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**“The Racialisation of Religious Minorities: The Experience  
of Young Muslim Men and Women”**

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Απαγορεύεται η αντιγραφή, αποθήκευση και διανομή της παρούσας διπλωματικής εργασίας εξ ολοκλήρου ή τμήματος αυτής, για εμπορικό σκοπό. Επιτρέπεται η ανατύπωση, αποθήκευση και διανομή για σκοπό μη κερδοσκοπικό, εκπαιδευτικής ή ερευνητικής φύσης, υπό την προϋπόθεση να αναφέρεται η πηγή προέλευσης και να διατηρείται το παρόν μήνυμα. Ερωτήματα που αφορούν τη χρήση της διπλωματικής εργασίας για κερδοσκοπικό σκοπό πρέπει να απευθύνονται προς την συγγραφέα. Η έγκριση της διπλωματικής εργασίας από το Πάντειο Πανεπιστήμιο Κοινωνικών και Πολιτικών Επιστημών δεν δηλώνει αποδοχή των γνώμων του συγγραφέα.

## Περίληψη

Ο όρος της φυλετικοποίησης εμφιλοχωρεί μια καινοτομία που ίσως λίγοι έχουν αντιληφθεί. Με εναρκτήριο σημείο τη πρόσφατη επίσημη γνώμη της Επιτροπής κατά του Ρατσισμού και της Μισαλλοδοξίας του Συμβουλίου της Ευρώπης για το “*racialisation*” των θρησκευτικών μειονοτήτων<sup>1</sup>, δρώτομαι της ευκαιρίας να αναδείξω ένα φαινόμενο που αφορά μια στοχευμένη ομάδα ανθρώπων το οποίο προσωπικά εμμέσως μου είχε γίνει αντιληπτό στη πράξη και η οποία ενδόμυχα από πάντα μου κέντριζε το ενδιαφέρον.

Η φυλετικοποίηση της μουσουλμανικής μειονότητας εντοπίζει τη μαντήλα, τη παραδοσιακή φορεσιά, τη προσευχή μέσα σε τζαμί και ρατσιστικά στοχοποιεί, ανεξαρτήτως εάν το θύμα της διάκρισης είναι μουσουλμάνος ή δείχνει εξωτερικά ως μουσουλμάνος. Η απόδοση σε θρησκευτικά χαρακτηριστικά της σημασίας της φυλής, αποτελεί καινοτομία τόσο στη θεωρία όσο και στη πράξη. Καθιστά τον πολιτισμικό-θρησκευτικό ρατσισμό αυθύπαρκτο και αντικρίζει την Ισλαμοφοβία με το φακό στραμμένο προς τον άνθρωπο μουσουλμάνο και όχι μόνο στο Ισλάμ ως θρησκεία. Χρωματίζει ως ρατσιστική τη διάκριση που πηγάζει από το θρησκευτικό σύμβολο το οποίο σφραγιστικά εξομοιώνει το φορέα σε μια κοινωνικά κατώτερη κατασκευή, χωρίς να το προσδιορίζει σαν αυτόνομη προσωπικότητα.

Η απόδειξη της θεωρίας μέσα από τα πρακτικά παραδείγματα θα καταστήσει σαφέστερη τη συνειδητοποίηση ότι οι νέοι και νέες μουσουλμάνοι έχουν και αυτοί δικαίωμα να ζουν σε ένα κόσμο ισότιμης απόλαυσης ελευθεριών και δικαιωμάτων που η διεθνής κοινότητα μέσω πληθώρας διακηρύξεων προσπαθεί να εδραιώσει.

## Abstract

The term racialisation embodies an innovation that perhaps few have grasped. Starting with the recent official opinion of the Council of Europe's Committee against Racism and Intolerance (ECRI) on the “*racialisation*” of religious minorities, I seize the opportunity to highlight a phenomenon which I had implicitly become aware of in practice about a targeted group of people, which has always innately intrigued me.

The racialisation of the Muslim minority identifies the headscarf, traditional dress, and prayer in a mosque and racially targets, regardless of whether the victim of discrimination is a Muslim or outwardly appears to be a Muslim. Attributing the importance of race to religious characteristics is a novelty in both theory and practice. It makes cultural-religious racism self-existent and confronts Islamophobia with a lens turned towards the Muslim person and not just on Islam as a religion. It paints as racist the discrimination stemming from the religious symbol, which cumulatively assimilates the bearer to a socially inferior construct, without defining it as an autonomous individual.

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<sup>1</sup> ECRI's Opinion on the concept of “racialisation”, 8 December 2021

The proof of the theory through practical demonstrations will make clearer the realisation that young Muslim men and women have the right to live in a world of equal enjoyment of freedoms and rights that the international community, through numerous declarations, resolutions and initiatives, is trying to establish.

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## Introduction

The first article of the Universal Declaration of Human Rights recognises the equality of all human beings in dignity and rights. It is followed immediately by the principle of non-discrimination based on gender, colour and, among others, religion.

It is also a reality that states and the international community, as a whole, have taken steps to shield harmonious human coexistence from repeating past mistakes. Among these is racism in any form, which is one of the most prominent threats to international law, along with war, eroding the core of peace, security, equality and human dignity.

Racism functions by dehumanising individuals and whole societies, not only by rejecting their innate equality and dignity but also on the ground of a fabricated category of race; it aims to segregate people into an hierarchy designed to uplift some and oppress many.

The final text of the International Convention on the Elimination of All Forms of Racial Discrimination (1965) condemns "*any doctrine of superiority based on racial differentiation*" by strictly viewing the issue of racism only in the light of racial discrimination. In contrast, earlier in the United Nations Declaration on the Elimination of All Forms of Racial Discrimination (1963), reference was made to "*any doctrine of racial differentiation or superiority*", giving broader scope to what exactly racist treatment beyond "race" discrimination encompasses.

Coming to the issue of the racialisation of religious minorities, we will try to establish one of the other facets of race, religious identity, which makes verbal or physical behaviours, individual or institutional actions, to be entailed into the prohibitive field of racism. Is it possible for the characteristics of a religious minority to acquire the weight of "race" and become the starting point for the manifestation of racism?

The test group will be young Muslim men and women who, at least in the last half-century, have been confronted with the concepts of extremism, terrorism, war, migration, social exclusion through Islamophobia and finally, racism and the degradation of their lives at every level in almost every part of the world.

It becomes necessary for a comprehensive understanding of the topic to look, even briefly, at the sequence of consciousness about Muslim identity in the minds of the non-Muslim world to understand the criterion of Muslim discrimination. Concepts such as Orientalism, Islamic fundamentalism, neo-jihadism, stigmatisation, discrimination, hate speech, hate crime and, of course, Islamophobia will be approached.

As ambiguous seems to be the debate on what precisely the term Islamophobia encompasses, as interesting is the European and American scholarship, with their different backgrounds, on how they would characterise the distinction on the grounds of religious identity, in this case, of Muslim identity.

The novelty of the present thesis is that Islamophobia, or discrimination against Muslims in general, is proposed to be focused on human beings (Muslims) and not on the discrimination of faith alone. In other words, the racism suffered by Muslims or alleged Muslims as individuals and not Islam as a theocratic system and way of life.

As will be explained in detail below, the race is contained and determined by the socio-political factors of the historical moment in which it develops. Islam and how it's position is crystallised in today's historical reality, is the trigger not only for cultural racism against Islam as a religion. Visible religious manifestations, such as the place of worship, religious attire, hair, and accent, are now an element that incites racism even against people who do not embrace Muslimism but resemble Muslims externally.

The racialisation of Muslim religious minorities today goes beyond skin color in most cases and targets the headscarf, the "koufi", the beard and people in mosques. Numerous verbal or physical violence incidents and hate crimes, which will be analysed below for Muslims as a whole and separately for men and women, leave no more room for blindness. Institutional, individual and collective willful blindness to the fact that entire generations of Muslims in the 'civilised' West, the ambassador of human rights, are marginalised, denied equal freedoms, homogenised as a group that colludes with terrorism and opposes security and democracy, without any margin of appreciation to the contrary.

As societies that tend to historical oblivion, it is not surprising that the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance mentioned the rise of the glorification of Neo-Nazism in the present era, which in turn has caused the rise of anti-Semitism in Europe and North America; anti-Asian, anti-black racism and of course Islamophobia.<sup>2</sup>

It is crucial to demonstrate how inextricably race and religion have been intertwined in the course of history in a way that has led to the complete degradation of discrimination as non-racist when it happens with religious terms. This, as a result, prevents us from discerning racism when it happens, against whom it happens and how we can act so that it does not happen again. It is worth the effort if it has the effect of fading the multifaceted stigma attached to the Muslim minority everywhere, with the hope that one day they will be treated indiscriminately and equally in all aspects of their lives.

Nowadays, amidst the successive crises affecting the world at every level, the preservation of respect for human rights comes to the front of the line. The aim of this thesis is to demonstrate that the phenomenon of racialization of religious minorities is real. The proposal is to change the terminology in practice and to include religious identity, as an external identifying stimulus, in the inclusion of "race". To reveal the way in which the religious symbol generates racism against believers or non-believers. Applying the reasoning to the Muslim minority pushes us to face Islamophobia with a more human-centred perspective and through real life testimonies, to highlight a clear criterion of discrimination that targets the Muslim minority everywhere. It is perhaps the most effective way for targeted prevention and confrontation of the phenomenon.

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<sup>2</sup> A/77/512/7 October 2022, Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, E. Tendayi Achiume about Contemporary forms of racism, racial discrimination, xenophobia and related intolerance.



## Part 1: The Formation of Muslim Discriminational Pattern

It is important, at least briefly, to describe the formation of the pattern of consciousness for Islam and for Muslims in the world, in places where they are not the majority. This is a constructive way to capture the longstanding discriminational behaviour in all of its forms in the passage of time. Indicative definitions and clarifications when needed, will serve to take a holistic view before moving on to analyse the phenomenon of racialisation within the contemporary developments in the international scene.

### Chapter 1. The Process Towards the Birth of the Racist Motive

#### 1.1 The Racism Approach in Religious Minorities

*"An ethnic, religious or linguistic minority..."* according to the definition given in the Report of the Special Rapporteur on minority issues<sup>3</sup>, "... is any group of persons which constitutes less than half of the population in the entire territory of a State whose members share common characteristics of culture, religion or language, or a combination of any of these. A person can freely belong to an ethnic, religious or linguistic minority without requiring citizenship, residence, official recognition or another status." This definition is materialised only in UN activities and does not regulate corresponding minority definitions by states that might entail different prerequisites and different protection statuses.

Continuing, *racism* is the belief that humans can be divided into separate and exclusive biological entities called "races", where there is a causal link between inherited physical traits and traits of personality, intellect, morality, and other cultural and behavioural features due to which some races are innately superior to others.<sup>4</sup> That means that the inferior races are destined to lower status jobs and standard of living, excluded from the political struggle, and maybe from health and education services. In other words, racial discrimination is any distinction, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin that impedes the enjoyment of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

On the other hand, prejudices and behaviours that urge social exclusion based on the perception that some minority members consist of outsiders or foreigners to the community, society or national identity is what *xenophobia* means. Racism and xenophobia are distinct phenomena, although sometimes overlapping ones. While racism is believed to deal with physical characteristics, such as skin colour and facial features, xenophobia is mainly based on the perception of the idea of "*the other*" and can happen even against people of identical physical characteristics; when such people arrive, return or migrate to states or areas where occupants consider them outsiders.

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<sup>3</sup> UNGA A/74/160/2019

<sup>4</sup> Available at: <https://www.britannica.com/topic/racism>

But what is the contemporary incarnation of these definitions today? Are they restricted to race as to their physical appearance, or do they go beyond the external characteristics of minorities and are located at more profound roots such as the way of life, beliefs, and religion?

It is an undeniable truth that globalisation has an impact on how we conceive identity, ethnicity and, in the end, the idea of culture itself. The problem is emphasised by the fact that global market attitudes are indifferent to cultural and national identity, and the predominance of materialistic values, such as consumption and competition, results in the erosion of spiritual and religious values and behaviours. In the context of anti-terrorism policies and their connection with Islam after the 9/11 attacks, the religious sphere is turning into a place where discrimination and racism are increasingly manifested. Religion and ethnicity are often considered identical and frequently consist of the target of deliberate acts of discrimination.<sup>5</sup> Oversensitivity of identity has created ethnocentricity, which depicts the foreigner as the threat, as the enemy and alien. Cultural antagonism appears in both ways. The outward appearance of physical characteristics or simply clothing and the levels of development and ways of life. Cultural discrimination and disrespect, or an ideological structure justifying domination, offers a rock-solid foundation, explicit or implicit, for the dominant discriminatory mentality and new forms of racism.<sup>6</sup>

In order to understand cultural/religious discrimination, we should consider the role of diversity and identity – which give shape and sustenance to both new and older forms of racism. Back in the 18th and 19th centuries, theories were produced of an hierarchical ordering of the different species and races (diversity), and an intellectual framework was constructed to justify operations that were forms of exploitation or domination, such as the slave trade and colonisation. Cultural/Religious difference was a pretext to justify an hierarchy of races and civilisations. On the other hand, identity expresses affirmation of self while at the same time denial of the 'other'.

Specifically, it is crucial to recognise that racism can occur in situations where neither the reality nor the concept of race exists and thereby overlook religion and culture.<sup>7</sup> Modood T. explains that:

*"Cultural racism is likely to be particularly aggressive against those minority communities that want to maintain – and not just defensively – some of the basic elements of their culture or religion; if far from denying their difference (beyond the*

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<sup>5</sup> Report by Mr. Doudou Diène, Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, “*Situation of Muslim and Arab peoples in various parts of the world in the aftermath of the events of 11 September 2001*”, E/CN.4/2003/23, 3 January 2003.

<sup>6</sup> OHCHR & UNESCO, “*Dimensions of racism*”, Proceedings of a Workshop to commemorate the end of the United Nations Third Decade to Combat Racism and Racial Discrimination, Paris, 19-20 February 2003

<sup>7</sup> Meer, N., Dwyer, C. and Modood, T., “*Embodying Nationhood? Conceptions of British National Identity, Citizenship and Gender in the ‘Veil Affair’*” SAGE Publications, NY, 2010, 58 (1): 84-111

*colour of their skin), they want to assert this difference in public, and demand that they be respected just as they are.*"<sup>8</sup>

Racism has a chameleon-like character and changes in terms of form and content across different times and contexts.<sup>9</sup> It traces occasional features and targets corresponding groups. Nowadays, the religious-cultural element tends to differentiate individuals and minorities more intensely and gradually in almost the same way that skin colour once did. The goal is to trace the subconscious motive behind the bias against members of religious minorities where religious characteristics, without falling within the strict definition of race, are racialised and discriminated against.

## 1.2 Who are the Muslims?

The test group will be the Muslim minority in the world, with a more detailed reference later, to two major branches of theory, that of Europe and America. The exact religious and value system of each Muslim needs careful and critical approach in order to avoid misinterpretations. Unfortunately, as will be shown below, public opinion is easily misled and holistically homogenizes extremist elements in the basic core of the Islamic faith. It therefore becomes imperative, but of course not extensive enough, to refer to some basic terms of faith that are often misunderstood.

Shortly, a Muslim is someone who embraces the religion of Islam. In Islam, there is only one God, Allah, and Muhammad was his last Prophet, whereas Sunni and Shia represent the two largest denominations of Islam which were separated after the death of the Prophet Muhammad because they disagreed on the issue of his succession. The vast majority of Muslims worldwide are Sunnis and are estimated to be between 85% and 90%.<sup>10</sup>

They believe Islam is more than a religion; it is a way of life. It means peaceful subjugation to the will of Allah (in Arabic). Muslims believe in all prophets, including Jesus and Moses, and there is a commitment to follow the example of the way of life of the Prophet Muhammad.

The core values of Islam, like in every religion, include the so-called Five Pillars of Islam. First, the **confession** of faith (*sahada*, سهدا) is that there is no other God but Allah and that Muhammad is his Prophet. Secondly, the **prayer** (*salat*, صلاة), where Muslims are required to perform certain ritual prayers per day or in the week, thirdly the **fasting** of Ramadan (*siyam*, صيام), the **almsgiving** (*zakat*, زكاة) with a fixed percentage of their income that they offer annually to the poorest and finally

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<sup>8</sup> Modood, T., “ “Difference”, *Cultural Racism and Anti-Racism*”, Zed Books, London 1997.

<sup>9</sup> Law, I., “*Racism and Ethnicity: Global Debates, Dilemmas, Directions*”, London: Pearson Education, 2010

<sup>10</sup> Available at: <https://www.bbc.com/news/world-middle-east-16047709>

the **pilgrimage** (*Hajj*, الحج) to Mecca at least once in a lifetime for every Muslim. The Hajj is a symbol of unity and basic equality for all Muslims.

The holy book of Muslimism is the Quran, which they believe was revealed to the Prophet Muhammad 14 centuries ago, and it must be treated with great respect and care. The Sunnah is the practice and what the Prophet had approved, and the Hadith entails the Prophet Muhammad's sayings.

Back to our original purpose, the use of principles of the Muslim faith with a distorted purpose and meaning by terrorist organisations and authoritarian regimes while the transmission of them over the years, again and again, unfortunately created the wrong perception of what Islam represents and by extension of where Muslims stand in western societies by their choice of religion and a way of life.

Such a distorted principle, for example, is "*jihad*". Jihad doesn't mean the "*holy war*", as for so many years, public opinion thought what the media were presenting as a translation of this word in the Quran. On the contrary, it means effort and struggle, a spiritual one. The term 'holy war' has no roots in Islamic terminology. The most significant struggle is that of purifying the heart so that it can abide by Allah's orders and always act with kindness. Islam envisages war only under strict conditions of self-defence, intending to end the persecution. In the form of military struggle, according to Islamic tradition, jihad is allowed to be declared only by recognized religious and political authorities under precise conditions and rules of war.

