

**Triple Jeopardy:
Muslim Women's Experience of Discrimination**

By

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Triple Jeopardy: Muslim Women's Experience of Discrimination

Executive Summary

This report presents the results of the first systematic inquiry into the discriminatory experience of Muslim women -- and men. It looks at the issue from three angles: self-assessment by Muslims; public perception of discrimination against Muslims; and Canadians' comfort levels in dealing with Muslim women -- and men.

Discrimination is approached as a social issue and as a criminal justice issue. This distinction is necessary because measures required to address the two are different in nature. Dealing with discrimination as a social issue calls for educational programs while criminal justice requires enforcement of acceptable norms of human behaviour. Punishing unlawful behaviour can only achieve what is feasible; the ultimate goal of a civil society is to change attitudes.

Religious discrimination is directed against an entire community, but Muslim women are easier target because they are more easily identifiable than men, by their clothing. This report has taken information about the whole Muslim community as a proxy for women where the gender-specific data were not available, but it should be noted that the females are about 10 per cent more vulnerable than males.

Discrimination in Canada is usually viewed and discussed in terms of sentiment against other ethnic or faith communities. However, the large volume of information analyzed for this report unequivocally shows that the Muslims have emerged as the principal target of unfair treatment in the country. This is true whether we look at discrimination from the eyes of the Muslims or from a public perspective, whether we count the number of people affected or the frequency with which they are victimized.

Muslim women -- and men -- feel more discrimination than other faith communities, according to the data available: nearly one in three Muslims reported encountering unfair treatment often or sometimes. This is not only the experience of the visible minority Muslims. Muslims of European descent also face discrimination. Although they are less at risk than visible minority Muslims, compared to their non-Muslim counterparts, they are twice as likely to be targeted.

Public perception of anti-Muslim sentiment supports Muslims' own assessment. Canadians agree that Muslim women and men are the most discriminated community. Nearly two in five (38 per cent) respondents to a recent survey identified Muslims/Arabs as the most likely group to be targeted. This survey also provided evidence of what had been suggested before but not generally acknowledged: Muslims are more vulnerable than any other group in the country, including the Aboriginals/First Nations, Blacks, and the Jewish communities.

Muslim women and men are not only the main target of discrimination they also face more incidences of unfair treatment than other identifiable communities: of those who felt Muslims were not treated fairly, 43 per cent were of the view that discrimination had frequently while 37 per cent felt that such occurrences were occasional. In comparison, other communities were less affected in terms both of the number of people victimized and of the frequency of discriminatory episodes.

Victimization of the principal non-Christian and fastest-growing faith community in the country is deplorable but findings of this study add a disturbing dimension. Even

as the society is becoming more inclusive and accepting of change, Canadians feel that anti-Muslim sentiment is rising among the people they know. Some 11 per cent of the Canadians saw discrimination against minorities as having become more of a problem than before, but four times as many noted that anti-Muslim sentiment was on the rise.

In keeping with the inclusiveness of the society, Canadians feel comfortable with faith and ethnic communities. However, they indicated a preference for a non-Muslim female or male teacher for their children, boss at work, and their daughter-in-law or son-in-law. Nearly one in three Canadians would be less likely to vote for a political party if it was led by a Muslim.

Discrimination is most likely to happen at the workplace. Unemployment and underemployment are the result of many factors such as rules governing regulated professions and the Canadian experience (including the ability to fit in the organizational culture) which many Muslim female newcomers do not meet. A 2002 study of barriers faced by Muslim women found that labour markets generally discriminated against women wearing a headscarf. A recent report by the Public Policy Forum notes that hiring recent immigrants is low in the workforce strategies of employers and that some hiring practices "systematically discriminate against recent immigrants".

Finally, the aftermath of 9/11 had a big impact on crime against Muslims. Hate offences targeting them because of their religion jumped. More than two-thirds of the rise in crimes motivated by religious hatred reported by Toronto police in 2001 was directed against Muslims. Muslim organizations contend that the actual situation is worse. One half of the victims of hate crimes in Canada do not report them to police, and estimates for Muslims, in particular the females, are said to be much higher. In spite of the limelight on Muslims since September 2001 Muslim organizations were not engaged in consultations leading up to the launch of the federal government initiative to develop a national system of information on hate crime.

Acknowledgements

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Triple Jeopardy: Muslim Women's Experience of Discrimination

1. Introduction

The Canadian nationhood was founded on the premise that no one culture, language, ethnic group or religion described this nation. Two peoples formed the Confederation with two different languages and two different religions, rejecting the notion of a melting pot. Our cultural heritage has continued to grow as newcomers adapt, adopt and contribute to it. Evoking differences to enhance, rather than letting them diminish, our heritage is distinctly Canadian. As a nation, we cherish pluralism.

