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The normality of everyday 'hate crime'

A recent report for the US-based international human rights organisation, Human Rights First, argued that the most pervasive and most threatening form of racist violence in Europe and North America 'is also perhaps the most banal and unorganized: the low-level violence of the broken window, the excrement through the letter box, late night banging on doors, and the pushes, kicks and blows delivered to the passerby on the sidewalk' (McClintock, 2005, p 5). While issue might be taken with the notion that any such incidents can be 'low level' (on this matter see also Chahal and Julianne, 1999, p 8), given the evidence of the emotional impacts of 'hate crime' discussed in Chapter One (and to be dealt with further in Chapter Four), victims' experiences do show that such incidents are indeed pervasive and ordinary, and not unusual. By the same token, the experiences of victims also show us that in general 'hate crime' offenders are not an aberration, or politically motivated extremists confined to the margins of society. Instead, many are 'ordinary' people who offend in the unfolding contexts of their everyday lives. The ordinariness of offenders and offending is arguably a further key dimension in the conceptualisation of 'hate crime' (in addition to the dimension of harm as proposed in Chapter One), when victims' experiences are placed at the centre of understanding about 'hate crime'. This line of argument is pursued in this chapter in the spirit of conceptualising 'hate crime' as a scholarly domain characterised by an analysis of the commonalities and differences between various forms of oppressive violence. In that spirit it unravels the situational dynamics of anti-Jewish, anti-Muslim and other racist incidents, incidents against people with a disability and homophobic incidents. It will be argued that understanding the situational foreground of incidents is not only important in its own right for understanding how and why incidents occur, but it also sheds light on the background structural contexts that inform the actions of offenders. And, most significantly, it illuminates the connections between background structure and the foreground of offender action in cases of 'hate crime', providing the missing link between the macro-societal ideological edifice and the micro-level actions of offenders.

The commonalities of everyday 'hate crime'

To begin to unfold the reasoning presented in this chapter it is very instructive to take anti-Jewish incidents first, even though they are relatively few in number compared with the overall incidence of racist crime. This is because for a while it was recently accepted wisdom in policy circles and among some commentators that the majority of anti-Jewish incidents were being perpetrated by extremists and were a manifestation of political violence against Jewish people, not by ordinary people in the context of their everyday lives. There is a good *prima facie* case for such a view as upsurges in incidents against Jewish people commonly correspond with media reporting of upsurges in the Israel–Palestine conflict, and other conflicts in the Middle East more widely.

According to the 'extremism thesis', in addition to the longstanding involvement of far right extremists in incidents, and the more recent involvement of radical Islamists, attacks against Jews have reputedly *in the main* been perpetrated by 'Arab' or 'Muslim' youths, venting their hatred against Israel and against Jewish people in general. A sharp rise in incidents against Jews that occurred in some European countries in April 2002, corresponding with the Israel Defence Force actions in Jenin on the West Bank, prompted the European Union Monitoring Centre (EUMC) (now named the European Agency for Fundamental Rights [FRA]) to investigate the phenomenon – the first time that it had specifically focused on anti-Jewish incidents since it was established in 1997. However, in the report published it concluded that 'the majority' of attacks 'were carried out by far right extremists whose political agenda is the intimidation of ethnic minorities, not the criticism of Israel's perceived human rights abuses. Nevertheless, the climate of hostility towards Israel provides such groups with a convenient cover' (EUMC, 2004, p 208). Almost a year later, the US Department of State's *Report on global anti-Semitism* added 'Muslim youths' into the cocktail of offenders, by arguing that:

In Western Europe, traditional far-right groups still account for a significant proportion of the attacks against Jews and Jewish properties; disadvantaged and disaffected Muslim youths increasingly were responsible for most of the other incidents. This trend appears likely to persist as the number of Muslims in Europe continues to grow while their level of education and economic prospects remain limited. (US Department of State, 2005)

At present, police forces in few European countries routinely collect, analyse and publish data on anti-Jewish incidents. Consequently the claims just discussed about the perpetrators of incidents have rested on arguably tenuous data. The first published police data on anti-Jewish incidents in the UK presented an analysis of Metropolitan Police Service data for 2001–04, reported in *Hate crimes against London's Jews* (Iganski et al, 2005), and they paint a different picture than that painted by the 'extremism thesis'. The reported quantitative data on incidents are limited but illuminating nevertheless, in terms of providing an insight into offenders: the majority of recorded suspects (83.4%) were male; the age range of suspects is skewed towards the lower age ranges – as is the case for crime suspects in general – with the largest proportion of suspects aged 16–20; and where information was available about the ethnic appearance of suspects, based on the victim's perception and information from witnesses, just over half (56.9%) of suspects were classified as 'White European'.

The profile of suspected perpetrators of anti-Jewish incidents in London is similar to Manchester in north-west England, where Britain's second largest Jewish community is located. According to data from the Greater Manchester Police provided in a submission made to the All-Party Parliamentary Inquiry into Antisemitism in 2006 (All-Party Parliamentary Group Against Antisemitism, 2006a), the majority of suspected offenders in incidents recorded over a two-year period from December 2003 to November 2005 were White males aged between 16 and 25 years (All-Party Parliamentary Group Against Antisemitism, 2006b, p 53). The Greater Manchester Police submission also notably reported that *only four* of the recorded anti-Jewish incidents were committed by offenders connected with extremist organisations. Three of the incidents were linked to anti-Israel demonstrations and the other involved National Front literature delivered to the victim's home.