Another misinterpreted norm is the "Sharia". Sharia is a single body/collection of opinions and jurisprudence covering every aspect of Muslim life: social, political, economic and spiritual. By no means, the Sharia is not obligatory and strictly enforced by every Muslim. It also depends on the degree of faith and devotion of each Muslim. They apply Sharia in their daily lives, on a personal level, by abstaining from drinking alcohol or gambling, for example. Sharia derives from the Quran and the Hadith and aims to establish justice and peace in Muslim society. The punitive measures mentioned in the Sharia take over just a tiny part. Usually, the field of misguidance about Sharia's supposed violent purpose of execution, is allocated to this small percentage.

Unfortunately, the much-propagandized dissemination of misinterpreted doctrines of the Muslim faith has influenced the consciousness of the so-called Western world to regard Muslimism as a faith of hatred that is intrinsically violent and terroristic.

### **1.3 Orientalism the new “other”**

The perception that the countries of the Middle East have a "barbaric", violent and even uncivilized construction is not new. For the advocates of the "*clash of civilisations*" thesis, there is a multilevel war between the East and the West, especially

in the light of recent public debate over national security and terrorism, human rights and anti-terrorism measures, immigration flows and community cohesion.<sup>11</sup>

It is said that the beginning of anti-Muslim antipathy in the Christian (/West) world began in the mid-ninth century when Pope Urban's Crusade in 1095 marked Islam as the '*normative, fundamental, quintessential, universal enemy*'.<sup>12</sup> Under the shadow of cultural assimilation for those under Muslim rule, the European-western identity over time turned against the Ottoman Empire and the Turks, a solid and long-standing Muslim element on the European continent.

This "*clash of civilizations*" later was expressed by the conceptualisation of Orientalism. "*Orientalism*", the book of Edward Said, a professor of English at Columbia University, was published in 1978 and gave this rivalry a name. The '*Orientalist framework*' pictures '*an imaginative and yet drastically polarised space dividing the world into two unequal parts, the larger, 'different one called the Orient and the other, also known as 'our' world, called the Occident or the West*'.<sup>13</sup> The distinction of 'us' and 'them' constructed a Western identity based on opposition to the Orient with the latter presented inferior to the former. It should be mentioned that the Orient was not of Japan or China; it was the Near and Middle East.<sup>14</sup> Orientalism soon became a classic and consisted of an incubator of Western fears and prejudices and particularly normalised a whole series of self-serving stereotypes about Arab and Muslim "*Orientalists*." This is considered to be the basis of thought that Said aimed to materialise by the designation "Orientalism."<sup>15</sup>

In the American continent, since the creation of the independent states, pirate attacks on American ships were considered to be the result of the actions of the barbarians who were always considered Muslims. The Americans confronted them at every level and subconsciously shaped the ideals of life and freedom as the opposites of barbaric Muslim ideology. Stereotypes remained (remaining?) in American society about women's position inside the home and apart from society and the strong manpower to govern public and political life.

The Orientalist distinction at the time it was formulated, was aimed at demonstrating the economic and scientific backwardness of Eastern societies in relation to that of the West. It should not be neglected that in the recent discourses, with the rise of migration, the wars in the "Muslim world" and the wave of refugees, the long-standing co-existing of different cultural groups living together in each state, have brought Muslim minorities face to face with discrimination, this time targeting more their way

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<sup>11</sup> Zebiri, K., "*The Redeployment of Orientalist Themes in Contemporary Islamophobia*" Studies in Contemporary Islam, London, 2008

<sup>12</sup> Mastnak, T., "*Western hostility toward Muslims: A history of the present.*" In A. Shyrock (Ed.), *Islamophobia/Islamophilia: Beyond the politics of enemy and friend* (pp. 29–52). Bloomington: Indiana University Press, 2010

<sup>13</sup> Said, E., "*Orientalism*", New York: Vantage Books, 1979

<sup>14</sup> Douglas Pratt, Rachel Woodlock, "*Fear of Muslims? International Perspectives on Islamophobia*", Springer International Publishing, Switzerland, 2016

<sup>15</sup> Sherman J., "*Islam and the Blackamerican: Looking toward the Third Resurrection*", Oxford University Press, 2005, NY

of life and their cultural-religious characteristics. The colonial orientalist depictions reinforced, till today, the conception of the inferiority of Muslim civilisation and the perception of the “*other*”.

In this event, the "contribution" of terrorism to the reinforcement of the supposed cultural superiority of the West over the barbarism of the East was a catalyst. Extremism became synonymous with the Islamic faith and the barrage of media with generally negative content targeting Muslims holistically and not the actual criminals, the terrorists, largely shaped the prejudice motive for the phenomenon of discriminations.

## 1.4 Islamic Fundamentalism

This great misunderstanding is summed up in the identification of Islam as a faith with the so-called Islamic fundamentalism.

To begin with, fundamentalism can be found in all religions. The term was first used by Christians in a series of published books, “*The Fundamentals*”, between 1909 and 1920 to promote the core Christian doctrines and values as the only life guide against modernism. In later years, the term was used to describe the adherence to literal and dogmatic interpretations of religious scriptures that govern every aspect of daily life and offers a political project of imposing such views on society through the state.<sup>16</sup>

It is appropriate to distinguish between Islamic fundamentalism and Islam as a religion because there is a difference in notions and the same distinction in all other religions. We do not confuse Christian fundamentalism with Christianity itself, for example.

In the 1920s, the Muslim Brotherhood in Egypt was created as the first political form of Islamic Fundamentalism. Its goal was to deliberate the consequences of capitalistic development of cultural erosion due to western imperialism politics. It was a reactionary movement of returning to pure Islam in a struggle to find identity again.

Islamic fundamentalism can be characterised as passive, assertive or impositional fundamentalism. The last one is more aggressive, imposing its views and wishing to see things change to fit its view of how things should be. That might result in fomenting revolution or enacting extreme acts of violence. Islamic Fundamentalism also entails many categories and groups that share almost common philosophy but use it differently to fulfil their purposes. While the “Islamic State” and “Sharia Law” exist in nearly all forms of Islamic Fundamentalism groups, and they all share the dedication to reinstating social structure, there are the moderate ones<sup>17</sup> and the others that resort to

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<sup>16</sup>Sen Nag, O., “What Is Religious Fundamentalism?” World Atlas, 2017, <https://www.worldatlas.com/articles/what-is-religious-fundamentalism.html>

<sup>17</sup> For example, Andrew Rippin, (“*Muslims: Their Religious Beliefs and Practices. The contemporary period.*”, Volume 2, Routledge, 1993) delineates three major groupings or categories of Muslim response to the modern age: ‘traditionalist’; ‘revivalist’ (sometimes referred to as ‘fundamentalist’); and ‘modernist’.

the use of force in order to impose their doctrines on societies or terrorist acts, like the example of the Islamic State known as ISIS.<sup>18</sup>

The reason to mention Islamic fundamentalism comes from the unfortunate fact that Islam is often stigmatised with the label of fundamentalism, especially concerning a dismissive assumption that fundamentalism implies the possibility of extremism and terrorism at all times as does Islam. Radical political groups that carry Muslim religious slogans in the form of political programs and their excessive use of violence, terrorism, wars, chaos and unrest have created a negative perception of what the core meaning of Muslimism represents.

A new definition has emerged as a consequence of this radicalisation. Neojihadism has been defined as “*a religious, political, paramilitary and terrorist global movement, a subculture, a counterculture and an ideology that seeks to establish states governed by laws according to the dictates of selectively literal interpretations of the Quran and the traditions of the Prophet Muhammad, through enacting violence*”<sup>19</sup>

An example of a neojihadist group is in the Patani community in South Thailand, when after its unification into one state (that of Thailand) it sought its freedom through warfare for many years. Nevertheless, from a national liberation movement, it ended up carrying elements of neo-jihadism and seeking the liberation of an Islamic Ground (and not only national) and using global terms like *Umma* and defensive *Jihad* against violating their rights by the Siamese government. Melayu Muslims and Thai Muslims have faced discrimination, especially after the 2004 Bali bombings. Especially Muslim women who wore headscarves were either considered extremists or were verbally and physically assaulted on the street or on transport.<sup>20</sup>

The term *khaek* (the foreigner, the visitor) is a conscious development of every Thai by distinguishing himself from foreign Muslims. Even though the term has been abandoned, it is still in use and takes on a different meaning, that of violent Islam. As a result, social cohesion is segregated in the ethnocentric perception of Thailand and leaves no space for integrating its multicultural component.<sup>21</sup>

The conceptualisation of this form of Islamic Fundamentalism creates a dangerous Islamophobic fanaticism. Orientalism paved the way in combination with terrorist attacks of radicalised groups which invoked principles of the Muslim religion to heighten Islamophobic perceptions of Muslims in the West.<sup>22</sup> After 9/11 and the other terrorist attacks, Islamophobic victimisation escalated into a ‘new’ form of racism, from

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<sup>18</sup> Gilbert Achcar interviewed by Ashley Smith, “*Islamic fundamentalism, the Arab Spring, and the Left*”, ISR, <https://isreview.org/issue/103/islamic-fundamentalism-arab-spring-and-left/index.html>

<sup>19</sup> Lentini, P., “*Antipodal terrorists? Accounting for differences in Australian and ‘global’ neo jihadists.*” In R. Devetak & C. W. Hughes eds., *The globalisation and political violence: Globalisation’s shadow*, London, Routledge, 2008, p. 181-202

<sup>20</sup> Marddent, A., “*Buddhist perceptions of Muslims in the Thai South*”, Silapasad Samnuk, 2008

<sup>21</sup> Douglas Pratt, Rachel Woodlock, “*Fear of Muslims? International Perspectives on Islamophobia*”, Springer International Publishing, Switzerland, 2016, p. 135-140

<sup>22</sup> Irene Zempi and Neil Chakraborti, “*Islamophobia, Victimisation and the Veil*”, Palgrave Macmillan, UK, 2014, p.70

race to religion, in the way of cultural superiority.<sup>23</sup> The Council of Europe is stressing the phenomenon of anti-Muslim racism and hatred. The fight against terrorism with holistic anti-terrorist policies, the creation and the collapse of the Islamic State, the civil war and the international involvement of state and international actors in Syria, the 2015 refugee crisis in Europe which created larger Muslim minorities inside EU states, have provoked the emergence of new and more intense forms of discrimination<sup>24</sup>.

## **Chapter 2. Muslim Religious Minorities: Target and Manifestations of racism**

It is an undeniable truth that Al Qaeda attacks in the United States, with the highlight of the terrorist attack on the World Trade Center and Pentagon on September 11, 2001, launched an era where the world would never be the same. Both for Muslims and the rest of the world<sup>25</sup>. The negative stereotypes about Muslims and Arabs and the aftermath of the attacks of ISIS (Daesh) strengthened the anti-Muslim sentiment and in combination with migration flows from Muslim countries around the globe, the word "Muslim" became identical with "migrant, asylum seeker, refugee and terrorist". Islam is considered to be the pretext of political extremism, and Muslims to be the instigators of all evil and the subjects of the religion of terrorism.

According to ECRI's recommendation policy No5, the stereotypes around Muslims are focused on four characteristics: foreignness, backwardness, threat, and cultural incompatibility with core European values such as human rights and democracy.<sup>26</sup> Despite their diversity regarding the origin, language, citizenship, religious orientation, Muslims, or people assumed to be Muslims, are depicted to belong to an homogeneous and monolithic group. It is a grave concern that racial and discriminational attitudes against Muslims create an ideology of incompatibility between national/ ethnic or religious groups on such a scale that they are assumed incapable of coexisting. These racial manifestations erode social cohesion and reduce it to the level of a kind of "*racial*" superiority.<sup>27</sup> According to the Pew Survey of attitudes towards Muslims, in nine out of ten European countries surveyed, at least 50% of respondents in each country believe that Muslims prefer to distinguish themselves through their religion, and therefore do not wish to integrate into society. This view was more prevalent in

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<sup>23</sup> Allen, C., "*Islamophobia*", Farnham: Ashgate, 2010

<sup>24</sup> ECRI General Policy Recommendation No. 5 (revised) on preventing and combatting anti-Muslim racism and discrimination, adopted on 8 December 2021

<sup>25</sup> Amnesty International, "Choice and Prejudice: Discrimination against Muslims in Europe", London: Amnesty International, 2012

<sup>26</sup> *Ibis*.

<sup>27</sup> ECRI Annual Report (2010): §12.



Greece (78%), Hungary (76%), Spain (68%), and Italy (61%) and only in Poland was it below 50%, with 45% of respondents expressing this view.<sup>28</sup>

The following categorization mainly presents the "main narratives" against Muslims: Muslims as a security threat, as a threat of proselytising, theocracy, a threat to identity, gender inequality with ontological differentiation, inherent violence, incomplete citizenship and homophobia.<sup>29</sup> Anti-Muslim intolerance may intensify after high-profile national or international political events, aggressive nationalist marches or terrorist attacks, crimes and incidents that trigger it. Hate crimes may be micro-events of national or international conflicts in which persons belonging to minority groups are perceived to be opposed to the "dominant cultural norms" or "acting against national interests". Rhetoric about terrorism and the war against it is often used to harass Muslims, but can also trigger discrimination on the part of authorities through the non-proper application of anti-terrorism procedures.<sup>30</sup>

The forms of exclusion vary and can combine anti-immigrant sentiments, xenophobia, and gender or social class bias simultaneously. For example, being a Muslim (religious) black (racial) woman (gender) at the same time. Moreover, it can be direct or indirect, coming from individuals or even state institutions (structural). In other words, anti-Muslim hatred, like most forms of racism, can be multi-layered and intersectional. Its manifestations are based on three main axes: defamation and hate, religious denial and elimination, cycles of disadvantage and even obliteration of culture. These are prejudice, stigmatisation, discrimination (including profiling), hate speech and hate crime and exclusion in critical areas of public life.

## 2.1 Stigmatization

The constant projection of Islam, together with terrorism, turns the perception of Muslimism into an external threat to every state, an internal threat during the acceptance of migratory flows, contrary to all freedom and fundamental human rights. As a result, Muslims have been scapegoated and stigmatised<sup>31</sup>. The instrumentalisation of Islam by terrorist groups (such as Al-Qaeda, and ISIS (Daesh)) in order to achieve their political goals and to recruit and manipulate as many followers as possible had augmented anti-

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<sup>28</sup> Europeans Fear a Wave of Refugees Will Bring More Terrorism, Fewer Jobs Labour, 2016, available at: <https://www.pewresearch.org/global/2016/07/11/europeans-fear-wave-of-refugees-will-meanmore-terrorism-fewer-jobs/>>

<sup>29</sup> Comparative Report "Counter Islamophobia Kit, Dominant Islamophobic Narratives - Comparative Report", Center for Racism and Ethnicity Studies, University of Leeds, July 2017

<sup>30</sup> C. E. Mills, J.D. Freilich, and S.M. Chermak, "Extreme Hatred: Revisiting the Hate Crime and Terrorism Relationship to Determine Whether They are 'Close Cousins' or 'Distant Relatives'" Crime and Delinquency, 2015

<sup>31</sup> ECRI's Opinion on the concept of "racialisation", 2021, § 5

Muslim hate and fear and portrayed Muslims as a security threat<sup>32</sup> unable to keep up with universal human values and integrate with "civilised" societies.

Migration flows are constantly augmenting, especially in Europe. For many years the whole management of the phenomenon has sparked multiple controversies at political, economic, social, state and regional levels. This controversy is reflected every day in the European media too. Nevertheless, the exposure of immigrants, asylum-seekers and minorities issues, mostly from Muslim communities, had always been challenging. Media policy and coverage often contribute to a racist vision of ethnic, cultural, and religious minorities and migrants in Europe by suppressing positive information about these groups and focusing on negativity, problems and crime. On the other hand, there are initiatives with the purpose of understanding minorities and enabling their participation in the media. But the extended emission of harmful content holds the media responsible for reinforcing the racist opinions and hostile attitudes that created a space tolerant of violence towards such vulnerable groups.<sup>33</sup>

The parallel paradigm of religion, terrorism, political extremists and the generalised references flatten the exceptions as a rule and mislead public opinion. Muslims are subjected to differential treatment simply because they are Muslims or are perceived as such by their traditional dress, haircut, colour or headscarf and labelled as extremists. The EU's Fundamental Rights Agency (FRA), in a study entitled "*Second European Union Minorities and Discrimination Survey*", finds that almost one in three Muslim respondents reported having suffered discrimination in their job search. The study also found that harassment on the grounds of ethnicity is a major cause of discrimination. Alternatively, immigration background is common for one in four Muslims. One in three said they had experienced discrimination, harassment or control by the police because of visible religious symbols, such as traditional or religious clothing. About half said that their names, skin colour or appearance were the reason they were discriminated against when seeking employment, housing or receiving health care.<sup>34</sup>

Political populist discourse reinforces the phenomenon, especially after 2015 when migratory flows helped to strengthen anti-Muslim sentiment and xenophobia in combination with immoral blinded journalism and social media supposed conspiracy theories that Muslims are the extremists and terrorists, invaders in European countries.

## 2.2 Discrimination

The fact that they are assumed to not fit into society is the precursor of discrimination and, the worst, of normalising their discrimination.

Discrimination can be direct or indirect. The first one presupposes intention and usually is blatantly apparent. The indirect one is usually structural discrimination and

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<sup>32</sup> ECRI Annual Report (2014): §14

<sup>33</sup> OHCHR & UNESCO, "*Dimensions of racism*" ...

