on Jews or Muslims (for example) would have been classified as racist incidents.

Over the past decade there has been a dramatic increase in the number of racist incidents recorded by the police from forty-one in 1996 to 1,047 in 2006-2007. Figure 1 illustrates the pattern of the increase in recorded racist incidents since 1998-99, it also includes data on homophobic incidents from 2001-02 onwards to illustrate that there has been a similar, if smaller increase in this form of hate crime (Jarman and Tennant 2003). Police data on faith hate crime and sectarian hate crime is only available for two full years at present. The data for 2005-06 indicates that there were seventy faith hate crimes and 1,701 sectarian hate crimes recorded by the PSNI, while the figures for 2006-07 reveal there was an increase to 136 faith hate crimes, while sectarian hate crimes remained similar at 1,695 for the year. The trends suggest that figures for both racist and faith hate crimes are likely to increase in the coming years.

Figure 1: Hate crimes recorded by the police in Northern Ireland, 1998-1999 to 2006-2007.



The increase in the number of racist incidents is thought to be a result of three main factors (Jarman and Monaghan 2004). First there has been a real increase in the number of racist hate crimes over recent years, and racist incidents have indeed been recorded in all major cities, towns and villages in Northern Ireland. Second, there has been a greater willingness among members of minority communities to report hate crimes to the police. In part this is a response to the publicity given to the problem and in part this is a response to the positive work that has been done by the police in building links with the minority communities. Third the increase reflects a greater

willingness of the police to recognise hate crimes as a significant problem and reflects improvements in their recording procedures and training.

However, it is also worth noting that the police records capture only a percentage of all such incidents and there are still very distinctive gaps in the police information. For example, they record very few racist incidents in schools or the health sector, both areas where forms of racism have been documented (Hamilton and Betts 2006). Furthermore, some communities, such as the Jewish and Traveller communities, remain resistant to reporting any incidents. In the case of the Jewish community this appears to be due to a resistance to drawing attention to the problem, while the well-documented poor relationship between Travellers and the police has limited any willingness to report incidents. The official records are thus little more than a partial reflection of a wider problem.

Perpetrators of Racist Hate Crime

The evidence from police records indicates that most racist incidents are perpetrated by small groups of young white males (early teens to late twenties), although females appear to be involved in about fifteen percent of such incidents (Jarman and Monaghan 2004: 57). In many cases the victims have identified the perpetrators as a neighbour or someone living in the neighbourhood. This description of the perpetrators of racist hate crime is probably very similar to that ascribed to racists in most western countries: that it is a problem primarily associated with adolescent and young adult males, and that it is often carried out within a security of numbers or other forms of physical domination.

In Northern Ireland there is also a specifically local attribution of the stereotypical racist perpetrator, in addition to these general characteristics. There is a perception that racism is largely a problem within the Protestant community and within loyalist working class areas. This is in part due to the fact that a high percentage of racist incidents have been recorded as taking place in working class Protestant areas and also due a perceived association between loyalist groups and the far right.

The association between racism and Protestant working class communities is in part due to the demographics of urban areas of Northern Ireland, particularly in Belfast, where between thirty and fifty percent of racist incidents have been recorded over recent years. Over the duration of the Troubles many working class Protestants fled the inner city areas and moved to the suburbs and nearby satellite towns, while Catholics tended to stay in the city. This meant that there has been plenty of cheap housing available in Protestant areas, but little in Catholic areas. Thus members of the minority ethnic population have found it easier to buy or rent housing in Protestant areas of the city. It is therefore not necessarily that Protestants are more racist than Catholics but rather that they have more opportunities to express their racism in their home communities.