A vibrant culture is a constantly evolving norm and cultural harmony depends upon smooth adaptation by all members of the society. Adjustment is the result of the interaction between newcomers' struggle to strike a balance between integration and preservation of identity and the society's role in facilitating the search for balance. Tension between maintaining identity and effort to integrate is minimized if the struggle to be accepted is smooth and swift.

Muslim female participation in the broader society was discussed in two recent studies prepared for the Canadian Council of Muslim Women.¹ The present report focuses on aspects of the broader society's accommodation of them as equal partners.

The process of adjustment has not always been painless in our history. Various communities had to struggle in the past. Muslims have been complaining of negative stereotyping for some years.² More recently, they contend, that their rights and freedoms "have been abused by the post-9/11 security agenda".³ Public opinion surveys show that even as the society has become more inclusive and accepting of change, nearly one in two Canadians say that anti-Muslim sentiment is rising.

With the benefit of experience, we are more equipped to deal with inequities and prejudice today than ever before. The first step towards addressing the issue is to know the magnitude of the problem. To this end, this report aims to provide inputs from the perspective of Muslim women in support of the objectives of government's multiculturalism program, namely social justice and identity, and the work of the Status of Women Canada. In 2002, the Canadian Council of Muslim Women had conducted a study to determine the impact of 9/11 on Muslim women and had also participated in a project of Women Working with Immigrant Women on barriers faced by Muslim women in the labour market.⁴ These studies provided useful insights. The present report carries the discussion forward, looks at discrimination not only from the perspective of Muslim women -- and men -- but also of the society, and the analysis is based on hard, recent and more data.

Social justice does not simply mean to implement what is feasible and what the law can actualize, but rather requires an environment in which citizens not only have rights but are able to exercise them without being made to feel inferior because of their gender, beliefs, colour or origin. This demands supplementing information on hate crime motivated by religious hatred with information on prejudice in the society which requires measures of a different type, such as educational programs.

Public agencies have been gathering information on the Canadians' experience of discrimination and hate crime. Parallel to government initiatives, volunteer and business sectors have also been doing useful work. Some faith and ethnic organizations keep records of discriminatory experiences reported by their members, although their coverage and completeness varies. Polling firms are a good source of data on public opinion about the prevalence of discrimination. These sources present a choice of statistics but each provides a different perspective and offers insights into the extent and causes of discrimination.

However, study of discrimination and hate crimes against Muslim women and men has not been a part of these efforts, until recently. Nor have the Muslim community organizations been involved in this type of activity in an active and organized manner. In spite of the limelight on Muslims since September 2001 they were not engaged in consultations leading up to the launch of the federal government initiative to develop a national system of information on hate crime.

This report is the first systematic inquiry into the issue of discrimination and unfair treatment reported by Muslim women or men. It integrates information from various sources into a coherent picture. Different pieces of information are used as building blocs to form a system which looks at the issue of discrimination from the perspectives of the victim, of observers, of potential perpetrators and finally of the law enforcement agencies. Needless to say, it is a small and bold step towards a significant and challenging task.

2. Why pay attention to discrimination

Discrimination and hate crimes draw special attention because they are more harmful than non-bias crimes. Previously, it was thought that hate crimes against faith communities were more likely to be acts of vandalism.⁵ However, new findings show that individuals are just as likely to be the victims as institutions and property. Moreover, assaults motivated by hate result in greater physical injury than other forms of assault.⁶

Harm done by discrimination is not restricted to anger and vulnerability but lies in the degradation of the characteristics that form the very basis of an individual's personality and an entire community's culture and religious beliefs. By serving to isolate communities, it leads to tension in the society and strikes at the very heart of one of our most cherished values -- multiculturalism.

A study done for the Canadian Council of Muslim Women in 2002 noted instances of Muslim women trying to conceal their identity in the aftermath of 9/11. Some women who used to wear headscarf abandoned it and some exchanged it for a hat. Other women stopped taking a day off work on *Eid* in order to avoid attracting their colleague's attention to their religious identity.⁷ A submission made to the Arar Commission of Inquiry noted that three years after the initial aftermath of 9/11, as many as four-fifths of Ottawa Muslims still did not feel that they had the same freedoms and rights as other Canadians.⁸

Studies have found evidence that discrimination has a stifling effect on self expression and can drive victimized individuals and communities to withdraw from active participation in the society. Recently, survey findings have confirmed that the

people who were discriminated were less trusting of others as compared with those who had never encountered discrimination; they were also less likely to take part in the democratic process, such as exercising their right and civic duty to vote.⁹

3. Different perspectives on discrimination

Discrimination is a personal experience. Interpretation of any specific incident can be slanted by previous unpleasant encounters, irrespective of their underlying motives. Therefore, a particular episode of discrimination can be real or perceived. Given the intractability of the concept, a multi-pronged approach is taken to come to a reliable assessment. First and foremost is to observe it from the victims' point of view.