<sup>34</sup> "Second European Union Minorities and Discrimination Survey Muslims – Selected findings", European Union Agency for Fundamental Rights, 2017

is the most difficult to eradicate because it does not always require intention. For example, in neutral requirements for job applications, members of a particular racial or ethnic or religious group can be excluded.<sup>35</sup> Structural discrimination consists of “*a pattern of discriminatory attitudes and behaviours in societal structures that, consciously or unconsciously, present obstacles to Muslims*”.<sup>36</sup> discrimination is usually based on religion, for example, the debate on the headscarf, the non-construction of mosques. Misinformation or lack of knowledge about Islam reinforces prejudice and the fact of not embracing diversity as an asset but not only as a threat. More clear cases of discrimination against Muslims will be presented in the second part of this thesis with examples of everyday life and case law.

## 2.3 Hate speech

Nowadays, in many states, penalties are predicted for anyone who intentionally, publicly, orally, or through the press, the internet or in any other means or manner incites, provokes, stimulates or urges acts or actions that may cause discrimination, hate or violence against a person or group of persons, identified based on race, colour, religion, descent, national or ethnic origin, sexual orientation, gender identity, characteristics or disability, in a way that endangers public order or poses a threat to the life, liberty or physical integrity of such persons. This is the phenomenon of hate speech. Hate speech has as its chain effect the discrimination against the group to which it is directed, which may later lead to the commission of hate crimes.

Online hate speech as a form of incitement of violence against Muslims has augmented in recent years and remains a hot issue.<sup>37</sup> The collocation in social media of the word "Muslim" as extremist, terrorist, oppressor, subjugate, and heterodox reinforce the perception of the "Other", the proliferation of discriminatory incidents that sometimes can end up in violence. "Muslim profiles" had been targeted, primarily when aggressive nationalist gatherings or incidents of terrorism, proven and repeated, are attributed to Muslims and as consequence had triggered incidents of anti-Muslim hatred or even criminal acts.<sup>38</sup>

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<sup>35</sup> Griggs v. Duke Power Co, US Supreme Court, 1971. The Court found that, even though the employer may not have intended to discriminate, the behavior was unlawful because it excluded black applicants who were otherwise qualified for the job. Indirect discrimination was held unlawful, even though not proved to be intentional.

<sup>36</sup> Ibis 14.

<sup>37</sup> Survey conducted by the Council of Europe Secretary General's Special Representative on Antisemitic, anti-Muslim and other forms of religious intolerance and hate crimes, 2021

<sup>38</sup> The Annual Report "Tell MAMA 2016": identity, intolerance and the impact of anti-Muslims Hatred, London, 2017, Faith Matters, p. 56.

Since May 2016, Facebook, Twitter, YouTube, Microsoft and later Instagram, Google+, Snapchat, Dailymotion, Jeuxvideo.com and TikTok have pledged to fight the spread of such content in Europe through the code of ethics. Social media platforms, according to the code, should examine user complaints in less than 24 hours in order to remove the hateful content in question from the internet as soon as possible.<sup>39</sup>

The European Court of Human Rights (ECtHR) has dealt with the issue, especially regarding article 10 of the European Convention of Human Rights (ECHR) on freedom of expression. The Human Rights Committee has provided helpful guidance, notably through its general comments No. 34 (2011) on the freedoms of opinion and expression. Just referring to some hate speech examples implemented in Muslimism discourse are the following:

In **Norwood v. United Kingdom** (no. 23131/03, decision of 16 November 2004, ECtHR)<sup>40</sup> the applicant had placed in his window a poster of the British Foreign and Commonwealth Office Party - of which he was a member - depicting the Twin Towers wrapped in flames accompanied by the phrase "*Out Islam – Let us protect the British people*". This action condemned him for a violent assault, a severe and general attack on a religious group, in such a way as to link the group as a whole to a brutal terrorist act, which is contrary to the values of tolerance, social peace and non-discrimination.

In **Soulas and Others v. France** (no. 15948/03, decision of 10 July 2008, ECtHR)<sup>41</sup> the publishing of a book with the title "*The Colonisation of European Union*" and subtitled "*True observations on immigration and Islam*" had been accused of inciting hatred and violence against Muslim communities coming from the North and Central Africa.

Moreover, in **Feret v. Belgium** (no. 15615/07, decision of 16 July 2009, ECtHR)<sup>42</sup> The applicant was a Member of Parliament and President of National Front, a political party in Belgium. During the election campaign, various types of leaflets were distributed, where the direct messages were "*Resistance to the Islamisation of Belgium*", "*The end of the so-called integration policy*", and the "*Expulsion of non-European unemployed people*". The applicant was sentenced for inciting racial discrimination, and the Court considered that the applicant's comments were sufficiently capable of provoking, particularly among the less informed members of the public, feelings of contempt, rejection or even hatred of the foreigners.

In addition, **Le Pen v. France** (no. 18788/09, decision of 7 May 2010, ECtHR)<sup>43</sup> The applicant was at that time President of the French political party the "Ecological Front". He claimed a violation of his freedom of expression because of his conviction for "incitement to discrimination, hatred and violence against a group of persons on the grounds of the origin or because they belong or do not belong to a given nation, ethnicity, race or religion" because of the remarks he expressed about Muslims in

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<sup>39</sup> Council Framework Decision 2008/913/JHA

<sup>40</sup> Available at: [https://hudoc.echr.coe.int/eng#{\"itemid\":\[\"001-67632\"\]}](https://hudoc.echr.coe.int/eng#{\)

<sup>41</sup> Available at: [https://hudoc.echr.coe.int/eng#{\"itemid\":\[\"001-87370\"\]}](https://hudoc.echr.coe.int/eng#{\)

<sup>42</sup> Available at: [https://hudoc.echr.coe.int/eng-press#{\"itemid\":\[\"003-2800730-3069797\"\]}](https://hudoc.echr.coe.int/eng-press#{\)

<sup>43</sup> Available at: [https://hudoc.echr.coe.int/eng-press#{\"itemid\":\[\"003-3117124-3455760\"\]}](https://hudoc.echr.coe.int/eng-press#{\)

France during an interview with the newspaper *Le Monde*, supporting that "the day when we no longer have 5 million, but 25 million Muslims, they will give the orders». The Court asserted that, undoubtedly, his remarks could create a negative image of the Muslim community and could have caused a risk of rejection and resentment. In the same context, in the case **Sanchez v. France** (no. 45581/15, decision 2 September 2021, ECtHR)<sup>44</sup>, the Court held that the politician was fined in criminal proceedings for failing to act promptly by deleting hateful content from his public social media account is not protected by Article 10 of the ECHR.

Last but not least, in **Gündüz v. Turkey** (no 35071/97, decision of 13 November 2003, ECtHR)<sup>45</sup>, the reference to Shariah itself, without any further suggestion of violence, could not be considered as hate speech. On the contrary, in **Belkacem v Belgium** (no 34367/17, the decision of 17 June 2017, ECtHR),<sup>46</sup> referring to Shariah when accompanied by a call to violence, that may constitute hate speech and each State Party has the right to oppose political movements based on religious fundamentalism.

It is essential to distinguish between the criticism of a religion protected by the freedom of speech and offending its followers by inciting acts of violence. In the case of **I.A. v. Turkey** (Application No 42571/98), the Court held that there was no violation of Article 10 of ECHR because everyone who chooses to exercise the freedom of speech of their religion, whether they constitute the majority or the minority, they cannot reasonably think that they are free from any criticism. They have to stand up and accept the rejection by others of their religious beliefs and even the dissemination of opposite doctrines. In this particular case, certain aspects of the book in question constituted an unjustified and inflammatory attack on the Prophet of Islam.

In an increasingly technologically advanced world, hate speech incidents must be recorded, analysed and always dealt with in a targeted manner with respect for freedom of expression. For the responses so far, whether at the state, regional or international level, to shield individuals from incidents of inciting violence must evolve as rapidly as the phenomenon.<sup>47</sup> Actions against hate speech must be well-founded, proportionate, objective and not improperly used to restrict freedom of expression or association or to suppress critique of official politicians, political opposition and religious beliefs.<sup>48</sup>

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<sup>44</sup> Available at:

<https://hudoc.echr.coe.int/fre#%7B%22tabview%22:%5B%22document%22%5D%2C%22itemid%22:%5B%22002-13386%22%5D%7D>

<sup>45</sup> Available at: <https://www.lawpluralism.unimib.it/en/oggetti/374-gunduz-v-turkey-no-2-dec-no-59745-00-e-ct-hr-first-section-13-november-2003>

<sup>46</sup> Available at: <https://futurefreespeech.com/belkacem-v-belgium/>

<sup>47</sup> Secretary General, "UN Strategy and Plan of Action on Hate Speech", May 2019

<sup>48</sup> ECRI's GPR No15 on Combating Hate Speech, 8 December 2015

## 2.4 Hate crimes

The violence incited by hate speech may end up in a hate crime. In other words, a crime with a racist character is committed because of the singular characteristics of the race, colour, national or ethnic origin, descent, religion, disability, sexual orientation, identity or gender of the victim. It is an act that constitutes an offence under criminal law and is committed due to the above clues. These crimes usually include violence, such as threats, vandalism, damage to property, bodily harm or even murder. However, a crime with racist characteristics can be any other criminal offence committed against an individual or a group of persons because of their supposed characteristics.

It is essential to distinguish between hate incidents and hate crimes. Hate crimes are criminal offences committed with a motive of prejudice.<sup>49</sup> This means that the perpetrator chooses the victim or the target of his/her attack because of one or more specific characteristics. If committed because of a particular characteristic, hate incidents either do not rise to the level of criminal behaviour or are not reported as crimes.

Anti-Muslim bias is one of the motives for negative predisposition that turns a crime into a hate crime. An anti-Muslim hate crime is presumed if it can be proven that the perpetrator chose a victim or target because of their faith or their relationship with Islam, often with the use of explicitly anti-Muslim comments, references to terrorist actions or groups and terrorism.<sup>50</sup> Such crimes are also committed against people who are believed to be Muslims or associated with Muslims, including, for example, members of Sikh communities.<sup>51</sup>

Specifically, it is essential to note the intersectionality of the bias motive, in other words that, the perpetrator of an anti-Muslim hate crime is often linked to other prejudice, in particular, sexism, xenophobic prejudice or prejudice against someone because of the colour of their skin, or because of his or her perceived ethnicity. A study on victimisation in the context of hate crime revealed that 50% of hate crime victims were targeted because of more than one characteristic of their identity.<sup>52</sup> Examples of these crimes will be cited in the second part of this thesis.

However, the biggest problem is that the convictions for these kinds of hate crimes are shallow because the victims either are unwilling to report them in fear of retaliation

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<sup>49</sup> OSCE, SC Decision. No. 9/09, "Combating Hate Crimes", Athens, 2/12/2009

<sup>50</sup> European Commission, "Improving the Recording of Hate Crime by Law Enforcement Authorities: Key Guiding Principles", Brussels, 2017: [https://fra.europa.eu/sites/default/files/fra\\_uploads/ec-2017-key-guiding-principles-recording-hate-crime\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/ec-2017-key-guiding-principles-recording-hate-crime_en.pdf)

<sup>51</sup> "Polish police tell British Sikh man 'what do you expect after Paris attacks' after nightclub beating", Newspaper, The Telegraph, Matthew Day, Warsaw, 2/12/2015, <https://www.telegraph.co.uk/news/worldnews/europe/poland/12029627/Polish-police-tell-British-Sikh-man-what-do-you-expect-after-Paris-attacks-after-nightclub-beating.html>

<sup>52</sup> N. Chakrabarti, "Reconceptualizing hate crime victimization through the lens of vulnerability and Difference", *Theoretical Criminology* Vol. 16, No 4, 2012, p.499-514.

or they find unfunctional state services. The incomplete reporting and recording<sup>53</sup> hate crimes might have devastating effects on the lives of these groups and Muslims. OSCE, in ODIHR's annual update 2021 for hate crime reporting, refers that hate crimes do exist. However, the lack of official hate crime data reveals that states don't have the appropriate mechanisms and structures to comprehensively record and collect them. In addition, many states do not record bias motivation, which is the distinctive element of every hate crime, and fail to distinguish hate crimes from other types of crimes. As a result, they cannot select out of many the most vulnerable groups in order to protect them.

An example of a good practice lies in Greece. There is the possibility of issuing, for the victims and witnesses of crimes with racist characteristics, who have the nationality of another (non-EU) country, a residence permit for humanitarian reasons in order to be able to report the commission of a hate crime (of racist violence) and remains valid for one year and is renewed for two years at a time, provided that the same circumstances are met.<sup>54</sup> Maybe it is not the perfect solution to the problem, but it is a way out to elaborate more accessible manners for reporting hate crimes.

The bias which provokes violent crimes undermines social security and cohesion. They are a grave breach of freedom of religion, too. Their many dimensions intersect with other human rights, including the right to be protected from discrimination. The elimination of Anti-Muslim bias is the first step into eradicating any extremism from both sides.

### **Chapter 3. The phenomenon of Islamophobia**

In the last almost 30 years anti-Muslim hatred obtained a name and it is that of Islamophobia. Islamophobia without departing from the desired limits of this interpretive approach, will be approached by demonstrating its birth as a term, examples of its realisation, and the contemporary evolution of its content.

Starting in the mid-1980s, the construction and enlargement of the European Union (EU) was the reason for the search for a European identity. The elements of this identity and the value system of the EU were (still are.?) proclaimed to be human dignity, human rights, the rule of law and the principle of legal certainty. Namely, fundamental, quasi-constitutional principles enshrined in the Treaties, the Charter of Fundamental Rights

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<sup>53</sup> OSCE, Human Dimension Implementation Meeting, Warsaw, 2022, <https://hatecrime.osce.org/hate-crime-data>

<sup>54</sup> Immigration Department of the Ministry of Immigration and Asylum, Article 19A 1b of Law 4251/2014

of the Union and the case law of the Court of Justice of the EU. The fiscal crisis starting in 2009 with consequences until today, has revealed a Europe that, from being a "promised land" of prosperity and social justice, was becoming a fear and an example to be avoided.<sup>55</sup>

The general crisis was complemented by a series of events like the refugee crisis of 2015, the rights and wrongs of the Dublin system, the supposed burden-sharing of the reception and accommodation of refugees, the sealing of borders of EU members and the suffocating social and economic pressure of refugee arrivals on the territory of host states. The countries of the European South, having the economic crisis stigma of the misfit child of Europe, then had to bear another one. The burden of managing and relieving refugees, at least at the beginning, mainly coming from countries where Muslimism was the religion of the majority, in their already economically and ideologically exhausted societies.

These reasons created a fertile ground for the development, among other social phenomena, of xenophobia in the EU and the base for controversial political debates in almost every EU member. Islamophobia was a symptom of it. Finding a European identity, including Islam as an element, is challenging and, foremost, a reason to interrogate the European identity.

When we talk about Islamophobia, we are talking about the ideology, the "hostility" against Islam, while Islamophobic victimisation is about the materialistic dimension of this hostility, either verbally or physically. This approach interprets Islamophobia as a "new" form of racism, whereby Islamic religion, tradition and culture are seen as a "threat" to the Western way of life.

The term received public policy prominence in 1997, in the British Runnymede Trust report, "*Islamophobia: A Challenge for Us All*" where Islamophobia was defined as the "dread or hatred of Islam and therefore, to the fear and dislike of all Muslims"<sup>56</sup>, and the practice of discriminating against Muslims by excluding them from the economic, social, and public life of the British nation. This view was expressed before 9/11 and all the terrorist incidents that followed. Within the framework of Orientalism, as mentioned above, Islam was always depicted with extraordinary hostility and fear, a religion/way of life with irredeemable violence, aggression, support of terror and a "clash of civilizations". The religious element is only presumed to be used as an instrument of control with the purpose of prevailing politically or militarily.<sup>57</sup>

Over the years, anti-Muslim hatred is perceived as a natural and normal phenomenon making integration into, at least in the European societies, an almost unachievable

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<sup>55</sup> Kanellopoulou-Malouchou Neda, "Europe Janus and the law of necessity", To Vima on Sunday, 24 March 2013, special edition, p. 14-34, <https://www.tovima.gr/2013/03/24/opinions/i-eyrwpi-ianos-kai-to-dikaio-tis-anagkis/>

<sup>56</sup> Runnymede Trust, "*Islamophobia: A Challenge for us all*", UK, 1997

<sup>57</sup> Said, E. W., "*Covering Islam: How the media and the experts determine how we see the rest of the world*", London: Vintage Books, 1997



goal.<sup>58</sup> Runnymede Trust, in its 20th-anniversary Report, continued to consider Islamophobia as a sort of racism like antisemitism for Jews,<sup>59</sup> any distinction, exclusion or restriction towards, or preference against, Muslims (or those perceived to be Muslims) that has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms. Unfortunately, at first the Runnymede Trust may not have entirely foreseen how the term would be criticised from several different angles for, among other things, supposedly strengthening the monolithic conception of Islam and cultural, historical and doctrinal differences while supplying the Muslim criers with a prepackaged concept of victimology.<sup>60</sup>

But where does the misconception stand? First, ignorance in all forms (innocent, blind or culpable) and certainly the media shaped perception of Islam especially after 9/11 (misinformation). The compelling influence of the media nowadays needs further care and a critical way of thinking in order not to be manipulated from not valid and misleading information, especially when cultural or religious diversity, racism, xenophobia and political extremism are the concerning issue. As mentioned before, it is not new when the media use different or even harder language when addressing minority issues, especially illegalities or crimes. The characterization of minorities is another popular technique that transmits hostile generalisations.<sup>61</sup> The negativity and stereotyped way of the representation of Muslims and Islam as the identification with the ""War on terror"" after the 9/11 attack, consisted of an Islamophobic explosion which defines until today the lives of so many Muslims around the world<sup>62</sup>. Mainly, the visual identifiers of Muslimism like the beard or the headscarf, as we will see later, targeted many Muslim men and women to racist and, in some cases violent attacks. Of course, there were exceptions with broadcasts of positive content to conform with the broadcast of negative Muslim images. In other cases, there was an inappropriate and disproportionate focus on extremist elements in Muslim communities that became so common because of the media's discriminatory behaviour.