Admittedly, the police data only provide a very broad-brush picture of the profile of the perpetrators of anti-Jewish 'hate crime'. Nevertheless, they do appear to strongly indicate that although Black and Asian youths are over-represented among offenders in comparison with their representation in the population at large, it is highly unlikely that Muslim youths, or even radical Islamists for that matter, were responsible for the majority of incidents given that the majority of suspected offenders were White (White Muslims constituted only 12% of the Muslim population in England and Wales according to the 2001 Census; see Peach, 2006, p 632).

The qualitative data used in the *Hate crimes against London's Jews* study are somewhat more revealing (Iganski et al, 2005). In a typology of

incidents inductively derived from an analysis of crime reports, four in 10 incidents appeared to involve the premeditated targeting of victims or property, premeditated in the sense that the offender engineered the encounter. In none of them, however, was there any explicit evidence that the offender was connected with an extremist group – although the absence of such evidence does not rule out such a possibility given that in general offenders do not purposefully leave behind evidence to identify themselves. Less than a quarter of these incidents involved face-to-face contact between the offender and the victim (Iganski et al, 2005, p 115, Table F1), and so the majority of the offenders were somewhat shy or timid bigots. In one case in which the offenders were not reticent about revealing themselves – according to the crime report – ‘Arab-looking’ suspects in a van called out to a Jewish man on the street, “Are you a Jew?”. When the victim answered, “yes”, the offenders jumped out of the van, and verbally abused and assaulted him. Despite this case, assaults on victims, serious or otherwise, constituted only a small proportion (just over one in seven) of the recorded incidents for the whole period 2001–04 (Iganski et al, 2005, pp 105–7, Table D1), consistent with the BCS evidence on racially motivated incidents as discussed in Chapter One.

Other incidents were clearly opportunistic in that they involved chance random encounters between offenders and subsequent victims, rather than being engineered by the perpetrators, and they begin to provide a flavour of everyday ‘hate crime’. ‘Opportunity is the root cause of crime’, according to Felson, who argued that ‘everyday life tempts and impairs potential offenders’ (2002, p 35). In the anti-Jewish incidents in question it was a case of being in the right place at the right time for the offenders to vent their bigotry or hostility, and for the victim, a case of being ‘in the wrong place at the wrong time’ in the course of their everyday lives. One sixth of all the incidents fell into this category. There were no indications that the incidents were premeditated in any way. In one incident, according to the crime report, five 15-year-old boys who were playing football in a park were approached by a group of older youths who acted aggressively. One said, “Look at those Jews” and “Why are you picking up your bags? We’re not going to nick anything, you f***ing Jewish c***t”. Two of the victims were then punched and kicked. In none of the incidents of this type was there any circumstantial evidence in the crime reports to indicate that the offenders’ actions were preplanned in any way. This is not to suggest, however, that the offenders did not make decisions that informed their subsequent actions. Felson suggests that ‘offenders make *quick choices*’ and ‘these choices are not fully spontaneous. A decision

made a split second before is still a decision' (2002, p 37, emphasis in original). Accordingly, 'Even without prior planning, an offender responds to *cues in the immediate setting* and decides what to do' (Felson, 2002, p 40, emphasis in original). A serious assault on a London street on a Friday evening against an Orthodox Jewish teenager which resulted in his hospitalisation clearly illustrates the instant decisions that can be made by offenders when the setting offers the opportunity. The *Jewish Chronicle* reported that the assailants, two White youths, were first witnessed by the victim attacking an Asian man. The Jewish victim reported: 'They were making monkey noises and slapping him on the head.... Then they saw me and said: "Now here's a Yiddo". Having just come back from Israel, I was on a high and told them: "I'm Jewish and proud of it". After that, they just went mad.... They started pushing me and spinning me around. They smashed my glasses and punched me on the nose. I could feel blood on my face and it ran on to my jumper. Then they got me on the ground and kept on kicking me in the head and neck. I didn't pass out but felt detached. I could hear them shouting: "You f***ing Jew; give me tuppence, Jew boy", the usual things' (Symons, 2002, pp 1, 3).

While these opportunistic incidents appear to be instigated *because of* anti-Jewish animus, whether or not that was the primary motivation for each offence was impossible to tell from the victims' accounts in the crime reports. But it was very clear, however, that some incidents arose for *other reasons* than anti-Jewish bigotry. In a number of incidents the offender and the victim first became embroiled in some kind of conflict and the situation then became aggravated with anti-Jewish animus. Parallels are clearly evident between such incidents and cases of interpersonal crimes more generally. Felson argues that 'most fights emerge from quarrels in which neither party is fully innocent.... Typically the police take the winner of the fight to jail and the loser to hospital' (Felson, 2002, p 24). Felson outlines an 'escalation sequence' in which 'one party perceives an insult from the other; he [sic] responds to the insult and escalates the confrontation; that answer evokes a similar escalation; someone throws the first punch, and so it goes' (2002, p 24). The anti-Jewish incidents in question were less dramatic and more one-sided in terms of culpability than the 'fights' typologised by Felson, but nevertheless they did display a similar pattern of escalation. The interaction between the soon-to-be-offenders and soon-to-be-victims started out as commonplace episodes in everyday life, but often ones in which offenders seemed to perceive that a wrong had been inflicted on them. In one incident a minicab driver asked a passenger to take his feet off the seat of the car. An argument then

ensued which escalated to a point at which the driver pulled over and radioed the minicab office to ask for another driver to complete the journey. The passenger then grabbed at and repeatedly punched the driver, shouting, "I know your type, you're a f***ing Jew. You are the embodiment of everything that is bad about Jews in this country". In another case, a victim was verbally abused when he complained about a car blocking his exit from a car park. According to the crime report, 'The suspect was sitting in his car arguing with a female passenger. The suspect's car was stationary and blocking the road so the victim could not get by. The victim got out of his car and walked over to the suspect's car and asked the suspect to move his car. The suspect got out of his car ... in a fighting stance position. He said to the victim "f***ing Jew, I'll spit on you", and "I'll get you"'.