There have been recurrent claims of paramilitary involvement in racist attacks, but there has been little direct proof of such beyond the fact that many such incidents

occur in loyalist communities many of which also have a strong paramilitary presence and it is difficult to assess the scale of organised involvement in racist incidents. For example, there has been a long history of racist harassment of the Chinese community in the Donegall Pass area of south Belfast, an area with a strong UVF presence. But it is not clear whether the UVF led or organised such attacks or whether it simply involved UVF members who lived in the area. In early 2004 following a spate of racist incidents in the Village area of south Belfast, the political leadership of the Progressive Unionist Party publicly condemned the attacks and the Ulster Volunteer Force, with whom they are associated, 'stood down' its local commander. Such an acknowledgment of any direct paramilitary association with racism has been rare. More recently a recent report by the Independent Monitoring Commission, a body established by the British Government to assess the levels of activity by the main paramilitary organisations, concluded that the UDA, the UVF and the Real IRA had all been involved in intimidation of or attacks on 'foreign nationals' in a number of locations (IMC 2007).

There is less evidence of the involvement of far right or neo-Nazi organisations in the rise in racist harassment in Northern Ireland, although there has been an apparent rise in racist graffiti, and references to the British National Party (BNP) and swastikas in some loyalist areas. There has often been speculation of the links between loyalist paramilitary organisations and the British far right, but as McVeigh notes (1998: 22-23) this is more generally considered to have been an aspiration of groups such as the National Front and Combat 18 rather than the other way around. This is not to deny some linkages and connections. It has been well publicised that former UDA / Ulster Freedom Fighters commander Johnny Adair was a member / supporter of the National Front and other far right groups, while loyalist magazines such as Combat (UVF) and Warrior (UDA) have often contained racist diatribes. There is also a history of small far right groupings with names like Ulster Nation and Ulster Patriot, with links to the wider far right networks but such groups have attracted very limited membership and little public presence⁴. In general claims of overt or structural links between loyalist paramilitaries and the far right have either been denied or attributed to a small number of individuals and not representative of the mainstream membership of such organisations.

The unfortunate reality is that racism is widespread within Northern Ireland: it is not particular to the Protestant community, as racist incidents have also been recorded in many Catholic areas across Northern Ireland; it is not specific to the far right, as this is still a relatively small constituency; and it is not limited to the indigenous armed groups, although some members of some loyalist and republican groups have undoubtedly been responsible for acts of racism. The general perception that racism and other forms of bigotry and prejudice are deeply rooted and widespread in Northern Ireland have received support from a recent paper, which argued that Northern Ireland is the most bigoted area of the western world, with higher than average prejudice towards people of a different race, Muslims, Jews, foreign workers and homosexuals (Borooah and Mangan 2007). Such a range of prejudices does not

⁴ See for example <http://www.ulsternation.org.uk/>

bode well for any attempts to develop more effective responses to racism and sectarianism.

Responding to Hate Crimes

Over the past few years there has been a growing acknowledgment of the problems of hate crime, and in particular racism, in Northern Ireland. However, developing appropriate and effective responses to hate crime has been a more difficult matter. Most formal policy responses to this problem emphasise the need for a diverse and multi-faceted approach that addresses both the structural / institutional factors and the individual bases of bigotry and prejudice. This has involved improving the responses by the criminal justice system, publicising opposition to prejudice, challenging institutional forms of direct and indirect discrimination, and raising awareness of the key issues through education and training.

There have been a variety of responses to the rise in hate crime in Northern Ireland. These include the publication of a Race Equality Strategy by the government, new 'hate crime legislation, changes in the policing to improve awareness, recording and responses to hate crimes, a generally supportive media coverage, the emergence of anti-racist and Black Minority Ethnic (BME) support organisations and campaigns, and a diversity of education and training programmes. For many people the key responses have to be made through the criminal justice system as this offers an insight into how seriously the state is perceived to take the issue.

Members of the different minority communities have generally been positive about the various attempts made by the police to improve their responses to racism and other hate crimes. However, concerns remain about the small number of prosecutions of the perpetrators of hate crime (NIAC 2005). The failure to identify and hold perpetrators to account is regarded as a factor that will drain support and discourage people from reporting hate crimes. Unfortunately the response to date has been poor. Despite setting targets for increased clearance rates in the annual policing plans, police figures indicate that just twenty percent of racist crimes and fourteen percent of sectarian crimes are considered to have been cleared, compared with a figure of thirty-one percent for all offences and fifty-seven percent for offences against the person. Despite the difficulties in identifying the perpetrators of some forms of hate crime, the low clearance rates undermine the confidence of victims of hate crime and members of minority communities in the police and the criminal justice system.