In this context, a distorted image of Islam as the exact opposite of Christianity with the inability to harmoniously coexist into Western societies is constantly transmitted and as a result, it is considered to be true. As a result, many islamophobic incidents occurred almost everywhere in the world with flangrant paradigms following.

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<sup>58</sup> Choudhury et al, *“The impact of Islamophobia and racism on integration: voices from members of Muslim communities in the European Union”*, EUMC, 2006, p. 31-32

<sup>59</sup> Runnymede Trust, *“Islamophobia - 20 years on, still a challenge for us all”*, UK, 2016

<sup>60</sup> Ozanne, W. I., Review of Confronting Islamophobia in Educational Practice. *Comparative Education*, Taylor & Francis, Ltd., UK, 2006, p.28

<sup>61</sup> OHCHR & UNESCO, *“Dimensions of racism”*,...

<sup>62</sup> EUMC, *“Islamophobia in the EU after 11 September 2001”*, Summary Report, Vienna, 2004

### 3.1 Islamophobia in the United States of America

In the present case, it would not be productive to refer in detail to the enormous impact of the 9/11 attack and of the other terrorist attacks that followed, of the creation of ISIS and the US operations in Iraq, Afghanistan and Syria, in the Muslims in America.<sup>63</sup> It is also said that older discriminations against Arabs and South Asians in America have been revived, infused with a new Muslimism, notably prominent in the post-9/11 age. As these anti-Muslim memes have proliferated, they have become normalized, too. It is now part of the Western consensus that Islam and Muslims are a threat to freedom of speech, to the role of women, to security and secularism, to social cohesion and generally to the supposed West lifestyle.<sup>64 65</sup> Both ethnic, and more generalised forms of xenophobia found a new and massive boost.<sup>66</sup>

The origins of Islamophobia in America go way back to the establishment of the American Constitution itself and the question of the state-religion era because, according to Montesquieu, the Quran was considered authoritarian because of the lack of distinction of powers. The non-Protestants (Muslims and Catholics) were not considered proper support for the combination of political and religious power since constitutional liberties had been cemented partly through dialectical opposition with Islam and Catholicism, whose followers were depicted as devoted slaves with unreasonable loyalty to their infallible religious leaders. So, the grant of political citizenship was under suspicion by the thought of Muslims and Christians' presumed obedience to a foreign religion political authority. Early national identities were thus created with negative images of Islam.<sup>67</sup>

Among others, Muslims were linked with accusations of conspiring against America with terrorist expansionist policies even before 9/11 and mostly after, within the framework of America's antiterrorist policies that followed.

### 3.2 Islamophobia in Australia

Australia has been a place of migration for many years and a cultural mixture of religions and peoples. However, it has tried hard to maintain cohesion in its multicultural society by favouring inclusion rather than exclusion. The differentiated

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<sup>63</sup> Douglas Pratt, Rachel Woodlock, *"Fear of Muslims? International Perspectives on Islamophobia"*, Springer International Publishing, Switzerland, 2016, p.40-50

<sup>64</sup> Allen, C., *"Islamophobia"*, Farnham, UK: Ashgate Publishing, 2010a

<sup>65</sup> Islamic Human Rights Commission. (IHRC), *"Islamophobia: the New Crusade"*, UK, 2002.

<sup>66</sup> EUMC, *"Islamophobia in the EU after 11 September 2001"*, Summary Report, Vienna, 2004

<sup>67</sup>The Center for Security Policy's report *"Shariah: The Threat to America"*, 2010

image of Muslims was always a matter of identity. The distrust of Muslim minorities was excused by the perception of them being an economic threat, a security breach and a terrorist nexus.

The Cronulla Riots in December of 2005 is the “perfect” example of incitement of violence through media with a racist context.<sup>68</sup> In response to text messages and media broadcasting, 5000 “white” Australians protested in Sydney as an “ethnic cleansing unit”. They launched attacks on every passing by that looked like a Middle Eastern, Lebanese or Muslim. As a result, tensions created and revealed the ugly truth that Muslims were considered outsiders and foreigners to Australian society and that populist racialisation produced racist hate crimes through mob mobilisation. Muslims, like in a cultural war, are in a constant position to prove their Australian connection and belonging.

According to the Oxford Dictionary of Sociology, assimilation<sup>69</sup> refers to the expectation that a minority or subordinate group becomes indistinguishable from the dominant host or majority group, particularly regarding values and culture. The difference in Australia is that Muslims need to assimilate because Islam is seen as a foreign and potentially dangerous religious import. Nevertheless, the majority of Muslims, as a matter of fact, harmoniously coexist in Australia, and that actually demonstrates the hope for equality and overwhelming acceptance of the legitimacy of the state of which they are citizens.<sup>70</sup>

### 3.3 Islamophobia in Switzerland

The Islamophobia incident worth mentioning in Switzerland was the constitutional ban on minaret constructing passed in November 2009 (ar.72 par.3 of the Swiss Constitution)<sup>71</sup>. Conveniently, 90% of Muslims in Switzerland were denied the right to vote. On the one hand, the decision is considered to be a form of Islamophobia and on the other, an indication of Muslim otherness. It was asserted that the minarets were not mentioned in the Quran as an indispensable means of religion so the ban could not restrict the freedom of religion. Minarets were seen as a “creep Islamisation”.<sup>72</sup>

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<sup>68</sup> Poynting, S., “What caused the Cronulla riot?”, SAGE Publications, NY, 2006, p.85–92

<sup>69</sup> Available at: <https://www.oxfordreference.com/display/10.1093/oi/authority.20110803095429804#:~:text=Quick%20Reference,norms%20of%20the%20dominant%20culture>

<sup>70</sup> T. Modood, A. Triandafyllidou, & R. Zapata-Barrero (Eds.), “*Multiculturalism, Muslims and citizenship: A European approach*”, Routledge, NY, 2006, p. 37–55

<sup>71</sup> Ironically, this new third paragraph takes the place of an earlier third paragraph that was removed ten years ago, that of the ban on the construction of new Catholic dioceses.

<sup>72</sup> Available at: [https://www.swissinfo.ch/eng/society/political-history\\_the-controversial-minaret-ban--ten-years-on/45399822](https://www.swissinfo.ch/eng/society/political-history_the-controversial-minaret-ban--ten-years-on/45399822)

Nevertheless, even the Federation of Swiss Protestant Churches considered the opposite.<sup>73</sup>

The debate was mainly based on legal and human rights issues, constituting a pluralistic society as embodied in law. Despite human diversity, everyone is entitled to the dignity of being who they are.<sup>74</sup> Without question, the minaret ban violates both the Swiss constitution and the European Convention on Human Rights with respect to the freedom of religion and belief and also freedom from discrimination.<sup>75</sup> Also, UNHRC condemned the "*defamation of religion*" which included reference to "Islamophobic" bans on building new minarets on mosques.<sup>76</sup>

Of course, Islamophobia is not located only in the places mentioned above. It is a worldwide phenomenon with paradigms of discriminatory behaviour against Muslims. The Christchurch Mosque shootings in New Zealand<sup>77</sup> on the 15th of March 2019, with 42 Muslims murdered while praying, depicts a strong indicator of anti-Muslim sentiment that can result in violence and murder. During the coronavirus pandemic (2020), in India COVID-19 was presented as a Muslim problem, a "religious invasion". Media invented the term CoronaJihad or CoronaTerrorism and a Social Media campaign targeting Muslims spread rumours that the Tabligh Jamaat, a Muslim reformist group, were responsible for spreading Coronavirus in India and the government did nothing to refute the rumours.<sup>78</sup>

Last but not least, we should declare that it is different from criticising Islam as a religion and discriminating against Muslims. Religious criticism cannot be Islamophobic *per se*, except from inciting bias toward Muslims. As a last resort in distinguishing between Islamophobia and simple religious criticism, it would be helpful to ask ourselves the following questions. Does it stereotype Muslims by assuming they all think the same? Is it about Muslims or dialogue with Muslims, which they would wish to join in? Is mutual learning possible? Is the language civil and contextually appropriate? Finally, is there insincere criticism for ulterior motives?

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<sup>73</sup>Federation of Swiss Protestant Churches, Background paper on Switzerland's vote on minarets, 2011, <http://goo.gl/RleB7T>

<sup>74</sup> Müller, F., & Tanner, M. (2009). *Muslime, Minarette und die Minarett-Initiative in der Schweiz: Grundlagen*. In M. Tanner, F. Müller, F. Mathwig, & W. Lienemann (Eds.), *Streit um das Minarett: Zusammenleben in der religiöse pluralistischen Gesellschaft* (pp. 21–44). Zürich: Theologischer Verlag.

<sup>75</sup> Müller, J. P., "*Gegenvorschlag zur Minarett-Initiative 'nachholen'*", *Neue Zürcher Zeitung*, Switzerland, 2009

<sup>76</sup> CCPR/C/CHE/CO/3, 3 November 2009

<sup>77</sup> Available at: <https://christchurchattack.royalcommission.nz/the-report/executive-summary-2/executive-summary/>

<sup>78</sup> Available at: <https://www.ohchr.org/sites/default/files/Documents/Issues/Religion/Islamophobia-AntiMuslim/Civil%20Society%20or%20Individuals/JusticeForAll.pdf>

Thus, international human rights law protects individuals and not religions, so the subject here is how to deal Anti-Muslim hatred. Is it just religious discrimination on the grounds of faith alone? Or is it something more?

## Part II: The Racialisation of Muslim Minorities

The international community is now beginning to regard Islamophobia as being centred on Muslims and not just on Islam. In the context of this more anthropocentric view, in the process of the definition of Islamophobia, there is a clear reference to symbols and signs of the Muslim faith that become the reason for discrimination against a Muslim or against someone who is perceived to be a Muslim.<sup>79</sup>

In the briefing paper prepared for the Special Rapporteur on freedom of religion or belief, for the report to the 46th Session of Human Rights Council, the dual aspect of Islamophobia was formulated. On the part of hatred against the faith as a value system and on the other of the visibility of religious symbols that distinguish Muslims from the rest of society as a deviation from the national identity of the state in which they are located. Specifically, it was stated as:

*“A fear, prejudice and hatred of Muslims or non-Muslim individuals that leads to provocation, hostility and intolerance by means of threatening, harassment, abuse, incitement and intimidation of Muslims and non-Muslims, both in the online and offline world. Motivated by institutional, ideological, political and religious hostility that transcends into structural and cultural racism which targets the **symbols** and **markers** of a being a Muslim.”<sup>80</sup>*

In other words, there is a self-explanatory reference to a **visible Islamic identity** which should not go unnoticed. Because the religious symbol is elevated to a characteristic that targets anyone who wears it, regardless of their faith. As will be mentioned below, there are many examples of targeting people who carry a characteristic or symbol that looks like Islamic, but actually they are not themselves Muslims.

Special mention is also made of “*Muslim-bashing*” on the streets, where, unlike the earlier “*Paki-bashing*”, Muslims or perceived to be Muslims are discriminated against because of the religious symbol they carry. For example, usually white Muslim women who wear headscarves are seen as converts to Islam and are targeted as the deniers of Western values. While black Muslims or non-Muslims, even second and third generation immigrants, in combination with both pre-existing and reinforced racist

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<sup>79</sup> Imran Avan & Irene Zempi, “*A Working Definition of Islamophobia*”, A briefing paper prepared for the Special Rapporteur on freedom of religion and belief, Preparation for the report to the 46th Session of Human Rights Council, November 2020

<sup>80</sup> Imran Avan & Irene Zempi, ... p.2

incidents against the weight of skin colour, consider racial discrimination against them as a common feature of their daily lives.

The UN encourages the correct use of the term Islamophobia rather than Anti Muslim hatred, because in the first case it does not exclude people who are wrongly considered Muslims. Last but not least, we should salute the United Nations General Assembly's Resolution<sup>81</sup> to proclaim the 15<sup>th</sup> of March as the International Day to Combat Islamophobia in the wake of the bloody murders in New Zealand and by declaring the clear message that “*Terrorism should not be associated with any religion, nationality, civilization or ethnic group*”.

Having made reference to a large part of the shaping of the bias motivation towards Muslim minorities, how does this new UN-level vision reinforce the theme of racialisation?

## Chapter 4. Meaning Approach of Racialisation

In a press release on 4 March 2021, the UN Special Rapporteur on freedom of religion or belief, Ahmed Shaheed, stated that Anti-Muslim hatred of Muslims or those perceived to be Muslims rises to epidemic proportions.<sup>82</sup> In his report, he presented data from different surveys around the globe with apocalyptic results about the large Anti-Muslim sentiment.

Islamophobia has challenged the international community on its definition more than once. The UN, the Secretary-General, the UNHRC, the UNAOC, the Council of Europe (CoE) and numerous other international organisations and agencies use the term in their discourses. As a result, it does not weaken the phenomenon it describes; however, depending on the historical and political context, it brings about the need to approach concepts that frame it or are involved in Islamophobia.

For example, Halliday, in 1999, characterised Islamophobia as misleading and made it clear that the discrimination against Muslims was happening because they were Muslims because the enemy was not Islam as a faith, but Islam as a people.<sup>83</sup>

So, in scholarship, we come across more and more often the term “*racialisation*” “*racialised*” or “*racially discriminated*” when we are talking about Muslims. In theory, until recently, the definition of race did not include religion as its element. Moreover, we refer to it until recently because there is a growing trend to broaden the definition of race and what it entails. Maybe this is the purpose of the terms, as mentioned earlier, that seek to impute to Anti-Muslim behaviour? Why is the term “*racialisation*” used to describe discrimination against Muslim religious minorities?

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<sup>81</sup> UNGA A/RES/76/254/17 March 2022

<sup>82</sup> Available at: <https://www.ohchr.org/en/press-releases/2021/03/un-expert-says-anti-muslim-hatred-rises-epidemic-proportions-urges-states>

<sup>83</sup> Halliday, F., “*Islamophobia Reconsidered*”, *Ethnic & Racial Studies*, 199, p.898

In his report in 2021, Ahmed Shaheed referred that Muslims, where they consist of a minority, are often “...targeted based on visible ‘Muslim’ characteristics, such as their names, skin colour and clothing, including religious attire and headscarves.” At the same time, a form of “... **“racialisation”**, instilling the idea that Muslim identity is a fixed marker of cultural – not just religious – difference...” characterising Muslims as a foreign “other” based on their **religion**, race and culture, they are distinguished as a social group from the majority and perceived as inferiors in terms of these conceptual distinctions. As such, some perceive Islamophobia as a form of anti-Muslim racism.<sup>84</sup>

Tariq Modood is in favour of this view. He asserts that Islamophobia today goes beyond being only a residue of the anti-terrorist measures of the states that placed Muslims at the heart of their policies. Nor is it a conscious remnant of the ideological and historical association of European society with notions of Orientalism interwoven with the legacy of imperialism.<sup>85</sup> He believes it is something more and challenges scholarship to examine how religion has new sociological importance because of the manners in which it is connected to aspects of community identity, stereotypes, socio-economic standing and political struggles.<sup>86</sup>

At first, he treated Islamophobia as cultural racism if it is founded on physical appearance alone (colour racism). Nevertheless, then, he concluded that Islamophobia ought to be treated at that kind of level as anti-Semitism (like a form of racism on its own). Which later became the approach of UNESCO and the 2017 report of Runnymede Trust<sup>87</sup>. But why?

## 4.1 The “Race” Debate

A mainstream argument would say that a religious minority does not have the characteristics of a race (the qualification for racism). However, racial categorization is obsolete as a socially constructed term to separate and hierarchize communities for opportunistic purposes. International Convention on the Elimination of All Forms of Racial Discrimination (1965) refers that “any doctrine of superiority based on racial differentiation is scientifically false, morally condemnable, socially unjust and dangerous, and that there is no justification for racial discrimination, in theory, or practice, anywhere”,<sup>88</sup>

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<sup>84</sup> A/HRC/46/30, 13 Apr 2021, Countering Islamophobia/anti-Muslim hatred to eliminate discrimination and intolerance based on religion or belief.

<sup>85</sup>Bertossi C., “*European Anti-Discrimination and the Politics of Citizenship*”, Basingstoke: Palgrave Macmillan, 2008

<sup>86</sup> Meer, N., “*The Bristol School of Multiculturalism, and the political sociology of identity*”, Symposium on the Bristol School of Multiculturalism, Edinburgh, 2019

<sup>87</sup> Tariq Modood, *Essays on Secularism and Racism*, Rowman & Littlefield, UK, 2019

<sup>88</sup> UNGA/RES/2106/1965, Preamble of the International Convention on the Elimination of All Forms of Racial Discrimination

UNESCO's Declaration on Race and Racial Discrimination in 1978<sup>89</sup>, ECHR in its Article 14 on the prohibition of discrimination and Protocol No. 12 to it, all refer to race as a prohibited ground. But the "race" term remains in daily lives, in scholarship, as long as the mindset does not change.