Many incidents of this type, irrespective of whether the victim and offender had some prior acquaintance, will not be reported to the police, perhaps because they are seen by the victims as constituting part of the routine incivilities of everyday life. The following incident that occurred on a train journey, and was not reported to the police, was described by a witness, a Jewish person who was a passenger on the train:

"The incident began as a more general incident but then developed an antisemitic flavour at the end. There was a young man, I would guess twenty-ish, who was making a general nuisance of himself, he had headphones on but he was playing his music very loud and disturbing a number of people in the carriage who all complained about it. He was with a friend and they were effing and blinding very loudly and several people spoke to them about that as well and they were quite abusive to everybody who spoke to them. But anyway, sitting in the row of seats in front of these two and directly opposite the aisle from me was a man who was wearing a yarmulke and he had a number of Hebrew books open on the table in front of him. When these two characters came to get off the train one of them shouted very loudly at this man who had been one of the people who had asked them to be quiet.... 'You're going to burn in hell Jew'. Then as they were leaving the carriage his friend, I guess, asked him what he'd said because he then repeated it. And he was laughing as if it was the funniest thing ever. That was it really, but it was quite unpleasant."

It is notable that in each of the incidents just described, the offenders seemed to perceive that a wrong had been inflicted on them by the victims, ranging from being asked to take feet off the seat of a cab, to moving a vehicle blocking an exit, and to being told to quieten down on a train. It is tempting at first thought to think that the animus voiced by the offender in such incidents is solely an emotional outburst, an expressive act, provoked by the wrong that they feel has been inflicted on them. However, in the time it took offenders to react, arguably a decision, a 'quick calculation', was still made about whether or not to react in a particular way. An emotional reaction is still a reaction based on a decision, even if taken in a split second (Felson, 2002, pp 44–50). It is possible that in the anti-Jewish incidents in question the offenders had taken the snap decision to restore justice as they saw it by inflicting a harm on the victim for the harm that they perceived had been inflicted on themselves.

Analyses of the problem of racist violence in the 1980s and 1990s touched on the national political climate that provides a context for acts of 'race-hate crime' (cf Gordon, 1986, pp 36–9; Smith, 1989; Bowling, 1998, pp 161–2). Perhaps not surprisingly, rather than examining the culpability of the state itself when focusing on the politics of 'hate crime', official analyses of the problem of racist violence have confined themselves to statements about the role of extreme right-wing groups in creating a climate for, and being implicated in, racist attacks. Such statements peppered the policy literature on racist violence across the 1980s and 1990s. It is potentially instructive therefore that over two thirds of the qualitative sample of incidents in the *Hate crimes against London's Jews* study (Iganski et al, 2005) corresponded with the period of the local elections held in London boroughs and elsewhere in England and Wales on 2 May 2002. Sixty-eight candidates from the extreme right British National Party (BNP) stood in the elections (Mellows-Facer and Young, 2002, p 22). Scholars and other commentators have observed that extreme right activity provides a climate in which 'hate crime' escalates (Hewitt, 2005, p 35). Notably, therefore, in relation to the occurrence of anti-Jewish incidents, there were no BNP candidates in the 2002 local elections in the four London boroughs, Barnet, Camden, Hackney and Westminster, that together accounted for the majority of anti-Jewish incidents recorded by the police. In other parts of London BNP candidates gained 22% of the vote in the Northend Ward of Bexley, 21.7% in Hainault in Redbridge and 17.4% in Downham in Lewisham. However, Redbridge is the only one of these three London boroughs that has a particular residential concentration of Jews (Graham, 2005, p 83). The absence of extreme right electoral

activity and other activism in those areas of London that accounted for the highest proportions of anti-Jewish incidents appears to accord with the conclusions made by the recent All-Party Parliamentary Inquiry into Antisemitism about the threat of the far right to Jews. Although the Inquiry observed that '[d]uring the twentieth century the far right was the dominant source of antisemitism in the UK' and that it continues to articulate conspiracy theories about Jews, it concluded that although 'there is no room for complacency ... the overt threat from the far right may not be as significant as it once was' (All-Party Parliamentary Group Against Antisemitism, 2006a, pp 24–6). This is not to argue that politics was entirely absent from the anti-Jewish incidents recorded by the Metropolitan Police Service. Approximately 20% of the incidents in the qualitative sub-sample showed evidence of anti-Israeli sentiment in the discourse of offenders, and in some instances sentiment drawing on the Arab–Israeli conflict more broadly. But many of these incidents clearly crossed a line from anti-Israeli to anti-Jewish animus and in some cases anti-Israeli sentiment was accompanied by other abuse and racist bigotry. In one such incident, the victim parked his car outside an Asian restaurant. When he got out of the car to move aside a board on the footpath advertising the restaurant, the offender emerged from inside the restaurant and began swearing at the victim and said, "You're not in Israel now. You can't do what you like. Go back to Israel". The offender then continued to swear, and according to the crime report, shouted other racist abuse and kicked the car door, damaging it. This particular incident, judging from the circumstantial evidence, was not premeditated in any way and it indicates how the Israel–Palestine conflict triggers the venting of bigotry against Jews in general, as well as animus against Jewish people as Israelis in particular. The peak in incidents associated with raised tensions in the Israel–Palestine conflict therefore arguably reveals more the pervasiveness of anti-Jewish bigotry, than an outpouring of anger against the Israeli state. Events in the Israel–Palestine conflict clearly serve as a catalyst for the venting of that bigotry that simmers beneath the surface for many people.