One of the most widely adopted responses to emphasise a states opposition to hate crime has been to introduce legislation that either creates a range of new offences or that allows for hostility based on race and other categories to be considered by the courts as an aggravating factor in sentencing upon conviction. The introduction of hate crime legislation (and terminology) became a common phenomenon across the USA during the 1980s (Lawrence 2002; Perry 2001). In April 2007 the European

Union agreed to make incitement to racism a crime across the EU. However, despite the growing acceptance of hate crime laws there is still considerable debate about their value, utility and effectiveness (Jacobs and Potter 1998; Iganski 2002).

In 2004 the British Government introduced hate crime legislation into Northern Ireland. The initial proposals focused on racism and sectarianism, but the scope of the eventual legislation, the Criminal Justice (No 2) (Northern Ireland) Order 2004, was extended as a result of lobbying. The new law allowed the courts to impose an increased sentence where any offence was aggravated by hostility towards the victim's membership of a racial or religious group, because of their sexual orientation or because of a disability. This legislation came into force on 29 September 2004. Whilst supporting the introduction of hate crime legislation, the Northern Ireland Affairs Committee argued that the use of the legislation by the courts should be monitored to assess its effectiveness and that widespread publicity should be given to for prosecutions in order to act a deterrent to others (NIAC 2005: paras 99-101).

Unfortunately, a review of the responses by the criminal justice system to hate crime over the first two years indicated that there had been no monitoring of the effectiveness of the new legislation and scarcely any evidence of its use (CJI 2007: 34-35). And while the media continue to report hate crime incidents there has been no publicity given to any prosecutions that might have occurred, thus implying that few people have been punished for hate offences. Since the murder of Stephen Lawrence in 1993 attention is usually focused on how the police respond to hate crimes, the experience from Northern Ireland indicates that a significant factor in the lack of impact of the legislation is due to a limited awareness of hate crimes within the prosecution service, the courts and the wider criminal justice system.

Although the hate crime legislation has some value in making a symbolic statement that iterates a general opposition to all forms of hate crime in Northern Ireland, the recent changes to the law have had limited impact on the perpetrators of such crimes or on deterring others from engaging in forms of racism and sectarianism.

Conclusions

Hate crime has become recognised as a major problem in Northern Ireland during the course of the transition from armed conflict to a more peaceful democratic society. Sectarianism is deeply rooted in Irish history, it presumes and sustains a sense of difference and otherness between Catholics and Protestants, and it continues to shape social and political relationships in Northern Ireland. Racism has only recently come to be acknowledged as a problem in Northern Ireland, the historically small minority ethnic population and the focus on relations between Catholics and Protestants has largely obscured the extensive prejudice towards other ethnic, national and religious minorities.

One of the enduring legacies of the conflict, and probably of all sustained conflicts, has been a greater legitimisation and tolerance of the use of force as a means of achieving one's goals and of expressing anger, fear and uncertainty. Catholics and

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Protestants have too often been attacked, threatened, abuse and killed, simply because they are, or are perceived to be members of an 'Other' community. Too often such attacks have been ignored or justified in some way. For too long the prevalence of sectarianism has been denied or avoided.

Racism has fed on the tolerance of prejudice and bigotry, the fear and distrust towards members of a minority 'other' community. Racist abuse and violence has flourished in recent years and so too have other forms of prejudice towards sexual minorities.

Attempts have been made to counter the growth in hate crime. Legislation has been passed, policies have been reviewed, and condemnation has been expressed. But perhaps the most hopeful sign that a threshold has been crossed that will enable next steps to be taken are that a local assembly has been established and that all the parties have expressed a commitment to combating hate crime whatever its manifestation.

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