As it appears at the end of the 18th century, the race is a classification concept with two general characteristics. The first one is the hierarchical difference that is not neutral; distinction signifies that it is flawed, depending on the extent of the difference assumed. Secondly, it connects physical characteristics with knowledge, cultural and ethical ones, merging the specific and the arbitrary, the animal and the human, and the corporeal and the semiotic.<sup>90</sup>

The 19th century was famous for the false-scientific ideas of race-based categorization, which argued that people worldwide were separated into races, hierarchically placed, each with biologically defined capabilities for cultural evolution.<sup>91</sup>

The worldwide agitation against racial discrimination originated as a reaction to the apartheid in South Africa, which was established and legalised in the form of Bantu education. The keystone of this educational system was segregation on religious grounds. Modelled on the Dutch Educational System, schools were separated from non-believers and Christians to Roman Catholics and Protestants. The Bantu Education Act (1953) rapidly became internationally famous as the incarnation of apartheid.<sup>92</sup>

In order to understand the insistence on race, we should consider the historical link between race and religion. Religion was once used to segregate Muslims and Jews as second-class citizens compared to Christians. They were depicted as inherently different and inferior because of their cultural/religious background. On this basis, colonisation and imperialism against Muslim populations were established<sup>93</sup>, and prior to race, religion had been the reason for hierarchizing societies. Non-Christian ones were divided into two types of people – the godless ones and those with the "wrong" faith. Muslims, along with Jews, were placed in the latter category who did not have the "purity of blood" that true Christians were obtaining.<sup>94</sup>

Hence, blood was used as a biological factor to invoke biological differences among religious minorities (!). Religious affiliation had a biological element and was not just founded only on cultural differences. Imaginable fabrications like these were used to separate populations and justify colonisation. Perhaps the same did not happen with the

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<sup>89</sup> Ar.1 par.1: *"All human beings belong to a single species and are descended from a common stock. They are born equal in dignity and rights and all form an integral part of humanity."*, Declaration on Race and Racial Prejudice, UNESCO, Paris, 1978

<sup>90</sup> Wolfe, P., *"Race and racialization: Some thoughts"*, Postcolonial Studies, UK, 2002, p.52

<sup>91</sup> Miles, R., *"Racism after 'race relations' ..."*

<sup>92</sup> Pelzer, A. N., *"Verwoerd Speaks: Speeches 1948-1966"*, APB Publishers, Johannesburg, 1966, p. 77.

<sup>93</sup> Rana, J., *"Terrifying Muslims: Race and Labor in the South Asian Diaspora"*, Durham, NC: Duke University Press Books, 2011

<sup>94</sup> Goldschmidt, Henry, *"Introduction: Race, Nation, and Religion."*, Oxford University Press, New York, 2004, p.3–34



war on terror after 9/11. Dangerous generalisations about Arabs and Muslims being all of them incompatible with Western values and democracy, and the fear of the expansion of this backwardness, have not been used to justify the war and invasion in Iraq and Afghanistan? <sup>95</sup> Although, there are examples of religious minorities that "obtained" the status of a "race". One of these flagrant paradigms is the Jews.

For the first time in Iberia, by the 15th century, religious anti-Judaism morphed into racialized antisemitism. The Jews were no longer considered to be misled and thus theologically saved; instead, they were seen as "*intrinsically and organically evil.*" <sup>96</sup> The Jews' faults were considered inherent and conversion would not lead to the approval of the Christian community. Literally, what had just happened was that a racial connotation was attributed to a formerly unclassified relationship, and Jews and Judaism were racialized. <sup>97</sup> Consequently, from being excluded from society because of their religious beliefs, they were exempted due to their religious identification like a biological element that could not be altered, and so they as individuals were seen as evil. <sup>98</sup>

Theoretically, Jews did not exactly fall under the category of race because they were/are a religious group. However, because of having different traditions, languages and customs, they could not conform to western standards and over the years, they were facing non-stop discrimination. So, a "cultural race" was created in the place of a faith group. The transition from *Judenhass* (hatred of Jews) to antisemitism was a decisive turning point at the end of the 19th century and signalled a significant transition, characterised by the rising of an organised political movement as well as the shift of difference from religion to race. <sup>99</sup> Here, there are apparent resemblances between forms of antisemitism and anti-Muslim sentiment that continue to be explored <sup>100</sup> and which may foreshadow significant distinctions as well as similarities <sup>101</sup>.

## 4.2 Religion as Racial Element

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<sup>95</sup> Cainkar, Louise A., "*Homeland Insecurity: The Arab American and Muslim American Experience After 9/11*", Russell Sage Foundation Publications, NY, 2009

<sup>96</sup> Fredrickson, G. M., "*Racism: A short history*", Princeton University Press, Princeton, NJ, 2002, p.19

<sup>97</sup> Omi, M., & Winant, H., "*Racial formation in the United States: From the 1960s to the 1990.*", Routledge, NY, 1997

<sup>98</sup> Khyati Y. Joshi, "*The Racialization of Hinduism, Islam, and Sikhism in the United States*", Routledge, USA, 2006

<sup>99</sup> Bunzl, M., "*Anti-Semitism and Islamophobia: Hatreds Old and New in Europe*", Chicago, IL: Prickly Paradigm Press, 2005, p. 537

<sup>100</sup> Meer, N., "*Racialisation and Religion*", Routledge, London, 2014

<sup>101</sup> Renton, J. and Gidley B., "*Antisemitism and Islamophobia in Europe: A Shared Story?*", Basingstoke: Palgrave, London, 2017

For Muslims, maybe it is yet too soon to reach that conclusion. Indeed, 'Muslim' is not a (putative) biological category like 'black' or 'south Asian' (aka 'Paki') or 'Chinese'. Moreover, religious discrimination in most Western countries is not usually characterised by focusing on belief but is understandable as the membership of an ethnoreligious group like Catholics in Northern Ireland and Muslims in the countries of former Yugoslavia.<sup>102</sup> But even in that case, history has overturned the narrative.

The Srebrenica massacre, the 1995 genocide of Bosnian Muslims, illustrates that Muslims were 'ethnically cleansed' and were persecuted as a 'racial' group by people who were apparently, linguistically and culturally similar to them. The victims of the ethnic cleanser were racially identified as Muslims.

The Bristol University scholarship, along with T. Modood, is trying to explain a different way in order to understand cultural racism and, by extension, Islamophobia. Cultural racism is considered a substitute for biological racism because the former entails a two-step process: biological racism needs to exist. It is the starting point for discriminatory behaviour based on the physical appearance of the targeted group. In turn, cultural racism has been built on biological racism in order for the predominant group to invoke supposed cultural differences with the purpose of vilifying, marginalising or demanding cultural assimilation from the targeted group.<sup>103</sup>

Nowadays, scholarship is trying to change the notion of "race" and, as a result, cultural racism as it is. T. Modood asserts that "race" should not be strictly defined only by the terms of biology or ancestry.<sup>104</sup> They can only be a marker in order to separate the targeted group (otherwise racism cannot be distinguished from other forms of groupism) but they do not consist of the exclusive clauses to define racism. Miles also preceded with this view suggesting "...that racism as a form of 'inherentism' or 'biological determinism' leaves little space to conceive how cultural racism draws upon physical appearance as one marker, among others... racialisation should not be solely premised upon conceptions of biology in a way that ignores **religion**, culture..."<sup>105</sup>

If we accept the opinion mentioned above in that case, cultural racism can exist in an autonomous way as a form of racism itself. If needed to draw any attention to physical appearance or ancestry it would not require any form of biological determinism but only a physical identification on a group basis attributable to descent. It is an undeniable truth, that as more white people's experiences with non-whites have increased, there was not necessarily less awareness of group differences, but it was much more likely possible to attribute group distinctions to upbringing, traditions, socialisation patterns and self-awareness than to biological heredity.<sup>106</sup>

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<sup>102</sup> Meer, N., Tariq Modood, "Islamophobia as the racialisation of Muslims", The Routledge International Handbook of Islamophobia, UK, 2019

<sup>103</sup> Meer, N., Tariq Modood, "Islamophobia as the racialisation of Muslims", The Routledge International Handbook of Islamophobia, UK, 2019

<sup>104</sup> Modood T., Essays on Secularism ...

<sup>105</sup> Miles, R., "Racism", Routledge, London, 1989

<sup>106</sup> Modood T., Essays on Secularism ...

The criterion to determine which cultural group is targeted needs to be expansive rather than purist due to a vast range of cultural forms with a shared cultural basis but with minor or significant differences in practical manifestations. Furthermore, what could be the criterion for Muslims? What happens with white Muslims when the typical racial prerequisite does not exist?

### 4.3 The Preposition

Cultural Racism and Islamophobia, with the aforementioned conceptual approach, can be an autonomous phenomenon if the culturally physical manifestations (like traditional clothes, veils or haircuts) are racialised like physical characteristics. In this way, the typically racial element of skin colour, for example, will not necessarily be a qualification anymore for a discriminatory act to be labelled as racist. Alternatively, if a group or person combines biological racism (like skin colour) and cultural discrimination has a double disadvantage. According to Miles, racialisation explains "*how racial characteristics are assigned to groups racially classified as White but were not afforded the privileges associated with whiteness, such as Jews and Irish*". In other words, groups of Whites with non-Christian faith were deprived of White privileges even though their skin tone was also white.<sup>107</sup>

Taking into serious consideration that the majority of Muslims who are reporting until today different forms of discriminatory behaviours<sup>108</sup>, they do so more when they seem "conspicuously Muslim" than when they do not. Since this can occur through the use of Islamic dress, it becomes impractical - if even conceivable - to distinguish the implication of appearing to be Muslim from the impact of appearing to adhere to Islam.<sup>109</sup> Since the 9/11 attack, the racial incidents have increased rapidly all over the world even to minority groups that look like the Muslim phenotype but they are not Muslims. (Later this issue will be analysed in the racialisation in America). So, the discrimination goes beyond the racism on faith, on Islam as a religion, and in combination targets Muslims or people supposed to be Muslims.

The '*visual identifiers*' that declare Muslimism, consist of the hijab or turbans, Islamic buildings and property like mosques and Islamic cultural centres, including those that "look" like Islamic without being one. ***Visual identifiers are equivalent to classical racial characteristics in provoking racist attitudes.*** Although they are not necessarily the reason for any attacks by themselves, they seem to have been the

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<sup>107</sup> Miles R., "*Racism After 'Race Relations'*", Routledge, London, 1993

<sup>108</sup> Runnymede Trust follow-up commission (CBMI 2004), Annual OSCE reports, Annual ECRI reports, NGO's reports etc...

<sup>109</sup> Meer, N., Tariq Modood, "*Islamophobia as the racialisation of Muslims*", The Routledge International Handbook of Islamophobia, UK, 2019

predominant element in determining who or what was victimised by retaliation<sup>110</sup>. The possible acceptance of this observation may have been one of the reasons why some Muslim organisations encouraged members of their communities to keep a low profile and Muslim women to refrain from wearing the hijab publicly especially after 9/11. As a result, this reaction signals that these communities understood very soon that *the visibility of their (perceived) Muslim identity* played a decisive role in their likelihood of being targeted, even if they were Muslims or not<sup>111</sup>.

It is crucial that official international organisations took a stand on the issue. For instance, the Council of Europe through the action of the European Committee against Racism and Intolerance (ECRI) adopted, on 8 December 2021, an opinion on the concept of "racialisation"<sup>112</sup>. Notably, the Committee explained the general situation where in recent years, more and more human populations are being identifiable by phenotype or cultural characteristics that are attributed to them through racialisation and presented as being inherent to all members of each interest group. No matter what the personal circumstances may exist, once identified or perceived as a member of the group, one is considered to incorporate features based on, for example, skin colour, ethnic or national descent or religion, which are inherent to all members of that group. This procedure is thus outlined as the conversion of a different set of people into a presumed homogeneous group, the members of which are depicted as 'Others'.

ECRI's opinion is certainly clear about the process and effects of racialisation. It also answers those who believe that a broader view of the race will lead to misuse of the term and racism, including by self-victimising groups. On the contrary, the Committee highlights that the broader use of the matter is of paramount significance in shedding light on the social and ideological procedures that underpin structural or institutional racism and racial discrimination. As long as Muslims are concerned, Muslimism becomes a remark of identification through behaviour, dress, and religious culture, even though one may not be a Muslim. The confluence of terms serves to frame this phenomenon as a form of racism, either individual or institutional.<sup>113</sup>

Additionally, Shaher Selod, Associate Professor of Sociology at Simmons University, is engaged academically with the racialisation of Muslims and advocates ardently on how American citizenship and Islam are seen as inconsistent in the post-9/11 world.<sup>114</sup> Muslimism became a racial identity. From the "labour diaspora" in the 70s and 80s because of economic immigration and later fleeing from the war, Muslims through

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<sup>110</sup> EUMC, "*Islamophobia in the EU after 11 September 2001*", Summary Report, Vienna, 2004, p.8, 35-36

<sup>111</sup> Irene Zempi and Neil Chakraborti, "*Islamophobia, Victimisation and the Veil*", Palgrave Macmillan, UK, 2014

<sup>112</sup> ECRI's Opinion on the concept of "racialisation", 2021

<sup>113</sup> ECRI General Policy Recommendation No. 5 (revised) on preventing and combatting anti-Muslim racism and discrimination, adopted on 8 December 2021

<sup>114</sup> Tariq H., "*The Racialisation of Muslim-Americans Post 9/11: Causes, Themes, and Effects*", The Trinity Papers, Connecticut, 2020

verbal and physical Islamophobic episodes became "victim diaspora"<sup>115</sup>. Selod's position on racialisation fully complies with that of ECRI. She points out that anti-Muslim discrimination, which informs the racialisation of Muslims, has been seriously ignored until now. She also proposes to examine "race" with an enlarged lens, including skin tone, gender, language, sexuality, and nation of origin. Because *"the porous boundaries of whiteness, according to the social, political, and economic contexts, influence inclusion and exclusion from racial categories."*<sup>116</sup>

Ultimately, a new definition for Islamophobia after what was mentioned could be cited: *"Islamophobia is the racialisation of Muslims based on physical appearance or descent as members of a community and attributing to them cultural or religious characteristics to vilify, marginalise, discriminate or demand assimilation and thereby treat them as second-class citizens."*<sup>117</sup>

## Chapter 5. The American Story

The American continent as a historically different social, political and economic precedent, has its own perspective on the racialisation of the religious minorities within it, but it tends to be similar to the one mentioned above in many aspects, despite any differences. America has experienced the treatment of indigenous people, immigration, the slave labour. It has a different way speaking about the racialisation, particularly concerning Muslims, a relationship of colonial, economic and migratory nature at first and later of terror and racism.

### 5.1 American Blackness

From its beginning, the American identity consisted of two elements: Whiteness and Christianity. In the early societies, Protestant Americans considered themselves something like "the chosen ones" and this is how the colonial mindset formulated and determined the development of every aspect of the American lifestyle.<sup>118</sup> The White American identity was equal to the discovery of the perfect harmony with God.

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<sup>115</sup> Cohen R., *Global Diaspora: An Introduction*, Routledge, New York, 2008

<sup>116</sup> Selod S., Embrick D., *"Racialisation and Muslims: Situating the Muslim Experience in Race Scholarship"*, Sociology Compass, USA, 2013

<sup>117</sup> Modood T., *Essays on Secularism ...*

<sup>118</sup> Khyati Y. Joshi, "The Racialization of Hinduism..."

The question that soon came up was whether this perception could also apply to enslaved Black people. The primary goal was to determine if they had any sense of humanity inside them, despite the fact that most of them were heathens (and that is why they "deserved" slavery).<sup>119</sup> Heathenism was one of the justifications for slavery and it became permanent all over the colonies for black people. For the first time, the word "white," instead of "Christian" made its appearance in the colonies,<sup>120</sup> and the words white, Christian, and free ended up being metonyms. Slavery and freedom preceded the black and white separation, and racism was gradually founded through Christian supremacy and repulsion for blackness and heathenism.<sup>121</sup>

The exciting incidence in the course of history was when Virginia mandated in 1667 that enslaved people would remain in slavery even after their conversion to Christianity, not because they were indeed heathens, but because they were of heathen ancestry. Many slaveholders' led by fear that their slaves would be treated as equals tomorrow and the day after tomorrow, had as a result of six colonies until 1706 to refuse to allow emancipation even after baptism.<sup>122</sup> Despite their conversion to Christianity, Black Christians did not enjoy white privileges, and this is the reason why they discovered alternatives to pray, educate, and work. As a consequence, race scholarship explained phenotypical differences among human beings in European and North American societies of the late 18th century.

Coming closer to recent years, the arrival of the Jews of Eastern Europe and the Irish and Italian Catholics - as well as Asian immigrants practising religions such as Sikhism, Hinduism and Buddhism - were seen as posing a threat to the preservation of "racial pureness"<sup>123</sup>. Indeed, though, the race could be, if not substituted, at least replaced by religion. "*By accepting Christ, it was asserted, even Blacks could be made white as snow*".<sup>124</sup> The conflation of Christianity and whiteness also led to the definition of Jews as "non-whites" upon their arrival. Whiteness rights had been attributed to them later as they were extended to several groups at certain moments in history.<sup>125</sup> Until 1910, there were almost 5,000 to 10,000 South Asians in the United States. Most of them were Sikhs and about a third were Muslims, but they were all addressed as "Hindus" by both the media and federal and state authorities.<sup>126</sup>

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<sup>119</sup> Takaki, R., "*Strangers from a different shore: A history of Asians in America*", Little Brown, Boston, 1989

<sup>120</sup> Wills, D. W., "*Christianity in the United States: A historical survey and interpretation*", University of Notre Dame Press, Indiana, 2005

<sup>121</sup> Lincoln, C. E., "*Race, religion, and the continuing American dilemma.*", Hill and Wang, New York, 1999

<sup>122</sup> Sherman J., "*Islam and the Blackamerican...*"

<sup>123</sup> Jacobson, M. F., "*Whiteness of a different colour: European immigrants and the alchemy of race*", Harvard University Press, Cambridge, 1998

<sup>124</sup> Lee, D., "*A great racial commission: Religion and the construction of white America*", Oxford University Press, New York, 2004, p.107

<sup>125</sup> Ignatiev, N., "*How the Irish became white*", Routledge, New York, 1995

<sup>126</sup> Takaki, R., "*Strangers from a different shore...*"

The Immigration and Nationality Act of 1965 facilitated non-Europeans to immigrate to America. These economic immigrants were different from enslaved Black people. So, the discrimination-racism pattern began to be applied based on their cultural characteristics creating the so-called cultural racism.

In 1989, the Critical Race Theory (CRT) adopted and proclaimed the injustice and discrimination laws and politics in America ("colour blinded") mainly from black Americans. Among their basic principles was the groundless existence of race as a reason for discrimination. Secondly, that racism was the rule and not the exception in America. Black people were the recipients of constant racism and exclusion, and they were victims of violence from individuals and state representatives<sup>127</sup>. Furthermore last but not least, they also condemned, the differential racialisation of members of minority groups and the attribution to them of multiple negative stereotypes.