In commenting on the prevailing social climate affecting Jewish people in France a few years ago, sociologist Pierre-André Taguieff proposed that 'Things have reached the point where we might reintroduce the old term "banalization". It is exactly as if many different attitudes and manifestations of Judeophobia had become banalized, as if they fitted so well into the ideological scenery that they were no longer perceptible' (Taguieff, 2004, p 3). Arguably, it is the banalisation of anti-Jewish sentiment that this chapter illuminates and that sentiment is made

perceptible through the evidence of anti-Jewish incidents. When the situational contexts and the dynamics of incidents are unfolded, there is little apparent evidence that political extremism has been at work, despite what was the accepted wisdom about such incidents. This is not to argue that offenders affiliated with extremist groups have not been involved at all, or that individual Jewish people or Jewish communal property have not been targeted in premeditated attacks, as the evidence shows otherwise. But such incidents appear to be in the minority. Instead, the majority of incidents provide an indicator of the banality of 'antisemitism' in that they are not prompted by a particular ideological conviction or volition but instead in their expressive character they display a 'commonsense' 'antisemitism' that lies beneath the surface of everyday cognition for many individuals. It rises to the surface for some people when the opportunity to vent their simmering bigotry presents itself and it is often triggered by a grievance, an irritation, or conflict, things that are commonplace in everyday life but present a particular reflex opportunity when a Jewish person is involved. Arguably, this is no different from the occurrence of other incidents of so-called 'hate crime' to which this chapter now turns.

If we turn the analysis to anti-Muslim incidents that have occurred in an apparent backlash against the political outrages of the 9/11 terror attacks on the World Trade Center and the Pentagon in the US, and the July 2005 bombings in London, it is evident that there are clear parallels with the anti-Jewish incidents just discussed, in that many were seemingly committed by 'ordinary' people in the context of their 'everyday' lives, not by 'extremists' in the pursuit of ideological goals. Although published police data on anti-Muslim incidents in the UK following the 9/11 attacks are largely non-existent, there was clearly a backlash of bigotry manifest by ordinary people going about their everyday lives. The Commission on British Muslims and Islamophobia noted in its 2004 report that 'Thousands of British Muslims have tales to tell from the days after 9/11 – rudeness and insensitivity, or worse, from colleagues, associates and neighbours, and from total strangers in shops and buses, trains and streets' (2004, p 16). The Muslim Council of Britain received hundreds of offensive emails, most of which could be classified as malicious communications in terms of criminal law. And, judging from incidents recorded by the Forum Against Islamophobia and Racism, most involved either the deliberate targeting of visibly Muslim public locations, such as Mosques and cultural centres, or the opportunistic targeting of victims, particularly Muslim women made visible by their attire, a pattern consistent with the targets in peaks of

anti-Jewish incidents that correspond with upsurges in the conflict in the Middle East (Iganski et al, 2005, pp 58–61).

To turn to more recent events, various claims were made about the occurrence of anti-Muslim incidents in the days and weeks following the bombings and attempted bombings in London in July 2005. In early August, BBC news reported that there had been a 'six-fold' increase in 'religious hate crimes, mostly against Muslims' (see 'Hate crimes soar after London Bombings', *BBC News*, news.bbc.co.uk/1/hi/england/london/4740015.stm). Similar claims about Muslim people being targeted in a wave of incidents were widely reported in the press. In the prevailing climate of violence against Muslim people Dr Zaki Badawi, head of the Muslim College in London, advised Muslim women to stop wearing the hijab, lest it mark them out for a beating (Appleton, 2005). There was, however, some uncertainty about the scale of the anti-Muslim backlash, as discussed in Appendix C to this book.

A small number of surveys indicated the prevailing climate for Muslim people shortly after the July 2005 bombings, and the findings are especially illuminating given the absence of published police data on incidents. For instance, in an online survey of 526 Muslim people carried out by YouGov between 15 and 22 July 2005, a week after the bombings, three quarters of the respondents felt that 'relations in Britain between Muslims and non-Muslims' had deteriorated since the events of 7 July. Fourteen per cent of respondents reported that they had been subjected to verbal abuse and 29% that members of their family or friends had been subject to verbal abuse since 7 July. Three per cent of respondents reported that they had been physically attacked, and 10% that members of their family or friends had been physically attacked since 7 July (see http://lewishamlistsens.com/archives/pdf/TEL050101030_1.pdf). A few days later, in an ICM telephone poll of 500 Muslim people, 20% of respondents reported that they, or a member of their family, had experienced hostility or abuse from non-Muslims since the 7 July bombings (see <http://image.guardian.co.uk/sys-files/Politics/documents/2005/07/26/Muslim-Poll.pdf>).

A sample of incidents against Muslim people reported in the press is presented in Box 2.1. The sample cannot be regarded as representative in any way, especially, as noted in Chapter One, given that media reports focus on the most dramatic incidents. However, they do provide some of the flavour of part of the backlash on the streets. Most involved either the deliberate targeting of visibly Muslim public locations or the opportunistic targeting of Muslim people – again, consistent with the pattern of anti-Jewish incidents that corresponds with upsurges in the Middle East conflict. Where some detail about the characteristics of

offenders was reported, many were seemingly committed by 'ordinary' people in the contexts of their 'everyday' lives: passers-by in the street, people out shopping, people driving their cars, colleagues at work and children at school.