A reading of the public perception of discrimination is just as important. Like self-assessment, this too is subjective in the sense that the respondent is expressing her personal opinion. But this provides an independent and impartial view because instead of the victim narrating the story, it is an observer's account, informed by developments and events taking place around her. As well as providing a balance to the victims' story, the society's view is valuable on its own merit because elimination of discrimination is everyone's business and begins with an acknowledgement that the problem exists. After all, public policy can only achieve what is feasible by punishing the unlawful behaviour; the ultimate aim of a civil society is to change attitudes.

As regards the views of those who commit acts of discrimination, usefulness of an indicator is not readily obvious. Whether anyone would admit harbouring prejudice or engaging in discriminatory behaviour is a matter of conjecture. Instead, a meaningful approach is to elicit people's views about their comfort or discomfort level in specific situations in which they are increasingly likely to come into interaction with other ethnic and faith communities, i.e. discuss attitude, not behaviour.

Finally, to complete the system, data kept by law enforcement agencies provide another angle. These data deal with an aspect of the problem, as only a fraction of the incidents of discrimination falls within the definition of hate crime, and an estimated one half of the hate crime victims do not report them to police. Nevertheless, it furnishes critical information about how much affected communities turn to police in times of help against hate crimes. It is only through trust, cooperation and collaboration between the community and law enforcement agencies that more positive outcomes can be achieved.

4. Extent of discrimination

4.1. Gender breakdown of data

Discrimination and hatred motivated by religious – or cultural or ethnic -- reasons is directed against an entire community. Gender matters little, if at all. However, the actual experiences of women and men can be different if one gender is more exposed to the segments of society that are likely to discriminate and/or if it is more easily identifiable as a member of the targeted community. Whether females or males are more exposed to perpetrators of discrimination can be argued, but there is no doubt that at least some Muslim females are more easily identifiable, because of their clothing. Headscarf has drawn more attention lately because of the ban in

France on wearing visible religious symbols in public schools. Although Canadians reject such a measure nearly two in five persons in the country and 50 per cent Quebecers are estimated to support the French ban.¹⁰ One may argue with merit that the people who oppose wearing of headscarf in public schools also like to see the cross, *kirpan* (a small, ceremonial dagger worn by the Sikh males) and yarmulke banned, suggesting that the underlying motivation is not necessarily anti-Muslim sentiment but the desire to promote the separation of state and religion. However, this interpretation does not detract from the basic argument that Muslim women are more vulnerable to unfair treatment than men, whatever the motive in opposing the headscarf.

In addition, Muslim women, like other women, are vulnerable to gender-based discrimination. The glass ceiling and 'mummy track' are well known examples in the workplace. Women are more at risk in many other situations. On the whole, just over 52 per cent of the victims of all hate crime in 1998 were women,¹¹ and they continue to bear the brunt. In 2000, they became marginally more vulnerable.¹²

To recap, there are three strikes against Muslim women. They are at risk of encountering unfair treatment because of their colour, gender and religion. The likelihood that a Muslim woman will encounter bias is 10 per cent more than a Muslim male experiencing discrimination.

Gender-breakdown of data on religion-based discrimination is often not compiled or published for Muslim or any other faith community or the entire female population, as explained earlier. Therefore, the present study uses the information for the entire Muslim community as a proxy for women's experiences, where data on Muslim women are not available. But it bears repeating that these estimates should be treated as the low end of the actual figures for Muslim women.

This report discusses a number of indicators on discrimination, specifically data on Muslims' perception of discriminatory practices experienced by them, the society's view of unfair treatment of Muslims, public's comfort level in interaction with Muslim women and men, and police records of hate crimes. Estimates provided by various indicators differ as they were compiled by different organizations, for different purposes, at different points in time, using different methods. However, they tell the same story: Muslim women -- and men -- are the principal target of discrimination.

4.2. Muslims' perception of discrimination

Self-assessment by the victim is one of the most important, most common and easily measurable metrics of discrimination. However, by itself, data on discrimination against a community do not tell much. It must be seen in a context, with reference to other communities or the reference community's own previous experiences in order to understand its significance. Previous comparative studies, which tried to do this, typically mixed religions and ethnicities, implying that Muslims and ethnic groups such as the Blacks or South Asians or the Chinese were mutually exclusive; to the contrary, Muslim community is more diverse and pluralistic than most other faith communities.¹³ While they informed the discussion and helped in the design of the programs in the fight against prejudice and discrimination, they risked missing some relevant information contained in the data.