From what was mentioned above, it is evident that in America, race unconsciously or consciously creates a different and in-depth view of the phenomenon of racialisation. The association of race becomes a proxy for religion. Racial and religious prejudice are so mingled up that the core of the racial or religious discrimination becomes concealed or wholly lost. This kind of racialisation ends up in essentialism that limits people to one facet of their identity and thus portrays their ethno-religious community as homogeneous and static.

## 5.2 The “American” Terrorist Racialisation on Muslims

In what historical context and which social values and political discourses had led to the racialisation of Muslim religious minorities in the United States of America?

The attribution of racial meaning to specific biological characteristics is not random and is embedded in a specific historical moment with specific conditions. Nowadays, the way Americans perceive Islam, determines the way that they interact with Muslims. The American interpretation of Islam as an ideological identity is the contact with the enemy. Moreover, the resulting and underlying connection in the mind of every American is the relationship of every Muslim, or those considered Muslim, with that enemy.

Just like the "Hindoos" represented the anachronistic religion of the East, once Islam, Hinduism and Sikhism altogether consisted of something malicious and anti-Christian in the American mind's eye.<sup>128</sup> Today, the attention lies mainly on Muslims.

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<sup>127</sup> The death of George Floyd among others, available at: <https://www.nytimes.com/2020/05/31/us/george-floyd-investigation.html>, Black Lives Matter movement

<sup>128</sup> Jensen, J. M., “*Passage from India: Asian Indian immigrants in North America*”, Yale University Press, New Haven, CT, 1988

The difference in the American paradigm and the reason for the separate quotation here is that due to its historical background, America focuses more as a visual identifier for racialisation on brown skin and less on religious attire.

Since the 1972 killings of Israeli athletes at the Olympic games, the oil shock of 1973, the Iran Hostage Crisis of 1979-1981, the TWA hijacking in 1985, the Intifada and First Gulf War of the 1980s and 1990s, the attacks of September 11, 2001, the bombings in Bali in 2002 and 2005, Madrid in 2004, in London in 2005, the rise of DAISH and the 2015 Paris massacre, the United States through its interpretation, is racially confronting its enemies through their connection with Islam: the terms "*Arab*" and "*Muslim*" are used interchangeably and terrorist incidents are characterised as "Islamic ones" by the mainstream media broadcasting prevalent stereotypes which depict Islam and Muslims as inherently maybe organically violent and vicious.<sup>129</sup> It is said that Islam is the "post-Soviet devil" and replacement for the "godless Communism". The racial/religious othering of Muslims has been utilised as a dehumanising instrument by political leaders who, several years ago, were demonising the "yellow reds" (i.e. the East and Southeast Asian communists against whom the Korean and Vietnam wars were fought).

Another famous example is the editorial cartoon. Osama bin Laden and his allies, in manners that build on and exacerbate the oft-told images of Semitic, Muslim evil, usually with a large turban, protruding nose and bulging eyes - all the stereotypical "Arab" traits frequently portrayed in the news. Collective guilt is attributed to a whole ethnic group, just as it did to Japanese Americans, by linking these stereotyped Arab characteristics to the actions perpetrated by Al-Qaeda, a terrorist group. Every time there is a bombing in the world, the American mind effortlessly and unconsciously conceptualises a brown-skinned Muslim terrorist.<sup>130</sup>

The holistic consequence of the racialisation of religion is the homogenisation of everything that externally bears the attribute that has been assigned and categorised to a particular group through the conflation of phenotype and theology. Media footage depicting Osama bin Laden wearing a turban, as it is customary in Afghan tradition, led to the speculation that the Sikh men were adherents of an Islamic sect. Hopelessly, even the Seattle Times reported that Sikhism was a Hindu sect (also mistaken) as an ironic effort to correct this misconception.<sup>131</sup> Radical Wahhabism and political and religious leaders like Ayatollah Khomeini, Osama bin Laden are considered to talk and behave on behalf of all Muslims that all are radical, oppressed and monolithic.

Moreover, the use of "terrorism" both from media and institutional factors (antiterrorism measures) helps to dehumanise the target and thereby reduces society's ability to understand Islam as a universal faith and regard it as its absolute enemy. Mostly in America and all over the world, Muslims are equal to terrorists and the violation of their freedoms in the name of terror is often normalised without moderation. Especially, in the first anti-terrorist strategies, even on the basis of name,

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<sup>129</sup> Afridi, S., "*Muslims in America: Identity, diversity, and the challenge of understanding*", Carnegie Corporation of New York, New York, 2001

<sup>130</sup> Khyati Y. Joshi, "The Racialization of Hinduism..."

<sup>131</sup> Dickie, L., "*When symbols of faith become targets of bigots*", Seattle Times, 2001, September 28



appearance, dress or even origin, without evidence of guilt or even proof, there has been a flagrant violation of the rights of Muslims to equal and non-discriminatory treatment.

In this context, there has been some "*collateral damage*", of people who may have possessed some of the above characteristics but without embracing the Muslim faith.

### 5.3 The Changing Trend in the American Mindset

Summing up, there is the misconceived American idea of racist attacks that they are directed at race rather than religion. Nevertheless, this is a narrative worth changing because discriminatory and violent acts are directed to religious elements too, and maybe the latter ones are the starting point. The concealing of religious racialisation of Islam leads to identity distortion, and in the American context, Muslims and, unfortunately, South Asians pay the price too. For example, attacks labelled as "racial beatings" on South Asians ignore the fact that the "dot" or "*bindi*" is a wearable mark by Hindu women but not by all Indian women. Equally, describing the post-9/11 attacks on Sikh men wearing turbans as "racist violence" ignores the apparent truth that while the brown skin of the victims was visible to the attackers, their turbans and beards were similarly apparent.

In the same sense, when a white is targeted (for example, antisemitism and anti-Catholicism,) the phenomenon is viewed as religious discrimination. However, when there is a religiously racialised act to a non-white, religious and racial identity are merged; the outcome is a single-dimensional identity that is predominantly racial. Religious discrimination and identity are usually overlooked and acquire less value than the "brown-ness." This is the reality for most South-Asian Americans, even though individual and community identity in the US was determined by religious affiliation.

Nonetheless, this one perspective on the issue. That religious racialisation exists, but the stark visual identifier is the "race", the skin colour. On the other hand, maybe we could follow a new outlook by reviewing racialisation and its implications for Muslims. The fluidity of race and racism permits a review of current contextual influences. Saher Selod's opinion is that in America, black Muslims have an extra disadvantage compared to white Muslims. But their common religious trait exceeds skin colour, and religion unifies and racialises Muslims as an entity.<sup>132</sup>

The extent of discrimination, described below in the experiences of young Muslim men and women, forces us to entail in the definition of race and racism socio-cultural environmental factors which establish the identity of religious minority groups.<sup>133</sup> Nonetheless, it is said that religious identity should not be protected from racism because religion consists of a choice and, as a result, removes Muslims from the status of the victim. Similarly, the examination of Islamophobia only for the "Muslim culture"

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<sup>132</sup>Selod S. and David E., "*Racialisation and Muslims...*"

<sup>133</sup> Modood T., "*Not Easy Being British: Color, Culture and Citizenship*", Runnymede Trust and Trentham Books, London, 1992

focuses on faith issues and not on Muslims as persons and homogenises them all by deleting nationality migrant history, legal and socioeconomic status, religious practice or belief, location, gender, and sexuality. 'Culture' is lifted outside of its historical and social context and assumed to be unchanging, anachronistic and, most usually, antagonistic to the 'modern' west.<sup>134</sup>

This has diverted focus away from wider social and economic patterns and can be seen as 'blaming the victim' or excluding Muslims as a group and as a 'problem'. This vicious cultural(sizing) loop attributes responsibility for inequality or discrimination to either the individual's way of life (or dress or facial hair) or the 'way of life' of the group imagined. Simultaneously, it provides an illusion of both change and choice - the cultural assumption is that if Muslims were more like 'us', then other issues of inequality, discrimination, and exclusion would suddenly vanish.

Sadly, the strict definition of racism presumes that discrimination aimed at conventionally, unintentionally conceived racial minorities cannot by definition be similar to Muslim ones because their religious identity is intentionally chosen.<sup>135</sup> Of course this argument exists and is being used by governments with no intention of bringing Muslims into a larger protective zone. However, we have to admit that the balance is delicate when a religious group is required, through longstanding racism, to renounce its identity in the name of national security; where should the scales be tipped and where do human rights stand when confronted with the state public interest? The Human Rights Committee, in its general comment No. 22 (1993), expressly precludes national security as a justification for legitimate restrictions on the right to freedom of religion or belief (par. 8).<sup>136</sup> At last, any restrictions must be imposed by law and must be non-discriminatory both in aim and result.<sup>137</sup>

## Chapter 6. Experiencing Muslim Racialisation

Practical experiences have always been the best way to consolidate the theory. This section presents purely practical incidents drawn from the everyday lives of Muslim men and women worldwide, as documented by international organisations, committees and non-profit organisations. The aim is to illustrate the above approach where purely religious characteristics are racialised, and Muslims are targeted and racially victimised. Islamophobia can be driven by a range of intersecting prejudices –

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<sup>134</sup>Alexander C., "*Raceing Islamophobia*", Runnymede Trust: "*Islamophobia: still a challenge for us all*", London, 2017, p.13-17

<sup>135</sup> Meer, N., "The Politics of Voluntary and Involuntary Identities: Are Muslims in Britain an Ethnic, Racial or Religious Minority?", *Patterns of Prejudice*, 2008, p.61–81.

<sup>136</sup> Also A/HRC/34/30, Annual report of UNHCHR, "*Negative effects of terrorism on the enjoyment of all human rights and fundamental freedoms*", 30 December 2016

<sup>137</sup> Human Rights Committee, general comment No. 22 (1993), para. 5, and A/HRC/34/30, para. 41

xenophobic, national, racial, gender, economic and religious, exposing victims to discrimination on the grounds of numerous or overlapping factors.<sup>138</sup>

The need for a separation referring to female versions serves no other reason than the obvious one, of the intersection in the face of the Muslim woman's multiple racist manifestations that sometimes put her in a more disadvantaged and differentiated position. Also, no distinction is made between white and black Muslims, remaining faithful to the point that the religious visual identifiers or religious characteristics are the primary elements from which all the racialisation phenomenon is initiated.

## 6.1 Targeting Muslimism and Young Muslim Men

To begin with, it is essential to mention the Muslim appearance as one of the visual identifiers for Muslim racialisation. In the Quran, Muslim men and women are advised to walk in public dressed modestly. It is not something that religion makes obligatory for all followers, but each individual's subjective measure determines modesty.

Regarding Muslim men, some implement the suggestion to cover their body from the navel to the knee with comfortable, loose-fitting and non-transparent clothes. Some wear a round cap, white or other coloured, commonly called the "*koufi*". Men are urged to adopt Prophet Muhammad's paradigm and grow a beard which is a sign of great religious importance and should be honoured. They should not be coerced into shaving although they are not supposed to shave, only when there are health and safety reasons.

It should also be noted that not all Muslims dress the way religion suggests, and in no way does this lessen their devotion to their faith. The various political regimes especially in conservative Muslim countries incorporate parts of the religion into their political agenda, often in a misinterpreted way from which they initially serve. By doing so, they impose religious rules as compulsory, such as clothing (for example, the headscarf on women). This should not misinterpret the fact that people, not religion, impose.

*"Drawing upon long-entrenched imperialist essentializations of Muslims as cultural "others", laws, policies and practices have also perpetuated harmful stereotypes and tropes that depict Muslims and their beliefs and culture as a threat. Experts and human rights monitor report that widespread negative representations of Islam, fear of Muslims generally (not just "Muslim" extremists and terrorists) and the security mentioned above and counter-terrorism policies have served to perpetuate, validate and normalise discrimination, hostility and violence towards Muslim individuals and communities"*<sup>139</sup>

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<sup>138</sup> Kimberle Cr., "*Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color*", Stanford Law Review, USA, 1991, p.140

<sup>139</sup> A/HRC/46/30, 13 Apr 2021...

These are the exact words of the Special Rapporteur on freedom of religion or belief, Ahmed Shaheed, in his latest report. "Anti-Muslim hatred", "Anti Muslim racism", "Islamophobia", are all terms that describe the discriminational dimension of Muslim lives, even though the scholarship is divided on their definition.<sup>140</sup>

He also documents that in European surveys in 2018 and 2019, on average 37% of the European population indicated having negative feelings about Muslims,<sup>141</sup> while many ex-Soviet States criminalise expressions of Islamic faith and target individuals who appear to be Muslims.<sup>142</sup> In 2019, ECRI reported that in Dutch media, the most used words to describe Muslims were "radical", "terrorist", and "extremist"<sup>143</sup>. The Committee on the Elimination of Racial Discrimination (CERD) and the Human Rights Committee have reported that dangerous generalisations in states and anti-terrorism policies have disproportionately targeted Muslims in almost 15 States<sup>144</sup>.

Moreover, the worship has been challenging too. In Western Europe and North America, applications to construct mosques are in danger of being outlawed based on opposing public opinion.<sup>145</sup> Paradigms of constitutional changes (the example of Switzerland for minarets), of the collection of signatures opposed to building mosques (Slovakia) and claims of intelligence surveillance in the name of national security, are simple examples of Muslim targeting.<sup>146</sup>

Regarding immigrants, the UN believes that their status may be exacerbated by discrimination based on their Muslim identity. We cannot ignore the unprecedented fact that happened in the EU after the start of the war in Ukraine (Feb 2022). For the first time, the European Temporary Protection Directive<sup>147</sup> was implemented, giving temporary protection status to Ukrainian displaced persons as an immediate response to the arrival of a mass influx in state members. The debate was around the double standard policy of the EU for the different management of the Ukrainian refugee crisis,

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<sup>140</sup>The EU stresses that anti-Muslim hatred is an manifestation of intolerance and that there are many forms of racism linked to religion or faith in cases of anti-Muslim hatred. ([https://ec.europa.eu/info/sites/info/files/a\\_union\\_of\\_equality\\_eu\\_action\\_plan\\_against\\_racism\\_2020\\_-\\_2025\\_en.pdf](https://ec.europa.eu/info/sites/info/files/a_union_of_equality_eu_action_plan_against_racism_2020_-_2025_en.pdf), pp. 1–2).

<sup>141</sup>Available at: <https://edition.cnn.com/interactive/2018/11/europe/antisemitism-poll-2018-intl/www.pewforum.org/2018/10/29/eastern-and-western-europeans-differ-on-importance-of-religion-views-of-minorities-and-key-social-issues>, [www.pewresearch.org/global/2019/10/14/minority-groups/](http://www.pewresearch.org/global/2019/10/14/minority-groups/)

<sup>142</sup> A/HRC/37/49/Add.2, para. 47, and A/75/385, par.18

<sup>143</sup> ECRI Report on the Netherlands, published 4 June 2019, par.34

<sup>144</sup> Australia (CERD/C/AUS/CO/18-20, para. 13), Austria, China, Eritrea (CCPR/C/ERI/CO/1, para. 17), France, India, Kazakhstan (CCPR/C/KAZ/CO/2, para. 13), Kenya, Netherlands (A/HRC/36/15, para. 131.114), Philippines, Russian Federation, Sri Lanka, Sweden (CERD/C/SWE/CO/22-23, para. 20, and CCPR/C/SWE/CO/7, para. 22), Thailand and United Kingdom (CERD/C/GBR/CO/21-23, para. 18)

<sup>145</sup>Europe (submission by ECRI) and United States available at: [www.bloomberg.com/news/articles/2017-04-05/how-zoning-laws-are-used-to-block-mosque-construction](http://www.bloomberg.com/news/articles/2017-04-05/how-zoning-laws-are-used-to-block-mosque-construction)

<sup>146</sup> A/HRC/46/30, 13 Apr 2021...

<sup>147</sup>Council Directive 2001/55/EC, of 20 July 2001, "on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof."

compared with the Syrian refugee crisis in 2015. Heads of states, such as the Prime Minister of Hungary and Bulgaria, publicly stated that Ukrainians were mutual neighbours, white Christian Europeans. In contrast, Syrians were characterised as people whose identity was unknown, Muslims that were "criminals" "who are impossible to integrate"<sup>148</sup> and who were not refugees but "Muslim invaders", who could even be terrorists.<sup>149</sup> This is a classic manifestation of the orientalist subconscious of "otherness".

The position of Muslim immigrants in host states is challenging at least for most of them. In reception and identification centres for asylum seekers and unaccompanied minors in Greece, there were periodically rising levels of unrest caused by xenophobic groups, which organise and carry out frequent attacks on refugees, migrants and asylum seekers and human rights defenders.<sup>150</sup> A survey for the experience of young immigrants in schools in Dublin, Ireland exposes the magnitude of negligence and indifference from educators as far as racist incidents inside schools are concerned. Young students reported experiences of exclusion and abuse by co-students and teachers. It is worth mentioning the story of a young Muslim boy, told by his parent: "A child in my son's class had saved the sound of an explosion [on the device of the phone]... and as soon as [my son] entered the room [the other child] would make sure that the sound [of the explosion] would be heard and when [my son] reported the incidents these incidents as racist to the head of the department for the year, the teacher told him 'That is not racist'... [parent narrative]"<sup>151</sup>.

Additionally, the Special Rapporteur calls attention to unequal treatment for Muslims in all the domains of life <sup>152</sup> that force them to conform to dominant patterns and standards or conceal their identity, by changing their names, clothing, nutrition and religious habits in order to be treated equally.<sup>153</sup> For example, in three counties, Muslims were denied citizenship because they were reluctant to touch a government official to ensure that they did not violate their religious belief that it is not allowed to touch someone of the opposite sex with whom they are neither closely associated nor related.<sup>154</sup> The citizenship was denied on the basis that these beliefs Muslims preserved, were contrary to the essential values of the State.