Box 2.1: Sample of incidents against Muslims reported in the press following the London bombings in July 2005

7 July 2005. Dulwich, east London. **Pork dumped outside Mosque.** 'Worshippers at the Northcross Road Centre were also singled out on the day of the London bomb attacks when yobs dumped pork outside – a grave insult to Muslims. Haq, who led prayers for the London bomb victims, said, "We had just finished prayers for those who died when somebody spotted the pork". He described it as the work "of mindless idiots". Chairman of the Centre, Hussain Malik, said, "We utterly condemn the despicable attacks on London and we utterly condemn these criminal attacks on our mosque"'. (*The Muslim News*, 29 July 2005)

7 July 2005. **Arson.** 'Garage at the home of a Muslim woman in south London destroyed by suspected arson.' (Kirby, 2005)

7 July 2005. Fulham Road. **Pushing and verbal abuse.** A shopkeeper on the Fulham Road, west London, Aman Moradi, 45, is racially abused by David Parritt, a postman, who pushes her in the face before calling her a "f***ing Muslim". He is sentenced to 200 hours community service with £70 compensation and £85 costs after pleading guilty to racially aggravated common assault and racially aggravated criminal damage. (Judd et al, 2005)

9 July 2005. Bow, east London. **Islamophobi graffiti.** 'Graffiti was scribbled in a communal area in a private block of flats in Bow, east London on July 9. Metropolitan Police officer for Tower Hamlets, Superintendent Dal Babu, told *The Muslim News* that the perpetrators wrote on the walls, "Islam = death out now" and "Pakis out now". He said that the police washed the Islamophobic graffiti. He acknowledged that the graffiti was in response to the London bombings.' (*The Muslim News*, 29 July 2005)

9 July 2005. Mile End Road, east London. **Windows of Mosque smashed.** 'A place of prayer and learning for Muslims was vandalised within days of the London bombings. Every window of the Mazhirul Uloom centre on Mile End Road was smashed in the early hours of Saturday. It's believed those responsible were seeking to punish Muslims for the tube and bus attacks last Thursday. A reprisal against a popular educational and cultural centre for Muslims in London's east end.

Some in the local community have noticed attitudes towards them are changing for the worse.' (Channel 4 News, 12 July 2005: www.channel4.com/news/articles/society/religion/reprisal%20attacks%20against%20muslims/108855#fold_)

11 July 2005. "“Kill all Muslims” graffiti daubed on wall of primary school in Stratford, east London.' (Kirby, 2005)

12 July 2005. Hayes, west London. **Arson.** 'Asian family in Hayes, west London, victims of suspected arson attack when burning object is left outside home.' (Kirby, 2005)

16 July 2005. Dulwich. **Imam beaten unconscious.** 'Dulwich Islamic Centre's Imam became yet another victim of a vicious Islamophobic attack on Saturday July 16. The driver of a white van tailed Muhammed Haq as he cycled to Asr (late afternoon prayers) at about 7pm. The driver pulled over in Lordship Lane, Dulwich, south London, and repeatedly punched Haq shattering his cheekbone. Haq lost consciousness while the assailant fled. Despite the pain, the 27-year-old spoke of the attack. Speaking to *The Muslim News* Haq said, "I was on my bicycle when I noticed a white van beside me. It pulled over in the middle of the street and blocked my path. I assumed he wanted directions. He said nothing – but the next moment he was hitting me. He started screaming". Police quizzed a 20-year-old man on July 18, on suspicion of racist assault.' (*The Muslim News*, 29 July 2005)

23 July 2005. Central London. **Abuse and threats.** 'Muslim woman abused and threatened by National Front members during a march in central London.' (Kirby, 2005)

26 July 2005. **Attack with a baseball bat.** 'Man with a baseball bat attacked a car containing a group of women in Islamic dress in central London.' (Kirby, 2005)

29 July 2005. Sutton Common. **Attack in recreation ground.** 'Four Asian teenagers aged 16–19, are cornered in Sutton Common recreation ground by White youth who blamed them for the London bombings and then attacked them. One victim is left with a broken jaw, another needs six stitches to his lip and the others are bruised and cut after being punched and kicked.' (*Sutton Guardian*, 9 August 2005)

10 August 2005. Mile End. **Car driven at worshipper.** 'A worshipper at Al-Huda mosque in Mile End is nearly run over by a White man, outside the mosque, who drives his car straight at him.' (*Black Britain*, 11 August 2005)

The anti-Jewish and anti-Muslim incidents discussed so far are clearly not unique in character as they share some key commonalities with other forms of 'hate crime'. In the case of racist incidents, for instance, Ben Bowling proposed in his book *Violent racism* (1998) that manifestations of racism 'which lie on the border line of everyday understandings of "violence" – call it incivility, aggression, or threat – appear to be part and parcel of everyday life for ethnic minorities even in relatively affluent parts of central London' (1998, p 7). (Chapter Three of this book, which focuses on the spatial distribution of racist incidents in London, demonstrates that affluent areas are certainly not immune from the problem of racist violence.) While Bowling was writing about racist violence in London in the late 1980s and early 1990s, since then a number of research studies have provided empirical support to his assertions about the everyday dynamics of the problem. For instance, Rae Sibbitt's research on the perpetrators of racial violence in case studies of two London boroughs, commissioned and published by the Home Office (Sibbitt, 1997), offers qualitative descriptions of a panoply of everyday racist incidents that are strikingly similar to the anti-Jewish and anti-Muslim incidents discussed in this chapter. Similarly, Chahal and Julienne, in drawing from interviews and focus groups carried out in Belfast, Cardiff, Glasgow and London, observed that 'A depressing and regular feature of the project was interviewees expressing the "routine" nature of racism. Racism had become part of everyday experience in a variety of social situations, not just in and around the home but in shops, in the street and at school' (1999, p vi). Chahal and Julienne concluded that it was clear from their research that 'racist experiences are part of living for black and minority ethnic people and their white partners. This negative experience is seen as being part of the everyday structure of living – a routine, expected level of racism' (1999, p 37). The ubiquity of racist victimisation was demonstrated by a study of Glasgow commissioned by Strathclyde Police (Goodall et al, 2004), in which over half of the interview respondents reported that they had experienced several racist incidents in the last year and more than a third 'described incidents happening so frequently that they could not quantify the number involved'. Some of those victims reported that it occurred 'every day' or 'constantly'. The research also provides an indication of the ubiquity of offending as well as victimisation, for as Goodall and colleagues point out, 'The majority experienced this abuse from different perpetrators, rather than receiving repeat victimization from a single source. Over half of the perpetrators were children or "youths"' (Goodall et al, 2004, p 10, para 2.25). The presence of children and young people among