This study also compares faith with ethnic communities, but the data presented carefully eliminate the distortions that usually beset such analyses. In the present study, Jewish community from the faith groups is taken as the reference point. Comparisons are also made between Muslims and visible minorities but only visible minorities largely of African and Asian origins from ethnic communities are taken as the context, and only that subset of Muslims is considered who identify themselves as part of this grouping. This ensures that the two populations share similar characteristics, distinguished mainly by religion, making room for hypothesizing about why the incidence of discrimination is higher against Muslim than visible minority women. Similarly, in comparing Muslims' experiences with total populations, visible minorities are excluded from both groups, and only non-visible minority subsets are covered.

To summarize, three sets of comparisons are made: (1) Muslim all visible minorities; (2) Muslim and total non-visible minority population; and finally (3) Muslim and the Jewish communities.

Muslim women and men not only face all the hurdles that visible minorities encounter, their religious and ethnic identities appear to compound their problems. Compared to other faiths, visible minority Muslim women and men are far more likely to face unfair treatment. One in five persons in visible minority groups reported facing discrimination often or sometimes. In comparison, one in three Muslim visible minority women reported these experiences.¹⁴

Anti-Muslim sentiment is not limited to visible minority Muslims. It also extends to those of European ancestries and others. Twice as many non-visible minority Muslims are likely to face discrimination as their non-Muslim counterparts.¹⁵

This pattern is replicated when the faith communities are compared. Surveys typically do not publish or gather data on the experiences of communities such as Hindus and Sikhs partly because they are less in the news. However, the Jewish community provides a much better context to put Muslim women's perception in perspective because of the former's experiences over the years. Just under one-quarter of the Jewish reported experiencing unfair treatment often or sometimes while the corresponding figure for Muslims (including both visible minority and non-visible minority Muslims) was 30 per cent.¹⁶

The extent to which Muslim women and men feel victimized has likely increased in light of the noticeable rise in vandalism against mosques and incidence of unfair treatment reported by Muslim organizations since the above data were compiled.

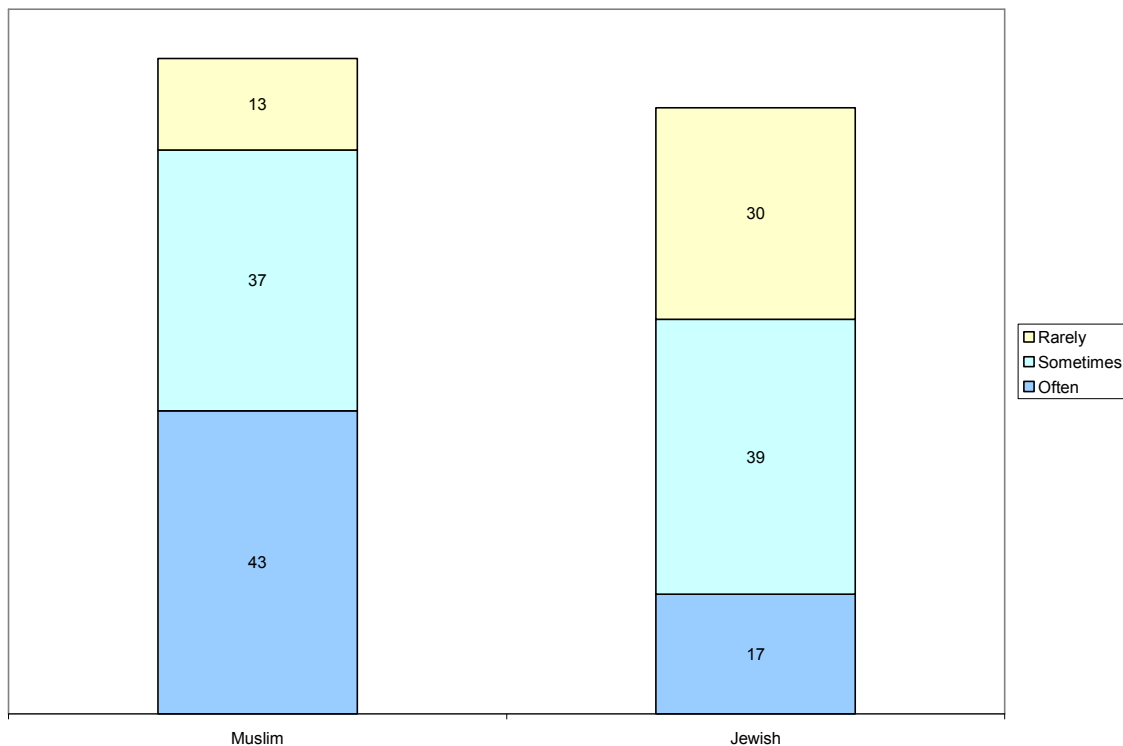
4.3. Public perception of discrimination