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<sup>148</sup> Available at: <https://domov.sme.sk/c/20070758/fico-musime-zabranit-vzniku-ucelenej-moslimskej-komunity-na-slovensku.html>.

<sup>149</sup> Available at: <https://www.npr.org/2022/02/28/1083423348/europe-welcomes-ukrainian-refugees-but-others-less-so?t=1653837908863>

<sup>150</sup> UNHCR & Hellenic National Committee for human rights, Annual Report 2020, «*Network for recording incidents of racist violence*», 2020, p. 20, 28-37

<sup>151</sup> Immigrant Council of Ireland, Independent Law Center, "Islamophobia in Dublin: Experiences and how to respond", 2016, p.30

<sup>152</sup> Available at: [www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25524&LangID=E](http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25524&LangID=E)

<sup>153</sup> Cyra Ch. & Khaled B., "Islamophobia and the Law", Cambridge University Press, UK, 2020

<sup>154</sup> France [www.conseil-etat.fr/fr/arianeweb/CRP/conclusion/2018-04-11/412462?download\\_pdf](http://www.conseil-etat.fr/fr/arianeweb/CRP/conclusion/2018-04-11/412462?download_pdf) , Germany [http://lrw.juris.de/cgi-bin/laender\\_rechtsprechung/document.py?Gericht=bw&nr=32523](http://lrw.juris.de/cgi-bin/laender_rechtsprechung/document.py?Gericht=bw&nr=32523) and Switzerland [www.bbc.co.uk/news/world-europe-45232147](http://www.bbc.co.uk/news/world-europe-45232147)

Continually, Saleem, a white Lebanese doctor, was often trapped in circumstances where his patients insisted on a new doctor after realising that he was a Muslim.<sup>155</sup> Muslim men, because of their Islamic names, are often picked up at airports and subjected to extensive screening. Even famous people are not exempt from this scrutiny. Kamal Hassan, a well-known actor and director from India, was halted at Toronto airport and subjected to extensive screening because of his Muslim-sounding name.<sup>156</sup> In India, the "corona jihad" hashtag (#coronajihad) went viral on Twitter following the Government's announcement of high levels of coronavirus disease (COVID-19) infection among the Muslim community.<sup>157</sup> Similarly, in Sri Lanka, disinformation rapidly spread online that Muslims deliberately disseminated with COVID-19 the country and, in the United Kingdom internet users alleged that Muslim communities were responsible for the spread of COVID-19.<sup>158</sup>

Unfortunately, when institutional racism happens, it gives ordinary citizens a foothold to imitate it and normalise discriminatory behaviour. Spycam affairs, arbitrary anti-terrorist arrests, the tolerance in #Punish a Muslim Day<sup>159</sup>, leaves room for the private individual to act in the same or even more offensive way. Individual racism can take many forms; it can be verbal and damage property, physical dignity and integrity or even life.

According to the Second European Union Minorities and Discrimination Survey on Muslims led by FRA in 2017, second-generation Muslims suffered hate harassment at a rate of 36%, compared to the first-generation 22%.<sup>160</sup> Based on OSCE<sup>161</sup> data, we can refer to some examples. Usually, on Fridays and religious holidays, there have been recorded incidents of attacking properties like homes, mosques, and cultural centres. They have been vandalised with offensive graffiti or animal carcasses, like in France<sup>162</sup> and Sri Lanka,<sup>163</sup> or even by sliced bacon on door handles or burnt pages of the Quran outside mosques. A similar incident is the burning of the Quran in Sweden by far-right parties, which until recently as a country had not shown strong Islamophobic incidents

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<sup>155</sup>Selod S., "Citizenship Denied: The Racialization of Muslim American Men and Women post-9/11", *Critical Sociology*, vol 41, USA, 2015, p.87

<sup>156</sup> Sangay M., "Race, Religion, and Political Mobilization: South Asians in the Post-9/11 United States," *Studies in Ethnicity and Nationalism*, no. 2, USA, 2013, p.133

<sup>157</sup>Available at: [www.hrw.org/news/2020/05/01/coronajihad-only-latest-manifestation-islamophobia-india-has-been-years-making](http://www.hrw.org/news/2020/05/01/coronajihad-only-latest-manifestation-islamophobia-india-has-been-years-making)

<sup>158</sup>Available at: [https://blog.twitter.com/en\\_gb/topics/company/2020/twitteruk-amhwguk-working-partnership.html](https://blog.twitter.com/en_gb/topics/company/2020/twitteruk-amhwguk-working-partnership.html);

<sup>159</sup>Available at: <https://www.theguardian.com/uk-news/2018/apr/03/uk-communities-take-action-against-punish-a-muslim-day-letter>

<sup>160</sup>"Second European Union Minorities and Discrimination Survey on Muslims", EU's Agency for Fundamental Rights, 2017

<sup>161</sup>Available at: <http://hatecrime.osce.org/what-hate-crime/bias-against-muslims> & <https://hatecrime.osce.org/greece?year=2021>

<sup>162</sup>Available at: [www.nytimes.com/2011/07/25/us/25debate.html](http://www.nytimes.com/2011/07/25/us/25debate.html)

<sup>163</sup> A/HRC/43/48/Add.2, par. 26–29

in response to the Turkish state's resistance to Sweden's attempt to join NATO<sup>164</sup>. In the USA - in February 2016, a Muslim family was held at gunpoint during house searching, and in France a Muslim man was threatened with physical abuse by a white man carrying bicycle locks while exiting a mosque after Friday prayers.<sup>165</sup>

The exceptional case lies in France again and is reported by OSCE ODIHR as an anti-Christian hate crime when in April 2021, members of the Christian, Jewish, and LGBTI communities were repeatedly threatened with violence during sermons held at a mosque,<sup>166</sup> possibly signalling that people were targeted not because of who they were but because they were inside a mosque. By the characterisation of Anti-Christian hate crime, we witness the misconception again, like when the importance is given to "race" and not to the visual identifier of the religious symbol, the mosque.

Recording severe episodes, among many incidents of injuries or even deaths, in the UK in April of 2013, an 82-year-old grandfather was shot dead on his way back home from the Birmingham Mosque. The shooter, who later placed three bombs outside the mosque, stated that he attacked the man because "*... they (Muslims) are not white and I am white.*"<sup>167</sup> Same incident in Canada on 29 January 2017, a gunman killed six and injured nineteen people at a mosque in the city of Quebec.<sup>168</sup> In Switzerland on 19 December 2016, three people were traumatised when a man stormed into an Islamic centre in Zurich while shouting, "*Get out of our country!*", while he was also suspected of the death of another South American a few days earlier.<sup>169</sup> In Portland, two men were fatally stabbed while trying to protect a woman who was perceived to be Muslim from being attacked.<sup>170</sup>

We witness here that in Muslim men's case, primarily skin colour is the external identifier which usually targets them. Maybe the reason is that Muslim men do not wear traditional religious attire in Europe or the US. Their blackness, beard, name or accent makes the connotation be seen as the incarnation of terrorism, fundamentalism and extremism. They are regarded as irreparably bigoted, unreasonable and therefore inherently dangerous, deeply misogynistic patriarchs who have not advanced into the era of gender equality. Sexual abuse and brutality were racialised as features of entire cultures, and ethnic and religious minorities. Muslim men are more likely to be questioned about their loyalty and perceived as a threat to national security. In contrast, Muslim women wearing hijabs are seen as a threat to Western cultural patterns and values.

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<sup>164</sup> Available at: <https://www.kathimerini.gr/world/562249516/soyidia-to-flegomeno-korani-o-pyromanis-kai-o-mesazon/>

<sup>165</sup> Available at: <https://hatecrime.osce.org/index.php/united-kingdom>

<sup>166</sup> Available at: <https://hatecrime.osce.org/index.php/france>

<sup>167</sup> Available at: <https://www.bbc.com/news/uk-england-birmingham-24586050>

<sup>168</sup> Available at: <https://www.theguardian.com/world/2017/jan/30/quebec-mosque-shooting-canada-deaths>

<sup>169</sup> Available at: <https://www.reuters.com/article/us-swiss-shooting-idUSKBN1490TF>

<sup>170</sup> Available at: [www.nytimes.com/2017/05/27/us/portland-train-attack-muslim-rant.html](http://www.nytimes.com/2017/05/27/us/portland-train-attack-muslim-rant.html)

## 6.2 Targeting Young Muslim Women

The "interest" issue about Muslim women is the phenomenon of intersectionality and the fact that they consist of the appropriate paradigm to illustrate Muslim racialisation based on religious visual identifiers.

The European Network Against Racism (ENAR), states that hate crime is growing and probably the cause of under-reporting is due to mixed-motive crimes, in which victims are targeted due to more than one element of bias or incentive<sup>171</sup>. Intersectional distinctions apply to conditions where different grounds function and interact with each other simultaneously in such a manner that they are inseparable.

In America, at least in the beginning and later all over the world, the authoritarian regime of the Taliban was the first intense contact with the "East". But not with a world so representative of pure Islam. The Taliban regime and subsequent terrorist organisations did indeed restrict and still restrict the human rights and dignity of women and the war on terror presented to be a fight for them, too.<sup>172</sup> This first intense contact was perhaps the one that etched in the minds, of the patriarchal model that Muslim men are sexual savages who, with the simple pulling up the veil or the hiking of the skirt, defy logic and morality and give in to their sexual urges, and that sex within Islam is a taboo issue. This war on terror may have initiated the perception that a Muslim woman is always oppressed in her Muslim family (religion?); her values and ideals are her golden cage. Moreover, the enlightened people of the West know how to subject her to the right thing, while hypothetically respecting her religious freedom.

Even before 9/11, Nazia, an Indian Muslim wearing hijab in the US, recounted people who repeatedly told her that "*you do not have to do this in America.*" In another example, Maryam, a Syrian American hijabi woman, was urged to "go home", even though she was born in the United States.<sup>173</sup>

Paradoxically, the perception of the headscarf particularly being an obstacle to women's emancipation has its roots even in colonial times. The exotic middle eastern woman within the orientalist framework, was projected as the counter image for the ideal Western woman, particularly in the context of gender equality. It provokes the sexual urge to "*look under the veil*", coupled with the colonialist aspiration to "*modernise*" veiled Muslim women, creating the current conception of them wearing the headscarf as a homogenised group who are all forced to comply with religious norms and wear it.<sup>174</sup> This collective characterisation neglects the Muslim woman's perspective on the meaning of the veil for her in person. Maybe it could be the

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<sup>171</sup> ENAR, "*Hate Crime Provisions in EU Member States: The Importance of an intersectional Approach to ensure victim's rights*", 26 October 2020

<sup>172</sup> Bush, L., "The Taliban's war against women", Radio address to the nation, 2001, November 17, <http://goo.gl/IdPecz>

<sup>173</sup> Selod S., "*Citizenship Denied...*

<sup>174</sup> Zempi I. & Chakraborti N., "*Islamophobia, Victimisation...*", p.87



expression of devotion or modesty by her side and **her right to have an option** should always be respected.

Discriminatory behaviour against Muslim women can happen almost everywhere: in public spaces, in schools, in workplaces, in marketplaces, in public transport and online. According to ENAR's report about the disproportionate damage of Islamophobia on Muslim women<sup>175</sup> the visibility of attire which is considered to be religious plays a crucial role in initiating racist anti-Muslim episodes. Their gender makes them more vulnerable as most attacks have been carried out by unknown men with the use of exacerbated verbal or physical violence<sup>176</sup> and the headscarf as a religious garment, appears as the primary symbol of intersectionality.

National reports that were submitted to ENAR prove these arguments. Indicatively, in France, the French National Observatory against Islamophobia stresses that most of the verbal or physical assaults involved women wearing headscarves. Collective Against Islamophobia in France (CCIF) stated that in 2014, 100% of women that have been attacked, all were wearing headscarf.<sup>177</sup> In Sweden in 2008 over 90% of the assaults consisted of hate crimes with religious motivation, 70% of them were covered by the veil, and only 3 out of 250 reported the incidents to the police.<sup>178</sup> In Netherlands, in a six-month period in 2015, 98% of the attacks targeted Muslims identifiable by their religious attire<sup>179</sup> and in Denmark 60% of women insulted were called names about their religious dress code.<sup>180</sup> In the UK collected data from 2014, indicated that 78% of the attackers were white British men and 68% of the victims were wearing apparent religious attire.<sup>181</sup>

The most predominant visual identifier for Muslim women is by far the headscarf. As a report for the European Monitoring Centre on Racism pointed out, after the 2001 terrorist attacks, the Islamic headscarf became "the main visual identifier" that sparked Islamophobic attacks in Europe.<sup>182</sup> The term illustrates all the types of veils worn by Muslim women that cover the hair and head but leave the face unveiled. The most familiar Arabic name used today to refer to this particular style is the "*hijab*" which is also the most popular type of veil worn by Muslim women in Europe. Moreover, "*Chador*" is an Iranian term whereas "*Niqab*" covers the entire face revealing only the eyes according to the tradition of the Persian Gulf and "*Burqa*" used primarily in Afghanistan and parts of Pakistan, conceals the face, and head and eyes behind a form of mesh.

The findings of ENAR's report are outstanding and demonstrate possible combinations of factors concentrated in the face of Muslim women which are putting them in a more burdensome position and are called the "**gender penalty**", the "**ethnicity penalty**" and the "**garment penalty perceived as Muslim**". Muslim religious visual

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<sup>175</sup> ENAR, "*Forgotten Women: The Impact of Islamophobia on Muslim Women*", 2016

<sup>176</sup> ENAR, "*Forgotten Women...*", National Report for Italy, 2016

<sup>177</sup> ENAR, "*Forgotten Women...*", National Report for France, 2016

<sup>178</sup> ENAR, "*Forgotten Women...*", National Report for Sweden, 2016

<sup>179</sup> Meld Islamofobie, Report period January-June, 2015

<sup>180</sup> ENAR, "*Forgotten Women...*", National Report for Denmark, 2016

<sup>181</sup> ENAR, "*Forgotten Women...*", National Report for the United Kingdom, 2016

<sup>182</sup> EUMC, "*Islamophobia in the...*

identifiers are racialised or assist in the racialisation of the victim as a 'Muslim'. Regardless of the meaning attached to the garment by the person wearing it, it is the bias in the perpetrator's mind of the discrimination or violence that matters, as this will cause the discrimination or violence. It is this particular association of the three elements that leads to the racialisation of Muslim women, framing them as a homogenous group to which negative qualities are ascribed.<sup>183</sup>

The usual perceptions attributed to Muslim women indicate weakness, female oppression, the need for emancipation, and violations of women's rights (including crimes of honour, forced marriages and female genital mutilation). The feminist narrative often creates a stereotypical image of Muslim women who choose to wear the hijab as oppressed or unable to adjust to a liberal environment. Some even assert that Muslim women are so brainwashed that they do not understand that they are oppressed by their patriarchal and conservative Muslim environment and are incapable of making independent or free decisions for themselves. It is said that people having a visible stigma are discriminated against more than those with a hidden one. Similarly, Muslim women who wear the veil are likely to be perceived as having a "controllable" stigma for choosing to wear it<sup>184</sup> and are accused of intentionally isolating themselves and rejecting Western values.

The outcome of this kind of sexism and of course racism is that Muslim women wearing a headscarf, are seen as someone who needs rescue, but at the same time they are treated unequally in social, economic and educational life and they end up deprived of economic and intellectual independence. They are perceived as dangerous to public safety because face cover blocks identification, and the veil is a marker of segregation and denial for integration. Their modesty and way of practising their faith are seen as forms of radicalisation and an effort to spread a particular conception of Islam. Disappointingly, they are considered "*victims of their own culture and a threat to ours*"<sup>185</sup>.

Grasping the issue of media concerning the display of Muslim women, among the six most prominent national newspapers in Denmark from 1999 to 2013, the majority of 1.600 articles dealt negatively with the perceptions mentioned above of women, like the headscarf issue, the forced marriages, terrorism above all. Some positively inclined articles were the exemption from the rule.<sup>186</sup> In this way, the media formulate stereotypes for Muslim women, and the extensive exposure of negative images and views also forms a negative pattern in the target audience. This is something dominant in the lives of both Muslim men and women. Remarkably, the last ones are represented to be tamed and a threat to traditional western values and secularism.<sup>187</sup> In Italy,

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<sup>183</sup> Amin, Ash., "*The Racialisation of Everything*", in Amin Ash. and O'Niell M., "Thinking About Almost Everything", Profile, London, 2009

<sup>184</sup> Ghumman, S. and Ryan, A. M., "*Not Welcome Here: Discrimination towards Women who Wear the Muslim Headscarf*", Sage Journal: Human Relations, USA, 2013, p.671–698

<sup>185</sup> Navaro, L., "*Islamophobia and Sexism: Muslim Women in the Western Mass Media*", Human Architecture: Journal of the Sociology of Selfknowledge, France, 2010

<sup>186</sup> ENAR. 2016. Forgotten Women - National Report for Denmark.