offenders was also shown by a 'snapshot' analysis of the perpetrators of racist incidents recorded by the Metropolitan Police Service in 2001: 'one in four incidents involved locals, local youths and school children; one in five involved neighbours; one in ten involved customers; and one in 25 involved colleagues'; 'one in three incidents took place in/outside the victim's home' and 'three in ten incidents took place in work/school'. In addition, for the first six months of 2001 when 9,201 incidents were recorded, the peak time period for incidents to occur was between 3pm and 6pm, corresponding with the end of the school day, and perhaps not surprisingly during that time one in three of the suspects – in incidents where a suspect was known – was aged under 16, with under 21-year-olds accounting for 40% of all suspects (Metropolitan Police Service, 2002). The phenomenon of offending when schools empty their pupils out onto the surrounding streets is also evident for other offences in addition to racist incidents (cf Felson, 2002, pp 79–92).

To take a further turn in the analysis to focus on 'hate crime' against people with disabilities, the research evidence is limited compared with the evidence of racist victimisation and religiously motivated victimisation, but an accumulation of data from small-scale studies demonstrates some significant commonalities in respect of the everyday experience of the problem. For instance, completed questionnaires provided by 45 respondents in a recent study in London (Shamash and Hodgkins, 2007) revealed that almost a quarter of respondents reported experiencing 'bullying' because of their 'disability/impairment', with a similar proportion reporting 'name calling'. Nearly one fifth reported being 'harassed', almost one in 10 being 'hit, pushed, shoved, kicked or punched', with two respondents reporting 'being spat at'. One third of the incidents occurred on the street and four in 10 incidents occurred in other public places such as on public transport, at college, school or university. Tellingly, most of the respondents had experienced more than one incident and one fifth reported that incidents occurred 'all the time'. Almost half of the offenders were reported to be 'strangers', with over one half of all offenders reported to be children or youths and a further quarter of offenders reported to be 'young adults' (Shamash and Hodgkins, 2007, pp 25–7). The personal testimony of one of the authors of the report is very telling: 'To cite a personal example whilst undertaking one of the community research interviews at a voluntary organisation in Tower Hamlets, someone asked if they could speak to me about an issue. It transpired that they had been abused and pushed off a bus because of their disability. I left the building only for a young

man to verbally abuse me in the most offensive manner, on the basis of me being a disabled person' (Shamash and Hodgkins, 2007, p 19).

The strong prevalence of victimisation was also revealed in research recently carried out by Mind, the National Association for Mental Health. Informed by a larger sample of 304 people with severe or long-term mental health problems living in the community who responded to a questionnaire survey, the research provides a disturbing picture of victimisation. In response to a question about crimes that had been experienced in the past two years 'related specifically to their mental health history', 62% reported 'verbal harassment' in taunting about their mental distress. The report notes that: 'respondents mentioned being called "psycho", "loony", "schizo", "nutter", "freak", "mad", "not all there", "round the bend", "thick", "stupid", "no brains", "wrong in the head", "obsessive". It was perpetrated in particular by young people, gangs or by neighbours' (Mind, 2007, p 6). The reported places of victimisation parallel the occurrence of anti-Jewish, anti-Muslim and racist incidents discussed above, taking place: 'on the street, in the local shop or on the bus. In a few cases, it extended into the school playground, where the children of a parent with mental health problems were bullied and made fun of by other children, sometimes encouraged or inspired by their own parents' behaviour'. Focus groups involving people with direct experience of mental distress and also support workers showed that the types of victimisation experienced were perceived by victims as 'hate crime'. And the research also noted the intersections between targeted identities of victims as some respondents reported 'being targeted not just because of their mental health, but also for racist or homophobic abuse or because they were transgender' (Mind, 2007, p 7). Just over a quarter of respondents reported that they had been sexually harassed.

These findings echo the research evidence from earlier reports. In a questionnaire survey carried out for the Disability Rights Commission and Capability Scotland, almost half of the 160 respondents with a disability reported 'being frightened or attacked because of their disability', and that it was 'part of their everyday lives' (Disability Rights Commission and Capability Scotland, 2004, p 13). People with mental health problems, learning difficulties and visual impairments were most likely to report attacks, with over half of the incidents occurring 'in the street, while out walking or in the park', and over a fifth on public transport (Disability Rights Commission and Capability Scotland, 2004, p 17). According to the victims, under 16-year-olds were responsible for almost half of the incidents, and they were most commonly a stranger or a group of strangers (Disability Rights Commission and Capability

Scotland, 2004, pp 19–20). (For further evidence about the problem of disability hate crime see: Mencap, 2000; Emerson et al, 2005, p 93; Respond, Voice UK and the Ann Craft Trust, 2007; Action for Blind People, 2008.)

To turn the analysis to homophobic incidents, four fifths (82%) of the 186 respondents in a 2001 survey in Northern Ireland reported that they had been victimised in some form of homophobic harassment, the most common being verbal insults, with over half (55%) reporting experiences of violence on account of their sexual orientation. Greater proportions of male respondents compared with females reported harassment and violence (Jarman and Tennant, 2003, p 38). The prevalence of victimisation reported in the survey appears to be higher than reported in other surveys, although it is not too dissimilar from reported victimisation of young gay males and lesbians in one of the earliest surveys of its kind in London (Stonewall, 1996). The majority of incidents occurred in public places – outside, or in the vicinity of an LGB (lesbian, gay or bisexual) bar or club, in the street elsewhere, sometimes near home or near work, and at school, college or university. Perpetrators were predominantly male with more than one perpetrator being involved in the majority of incidents of both harassment and violence. In over four fifths of incidents the offenders were reported to be youths or young adults, with 16- to 25-year-olds responsible for approximately half of incidents of both harassment and violence. Offenders were also known in some way to the victim in 43% of cases of harassment and 30% of cases of violence. They included people the offender had seen before, but did not know, local residents, work colleagues, fellow students, neighbours, and also, on occasion, friends and relatives (Jarman and Tennant, 2003, pp 37–55). A more recent survey carried out in Greenwich and Bexley in south London provides further evidence that in many incidents there is some sort of acquaintance between the offender and the victim, and in many cases even a family relationship. In almost two thirds of the incidents reported to have occurred in the 12 months prior to the survey, the victim said that they knew the offender (Moran et al, 2004, p 44), and in 28% of these incidents the offender was a family member, or ex-family member (Moran, 2007, p 85). One of the authors of the survey report, Les Moran, has more recently argued that '[m]ost of the homophobic violence taking place in London is routine violence that is occurring in the inner city and suburban homes, in the environs that surround those homes, in the workplace, schools and colleges of the metropolis. It is violence that is perpetrated by family, friends, neighbours, work-mates and colleagues' (Moran, 2007, p 92).

While the survey evidence just discussed shows that in many incidents offenders are 'known' by the victims, caution needs to be exercised in interpreting the actual nature of the relationship. Gail Mason has asked, for instance, whether an offender can 'be both familiar and a stranger at the same time?' (Mason, 2005, p 838). Just because victims might recognise offenders as being locals or someone else that they have seen before, and hence are not total strangers, it does not mean that they actually 'know' each other. As Mason points out, 'Victims tend to know suspects via their experience of the *location* of the incident. In other words, victim recognition of suspects is heavily dependent upon, or refracted through, the specific location or general vicinity within which the incident occurred' (2005, p 858). The significance of a shared experience of location as the basis of recognition between offenders and victims for the analysis of everyday 'hate crime' offered in this chapter is that shared use of locality provides the situational contexts in which everyday incidents occur, in the casting together of victims and offenders in the unfolding of their normal everyday lives.

Structure, action, agency and everyday 'hate crime'

For those who belong to communities victimised by 'hate crime' there is perhaps a sad and paradoxical comfort in the thought that offenders might be an aberration, confined to the margins of society in terms of the sentiments they express. It is somewhat more disturbing, however, to think that rather than being on the margins, they are among 'us', and many in the communities to which they belong share their sentiments. Those communities from which the perpetrators are drawn arguably share a collective responsibility for offenders' actions. Those who offend might be different from others in that they act on their attitudes whereas others do not. But offenders are not that different from others in terms of the particular values and attitudes that they share. Marcus Felson reminds us 'not to overstate the differences between active offenders and the rest of the population. The old cowboy movies had good guys (in white hats with white horses) and bad guys (in black hats with black horses). You don't have to be bad to do bad' (Felson, 2002, p 6). Such a reminder is highly pertinent to thinking about 'hate crime' offenders. In the case of racist incidents, for instance, Rae Sibbitt has suggested that there is a 'reciprocal relationship' between the racist attitudes of perpetrators and the wider communities from which offenders are drawn. According to Sibbitt, 'perpetrators see this as legitimising their actions. In turn, the wider community not only spawns such perpetrators, but fails to condemn them and actively

reinforces their behaviour' (Sibbitt, 1997, p vii). Sibbitt therefore very aptly suggested that the wider community could be regarded as the 'perpetrator community' (1997, p 101) as there is in effect a 'critical, mutually supportive relationship between the individual perpetrator and the wider community' (1997, p 101). While the wider community shapes and legitimises the perpetrator's racism, the offender in turn serves the community 'in a vicarious fashion by taking their collective views to their logical conclusion and acting them out' (1997, p 101).

The pervasiveness of bigotry, and the collective culpability for incidents of 'hate crime', as suggested by the notion of 'perpetrator communities', provides a logic to the argument, as mentioned in Chapter One, that the label 'hate crime' wrongly individualises the problem as the abnormal, irrational and pathological behaviour of severely bigoted individuals. As mentioned in Chapter One, Barbara Perry prefers to use the term 'oppressive violence' to convey that 'hate crime' involves the exercise of power, which is entirely rational in the context of commonsense ideologies and discourses, or in Perry's words, 'deeply embedded notions of difference' (2001, p 46), about the communities historically targeted by 'hate crime'. These notions of difference serve to legitimise acts of 'hate crime' and from this perspective, 'hate crime' is an interactive process. By their actions 'hate crime' offenders are not only acting out these notions of difference, they are also at the same time reconstructing the prevailing structures of oppression and reinforcing the boundaries of difference. This process is made evident by the claims of some commentators that 'hate crimes' are 'message crimes'. The message conveyed by acts of 'hate crime' provides a reminder (McDevitt et al, 2002, p 308) – for victim and offender communities alike – of the victim's place. Therefore each act of 'hate crime' is another building block in the structural edifice of bigotry that in turn provides the context for offenders' actions.