<sup>187</sup> In France, magazines like *Le Point*, *L'Express*, or *Valeurs Actuelles* portray Muslimism as a problem through female figures.

headlines were like: “*She takes off the headscarf: beaten by her Muslim husband*”<sup>188</sup> and “*Burkini and the death of the West*”.<sup>189</sup> It is characteristic that in 2001, 2 % of all news stories in Western media focused on Muslim militants, while just over 0.1 % presented narratives of ordinary Muslims. By 2011, the 2 % of stories had risen to 25 % on militant Muslim images and stories, while the coverage of ordinary mainstream Muslims remained at 0.1 %<sup>190</sup>

Muslim representation and diversity are rarely reflected in media and journalism. This certainly affects how Muslim values are broadcasted and the debate around complex issues about Muslimism. Their voices are not so loud because they lack representation. Specially, Muslim women's neutrality or impartiality is challenged by wearing the headscarf because of all that is attributed to the veil. In Denmark in 2006, the *Kvinder for Frihed* organisation (Women for Freedom) gathered 500 signatures against Denmark's first Muslim TV presenter Asmaa Abdol-Hamid about her veil on the DR2 TV show "Adam and Asmaa ". Luckily, the show was not changed in reaction to the pressure.<sup>191</sup>

It is crucial to notice that, impartiality, accurate and truthful information consists of significant barriers to perpetuating negative stereotypes that sometimes cross the line of racism. This is because public opinion, for most issues with which it is unfamiliar, draws ready-made knowledge from what is presented in the media. For instance, a YouGov poll in the UK reveals that 74% of the British general population claim to know nothing or next to nothing about Islam and 64% are aware of Islam through the mass media.<sup>192</sup> The percentage is vast and the social impact, too. In the Netherlands, the Institute for Social Research found that between 2014 and 2015, 44% of survey responses felt that West European and Muslim lifestyles were mutually incompatible.<sup>193</sup> Furthermore, the British Gallup found that 36% of people believe that "loyalty" in the state does not extend to British Muslims.<sup>194</sup>

Another domain worth mentioning is the case law of the ECtHR which includes examples of decisions where the impact of the external religious symbols on the racialisation of religious minorities such as Muslim women, is not realised. On the grounds of respect for principles of democracy and neutrality<sup>195</sup> several states have banned the use of headscarves in certain public or private places and the Court has ruled in favour of the ban. Although it has acknowledged and ratified indirect discrimination,

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<sup>188</sup> Franchini, F., “*Si toglie il velo: presa a pugni dal marito musulmano*”, *Ilgiornale.it*, 10 March 2015

<sup>189</sup> Meotti G., “*Il burkini e la morte dell'occidente*”, *Ilfoglio.it*, 26 May 2009

<sup>190</sup> Douglas Pratt, Rachel Woodlock, “*Fear of Muslims? .....*”, p.7

<sup>191</sup> ENAR, “*Forgotten Women: The Impact of Islamophobia on Muslim Women*”, 2016

<sup>192</sup> ENAR, “*Forgotten Women...*”, National Report for the United Kingdom, 2016

<sup>193</sup> ENAR, “*Forgotten Women...*”, National Report for the Netherlands, 2016

<sup>194</sup> ENAR, ... United Kingdom, 2016

<sup>195</sup> **C-157/15**, Samira Achbita, Centrum voor gelijkheid van kansen en voor racismebestrijding v. G4S Secure Solutions NV, 14 March 2017, **C-188/15**, Asma Bougnaoui, Association de defence des droits de l'homme (ADDH) v. Micropole SA, 14 March 2017 & **Joined Cases: C-804/18 & C-341/19**, IX v. WABE eV & MH Muller Handels GmbH v. MJ CJEU, 30 Aug 2021

particularly on the grounds of gender, it entirely disregards such forms of discrimination when it comes to religious emblems or dress codes. Nevertheless, it had also ruled that wearing the headscarf, like the hijab, may be regarded as "*an act motivated or inspired by a religion or religious belief*".<sup>196</sup>

Earlier, in the "*Dahlab v. Switzerland*" (2001 case a teacher in a primary school was forbidden to teach while wearing a headscarf. The Court specifically stated that "*a headscarf might have some kind of proselytising effect... is hard to square with the principle of tolerance, respect for others and, above all, equality and non-discrimination that all teachers in a democratic society must convey to their pupils.*"<sup>197</sup> On the same basis the Court ruled on the "*Leyla Şahin v. Turkey*" case in 2004 and "*Ebrahimian v. France*" in 2015. In the "*Eweida v. British Airways*" case, it was less reserved in the limitation of the right of expression of religious faith when it comes to infringing a business image (apparently because it was not related to the public interest and the company did not invoke a neutral image).

Nevertheless, we must mention the only decision where the Court ruled in favour of the headscarf because the relevant principles were not appealed. In the "*Lachiri v. Belgium*" case in 2018, the applicant was banned from entering the Belgian Court because she was wearing a headscarf. State law prohibited entering the courtroom with any headgear, as a sign of respect and discipline to the Court. The applicant refused to take her veil off and as a result she was not allowed to enter the courtroom. The ECtHR ruled that the exclusion violated Ar. 9 ECHR (§ 48) of her right to manifest her religion. The restriction should have been lawful (predictable) and necessary (§ 32). Belgium did not claim that the restriction fell within the framework of safeguarding secular and democratic values linked to the legitimate aim of protecting the rights and freedoms of others. (§ 37)<sup>198</sup>

The disappointing results of FRA almost a year before ENAR's survey (2017), recorded that in Europe, 39% of Muslim women wearing headscarves publicly reported experiencing incidents of improper glances or insulting gestures because of their specific religious identity, 22% received verbal abuse or listened to hurtful comments and 2% were physically attacked.<sup>199</sup> The SAS v. France judgement of ECtHR (2014) and later decisions reinforced this argument. When there is a debate between the headscarf (religious symbol) and the principle of neutrality and secularism, the headscarf loses.

France and the headscarf issue is a matter accountable to a separate thesis alone. Nevertheless, we should notice that France is a country in which the majority of Muslims in Western Europe live, and the bans on the altar of "*laïcité*" and "*Vivre ensemble*" have reinforced the motivation of Muslim women to preserve their identity, which they feel is under siege. The "*ne pas toucher mon hijab*" movement has

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<sup>196</sup> Leyla Şahin v. Turkey, § 78, 2004, ECtHR & Dogru v. France, § 47, 2008, ECtHR

<sup>197</sup> Available at: <https://www.unionedirittumani.it/wp-content/uploads/2014/11/DAHLAB-v.-SWITZERLAND.pdf>

<sup>198</sup> Hamidović v. Bosnia Herzegovina, 2017, ECtHR, § 35-43 & Ahmet Arslan and Others v. Turkey, 2010, § 44-52

<sup>199</sup> Second European Union Minorities and Discrimination Survey Muslims – Selected findings”, European Union Agency for Fundamental Rights, 2017

stimulated the global public sentiment that French bans in favour of neutrality and the separation of state and religion indirectly target Islam. Instead of enhancing women's empowerment and safety, they further aggravate their position<sup>200</sup>. *There is no problem of integration in France; there is a problem of racism*<sup>201</sup>, asserts a feminist Muslim woman (an academic researcher) who wears the headscarf by choice and fights for the equality of freedom to have the choice to wear the hijab or not in her country. The epitome of the French majority's perception is expressed in an interview with France's Former Minister for women's rights, Laurence Rossignol who compared Muslim women who wear the headscarf, to American "negroes" who accepted slavery.<sup>202</sup>

Unfortunately, France is not the only one. Austria, Bulgaria, Cameroon, Chad, Congo, Denmark, Gabon, Netherlands, Norway and Sri Lanka, local authorities in Canada, Germany, Italy and Switzerland also ban head coverings or grant discretionary power to institutions to decide themselves. ECRI "*underlines the importance of equality of treatment of all religious groups and considers that such legislation could have an adverse effect on the inclusion of the particular community concerned and result in indirect and intersectional discrimination, with a considerable risk of impeding Muslim women and girls' empowerment and self-realisation while concomitantly marginalising them.*"<sup>203</sup> The Human Rights Committee has stated that such restrictions can breach Muslim women's rights to freedom of religion or belief and non-discrimination and aggravate their social isolation,<sup>204</sup> and the banning of gender-specific religious dress constitutes intersectional discrimination based on gender and religion.<sup>205</sup>

In the UK in 2021, a Muslim woman was bullied several times by her colleagues for wearing her headscarf, to another it was forcibly lifted. To another her colleagues had food blown in their faces during Ramadan, or prayer mats were slashed.<sup>206</sup> Moreover, Former British Justice Minister, Jack Straw, argued that the veil which fully covers the face consists of a "*visible statement of separation and difference*", and that it should be banned in the public sphere<sup>207</sup> whereas former Prime Minister David Cameron stated that Muslim women need to be taught English in order to beat "*backward attitudes*" and counter extremism.<sup>208</sup>

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<sup>200</sup>ECRI's GPR No. 5 ...

<sup>201</sup>Available at: <https://www.theguardian.com/world/2021/jul/27/i-felt-violated-by-the-demand-to-undress-three-muslim-women-on-frances-hostility-to-the-hijab>

<sup>202</sup> Available at: <https://www.bbc.com/news/world-europe-35927665>

<sup>203</sup> Διαθέσιμο στη δνση: [www.reuters.com/article/us-kenya-women-hijab/kenya-courts-hijab-ban-ruling-sparks-fears-over-muslim-girls-schooling-idUSKCN1PJ244](http://www.reuters.com/article/us-kenya-women-hijab/kenya-courts-hijab-ban-ruling-sparks-fears-over-muslim-girls-schooling-idUSKCN1PJ244)

<sup>204</sup> CCPR/C/123/D/2807/2016 of 12 December 2022, CCPR/C/123/D/2747/2016 of 7 December 2018, CCPR/C/BEL/CO/6 of 6 December 2019 and CCPR/C/NLD/CO/5 of 22 August 2016

<sup>205</sup> CCPR/C/123/D/2662/2015, par. 8.13, 24 September 2018

<sup>206</sup> <https://hatecrime.osce.org/index.php/united-kingdom>

<sup>207</sup> McClintock, M. & LeGendre, P., "*Islamophobia: 2007 hate crime survey*", Human Rights First, New York, 2007

<sup>208</sup> Available at: <http://www.theguardian.com/uk-news/2016/jan/18/muslim-women-to-be-taught-english-in-20m-plan-to-beat-backward-attitudes>

## Prepositions

These varied examples force us to stop seeing Islamophobia as just a "phobia" but as a kind of racism embedded in contemporary needs and demands. In practice, events are unfolding rapidly, while state, regional or international organisations are slow to change the terms and broaden the scope of protection to groups such as the Muslim minorities that really need it.

A first step could be the recognition of racialisation as a phenomenon that really exists and raises the intensity of simple discrimination to racist one. So far, only ECRI as an international body of the Council of Europe has done so and indirectly the United Nations in trying to define Islamophobia.<sup>209</sup> Moreover, it would be constructive to acknowledge the contribution of Muslims to the historical and cultural evolution of 'Western' societies. The latter ones often deliberately forget in some cases the long-standing presence and interaction of the Muslim element in their territory and treat it as a pathogen and cancer to their supposed social cohesion.

An excellent starting point is none other than education, where the content and type of teaching has been characterised as an inherently political decision and action that transforms perceptions and can eliminate the flaws of any society. Combined with appropriate training and continuous education of state mechanisms and law enforcement bodies, specific prevention and targeted actions to eliminate racism to all of its forms can be achieved. Moreover, in the combat against misinformation and manipulation of public opinion, we have to adopt as societies the rule of searching. In the modern context of information overload, it is essential that behind every piece of information we receive we seek its reliability and validity. Before we, ourselves, formulate an opinion, in this case about Islam and Muslims, and before we spread it, we should count on reliable, objective and unbiased sources. This is the only manner to combat misinformation.

In no way the above objective can be achieved by the "*Europeanisation*" of Islam, which has been formulated in the Western way of thinking, asking for sweeping assimilation and not for a fruitful integration of Muslim minorities, without violating religious freedom, the freedom of choice and the freedom to practice one's faith.

## Conclusion

To recapitulate, the racialisation of religious minorities, regarding the case of Muslims, exists and it is real. Their racist targeting is based on the external stimulus of an element of their religious identity. There is still progress in equating the religious visual identifier with "race" to characterise anti-Muslim hate incidents as racist. The

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<sup>209</sup> Available at: <https://www.un.org/en/observances/anti-islamophobia-day>

manners in which race is perceived are largely preconceived in a way that each group arbitrarily tends to misinterpret the variability (Muslim identity) which occurs as a fundamental difference which separates that group from all others.<sup>210</sup>

Today, the problem we have not realised yet is that from the misconception about Islam, the people are affected the most. Muslims are seriously affected by institutional and individual discrimination against them. The realisation that those who "appear" to be Muslims are being targeted too, should give us a reason to deepen into the problem and find the appropriate solutions. The fact that those perceived to be Muslims are at risk of discrimination makes it clear that we do not have to manage discrimination based only on religious beliefs but on the way that religious identity is externalised into a characteristic that carries the weight of "race" and turns anti-Muslim hatred into Muslim racism.

The inseparable connection of Islam with terrorism, the "*securitisation*" of Muslim communities, and their stigmatisation as the suspect ones have negatively affected their freedom of expression, association and political participation. Lack of trust in state authorities is the inevitable result, leading to underreporting of hate crimes, exclusion and the exacerbation of social tensions.<sup>211</sup> According to Stockholm's Police hate crime group, many people do not report everyday racist episodes and violence simply because it has become a normal experience for them.<sup>212</sup>

The political and terrorist exploitation of Islam has made Muslimism and Muslims the scapegoats of world extremism and radicalisation. We must no longer overlook the fact that terrorist organisations and authoritarian regimes are only an extremist part and do not holistically represent an entire religion. When a minority is accused as a whole and is accused that the way it lives is supposed to endanger the rest of society, it should have a place on a panel, in a preparatory committee for the adoption of a measure, to take a stand and clarify or refute arguments and accusations levelled at it, by cultures and legal systems that have for years rejected them.

Islamophobic victimisation transforms gradually into one of the tumours in our societies. It will affect more and more the fundamental values of democratic states, which claim to stand for multiculturalism, if nothing happens to de-escalate the tension instead of exacerbating it. The futile effort to preserve religious identity in a hostile environment consists of the ideal, manipulable or not, condition for creating extremism and radicalisation from both sides. In every case, it certainly creates fear of the authorities (random checks, internet surveillance), fear of others, the media and the "fear" of belonging to the rest of the country.

Similar to racism and hate crimes, Islamophobia events are part of victims' daily life as a "*part and parcel*" situation. This reality makes it difficult to identify or recognise them as abuse.<sup>213</sup> ECRI, particularly, stresses that the lack of a proper response by the

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<sup>210</sup> UNESCO and its programme: *The race question*, 1950

<sup>211</sup> ECRI's GPR No8: on combating racism and intolerance while fighting terrorism, 17 March 2004

<sup>212</sup> ENAR, "Forgotten Women...", National Report for Sweden, 2016

<sup>213</sup> Bowling, B., "Racial Harassment and the Process of Victimisation: Conceptual and Methodological Implications for the Local Crime Survey", B. Perry, Routledge, London, 2003

authorities to hate crimes against Muslims can cause the repetition of such acts. The lack of prosecution can imply impunity.

The distinction of Islamophobia from racism, mentally, and therefore practically, associates discrimination only with religion and not with the people and Human Rights Law protects only persons and not religions. Muslim minorities are paradoxically excluded from being a potential targeted group because religion is not always a choice (especially for young Muslim men and women), but even as a choice it is appropriate to be considered as much significant element of individuals identity as all the others. Especially in America, where the focus remains more on the conceptualisation of skin colour, the perceived Muslim identity transforms into a "race" characteristic capable of attracting racism.

After the Covid-19 pandemic and the use of masks to cover our faces until this day, we can no longer refer to the ban on the hijab in public spaces and its supposed justification for national security on the same basis.<sup>214</sup> To achieve social cohesion and a sense of belonging to Muslim minorities across the globe, we should confront religious and cultural identity the way it is. According to UNESCO's Declaration on Race and Racial Discrimination (Ar.1 par.3): *"Identity of origin in no way affects the fact that human beings can and may live differently, nor does it preclude the existence of differences based on cultural, environmental and historical diversity nor the right to maintain cultural identity."*<sup>215</sup>

It was in the last French presidential elections that Le Pen, President Macron's opponent, clearly stated that she would generally and universally ban the headscarf in France if elected. Specifically, Le Pen stated that wearing the Islamic headscarf in public in France should be an offence fined by the police, like a traffic offence.<sup>216</sup> It was of course, the last refugee crisis in the EU and the double standard policy of its institutions dealing the flows from Ukraine (2022) and the flows from Syria (2015).

What if Le Pen had been elected and implemented her policy? What would life be like today for French Muslim men and women? What about the activation of the Temporary Protection Directive for Ukrainian citizens and the subsequent freedoms that constitute it and what about hot spots and all the pathologies of the Dublin Asylum System for Syrians? It does not take new concentration camps or yellow stars on lapels to understand that the unconscious of profound individual and institutional bias against Muslims, in different historical and political contexts could "easily" take a dark turn.

As the UN Secretary-General mentions, *"diversity is a richness, not a threat"*. And Muslims are not the only ones. *"Anti-Muslim bigotry is sadly in line with other distressing trends we are seeing globally - a resurgence in ethnonationalism, neo-Nazism, stigma and hate speech targeting vulnerable populations including Muslims, Jews, some minority Christian*

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<sup>214</sup>TNI, *"Muslim Women don't need saving: Gendered Islamophobia in Europe"*, 2020, available at: [https://www.tni.org/files/publication-downloads/gendered\\_islamophobia\\_online.pdf](https://www.tni.org/files/publication-downloads/gendered_islamophobia_online.pdf)

<sup>215</sup> Available at: <https://en.unesco.org/about-us/legal-affairs/declaration-race-and-racial-prejudice>

<sup>216</sup> Available at: <https://www.france24.com/en/live-news/20220415-macron-clashes-with-le-pen-over-islamic-headscarf-ban>



*communities as well as others*".<sup>217</sup> His vision in the "Prevention Agenda", is to build more peaceful, just and resilient societies. The global environmental crisis, pandemic, and war in Ukraine exposed the deep-seated inequalities that remind us of our interconnected fate.<sup>218</sup> Mutual respect can illustrate the slogan "*many cultures, one humanity*" of the UN Alliance of Civilisations by embracing and promoting world diversity and religious pluralism.

There is no peace, security, development and human rights without accepting diversity as a richness rather than a threat. Muslim minority is a good way to start.

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