The perspective that 'hate crime' offenders not only act out notions of difference, but that in doing so they also reproduce the structures of oppression that provide a basis for their actions, is characteristic of a core proposition of 'structuration theory', and conceptualised by Anthony Giddens as the 'duality of structure' whereby structure is conceived as both medium and outcome (cf Giddens, 1979, p 5; 1984, p 19). From the perspective of structuration theory structures are the medium of action providing 'stocks of knowledge' consisting of 'memory traces' and 'resources for action' from which people draw when they engage in social action (cf Giddens, 1984, pp 16–28). (This notion of structure contrasts with the orthodox sociological notion of structure as a patterning of social relations, embodied in the familiar

terms 'class structure' and 'structural inequality', for instance, which conceive of structure in terms of the arrangement of material, economic and institutional resources, and systems of dominance derived from such arrangements.) In the case of the structures that provide a medium for action in instances of 'hate crime' we might think of the 'stocks of knowledge' as constituting a structural edifice of bigotry that provides a medium for offenders' actions.

In resonating the core of structuration theory, Perry has argued (2001, p 53), in the case of the structures that provide the medium for the actions of 'hate crime' offenders, that they are constituted and reconstituted by the actions of offenders, or, as Giddens proposed, 'the moment of the production of action is also one of reproduction in the contexts of the day-to-day enactment of social life' (1984, p 26). It is not the point of the analysis presented here to critically engage with structuration theory, and there already exists an authoritative body of critical scholarship on the subject (for a review of the critiques of structuration theory, see Stones, 2005, pp 45-74). The intent instead is to develop further the propositions presented by Perry about the structural contextualisation of acts of 'hate crime'. However, because of the synergies between Perry's theoretical grounding of her analysis in 'structured action theory', as discussed in Chapter One, and the core elements of structuration theory, the aim here is to draw on some of the insights of structuration theory to inform a critical encounter with Perry's analysis. As argued in Chapter One, her analysis remains at the abstract level: while she argues that because of the symbiotic relationship involved, or the 'duality of structure', the 'structure-action' distinction is false, she does not go on to illuminate the chain of connection between structural context and the actions of 'hate crime' offenders. Without such a connection being made, an overly deterministic explanation is provided, which fails to account for the exercise of autonomy by individuals, and for why particular people offend in particular circumstances. It is this analytic gap that this chapter tries to fill. Clearly there are many occasions in which offenders engineer their encounters with victims in premeditated acts of 'hate crime'. But there are arguably many more occasions, as this chapter has tried to demonstrate, where the animus expressed by offenders, which lies beneath the surface of everyday cognition for many individuals, rises to the surface when the situational context provides the opportunity, or when it provides a trigger – perhaps a grievance, an irritation, a conflict, all events that are commonplace in everyday life.

Arguably, offenders in the types of incidents discussed in this chapter are not automata. As Giddens proposed, 'As social actors, all human

beings are highly “learned” in respect of knowledge which they possess, and apply, in the production and reproduction of day-to-day social encounters’ (1984, p 27). Therefore we might agree in part with Perry’s proposition, as discussed in Chapter One, that ‘hate crime’ offenders are consciously and instrumentally ‘doing difference’. However, her proposition that ‘hate crime’ is ‘intended to marginalize’ (Perry, 2001, p 214), and intended to sustain the social hierarchies which serve to legitimise victimisation (Perry, 2001, p 3), potentially attributes a degree of instrumentalism to the everyday ordinary offenders for consequences that they might not themselves intend. From an alternative perspective, the reproduction of hierarchies of oppression by acts of ‘hate crime’ might be regarded, to apply Giddens’ words to the issue, as the ‘unintended consequences of intentional conduct’ (Giddens, 1984, p 12) on the part of offenders.

Conclusion: the significance of the situational dynamics of ‘hate crime’

Very little research has systematically illuminated the connections between background structures of bigotry and the foreground of offenders’ actions in cases of ‘hate crime’. It is this missing link that this chapter has tried to provide by focusing on the situational dynamics of ‘hate crime’ in a shift in focus from the abstract to the empirical. It is in this spirit that the analysis offered in this chapter has tried to unravel the social circumstances of ‘hate crime’ offending, to not only attempt to understand better the situational contexts in which offences occur, but also to attempt to answer the pressing question of ‘what brings some people to express their bigotry in acts against others?’. It was argued in Chapter One that to answer this question we need to begin with the social circumstances, the foreground, or the lived experiences, of ‘hate crime’. What those experiences show when the situational dynamics of ‘hate crime’ are unfolded, is that contrary to the impression commonly conveyed by news reporting of incidents of ‘hate crime’, and also by some of the contributions to the scholarly literature on the matter, many offenders are not out-and-out bigots, hate-fuelled individuals who target their victims in premeditated violent attacks. Instead, many perpetrators of ‘hate crime’ are people like ‘us’, our friends, relatives, neighbours and work colleagues. Not only that, but many incidents are committed by such ‘ordinary’ people in the context of their ordinary ‘everyday’ lives. The prevalence of incidents of ‘hate crime’, combined with the ordinariness of offenders and offending, indicates that the sentiments that inform offending are

intricately woven into the structural fabric of society and constitute a key component of 'common sense' (cf Gramsci, 1971, pp 419–23; Miles, 1989, p 70), which for many individuals lies below the surface of coherent cognition, but given the right circumstances, bursts to the surface. The ordinariness of many of the offenders is striking, and also extremely discomforting.