Self-assessment of discrimination by target community can be influenced by elements of subjectivity, resulting in an overstatement or understatement of the actual situation. In order to reach a balanced assessment, this section turns to public perception of how Muslim and other communities are treated. This gives a different perspective on the same issue, as respondents in this case are observers or witnesses whose opinions are informed by conversations with friends and colleagues, discussions at home or school, media reporting, events around the country, etc. If at all slanted, they might be prone to downplaying the unseemly side of the society.

4.3.1. Society's perception of discrimination

Consistency between the public perception of discrimination and target communities' own assessment of how they were treated was striking in all the material that we analyzed from different sources, and it supported the argument that Muslims are the main victim of discrimination. More Canadians identify Muslim women and men as being the target of unfair treatment than any other faith or ethnic community. Nearly two in five (38 per cent) persons questioned in a recent survey noted that Muslims/Arabs were the most likely group to face discrimination. Further, it confirmed what had been suggested before and only recognized by a few that Muslims were more vulnerable than other communities including the Aboriginals/First Nations, Blacks, and the Jewish.¹⁷

Figure 1: Public perception of the frequency of discriminatory incidences, 2004, (% of Canadians who believe communities are discriminated)



Source: Jodey Michael Derouin, *Perceptions of Discrimination*, presented at Immigration and Outmigration Atlantic Canada at Crossroads, November 19, 2004; source attributed to Environics Group, research commissioned by Heritage Canada, 2004.

Muslim women and men are not only the most likely victim they also encounter unfair treatment more often than other communities. A 2004 survey questioned Canadians about their perception of the frequency of discriminatory incidences against a number of identifiable groups. Among those who felt that the Muslims were discriminated, 43 per cent believed that they encountered unfair treatment frequently, while 37 per cent said that such episodes were occasional. Another 13 per cent were of the view that such incidences were rare (Figure 1)

Among the respondents who believed there was discrimination against the Jews, a majority was of the view that episodes of unfair treatment were occasional occurrences, and less than one-half as many believed that discriminatory incidents occurred frequently. Nearly one in three felt that discriminatory occurrences against the Jews were rare (Figure 1).

While Canadians across the country agree that Muslim women and men are the most frequently discriminated of the faith communities, there are important regional differences. This view was more commonly held in Ontario than other provinces. As many as 86 per cent of Ontarians who said that there was anti-Muslim sentiment in the society believed that Muslims encountered unfair treatment often or sometimes, while fewer but still an overwhelming majority of Quebecers and residents of the Atlantic region held that view.

Two important conclusions emerge from these findings. First, Muslims' self assessment of their experience of discrimination is consistent with the public's view of how they are treated. Second, Canadians do not shy away from acknowledging that Muslim and certain other communities meet unfair treatment. This recognition is a significant step towards redressing the problem.

4.3.2. Increase in anti-Muslim sentiment

While the extent of discrimination Muslim women and men face and the frequency of such incidences are deplorable, it is disquieting that they are at a greater risk of being victimized even as the society is becoming more accepting and inclusive. Three years after the burst of hate crimes and discrimination in the wake of September 2001 and numerous initiatives taken by Muslims and other faith communities to reach out to each other, a large number of Canadians think that discrimination against Muslims is rising among the people they know.

The rise in anti-Muslim sentiment is in sharp contrast to the general decline or no change in racism or discrimination against minorities. For every one person who saw discrimination as more of a problem in 2004, there were two Canadians who felt that it had decreased, and a vast majority said that there was no change.¹⁸ More or less the same impression existed about the anti-Jewish sentiment, i.e. those who felt that anti-Jewish feeling had risen were outnumbered two-to-one by those who observed a decline.¹⁹

However, Canadians' perception of how the Muslims were being treated was quite the opposite. While only 11 per cent saw discrimination against minorities as more of a problem, four times as many observed that anti-Muslim sentiment was on the rise.²⁰

Anti-Muslim sentiment has increased in spite of the numerous initiatives taken by the community, such as open houses held by mosques for other communities – something many mosques had never done before -- community outreach programs (some organizations have created a position of director of outreach), collaborative projects with other faith communities and social service organizations, and greater visibility at food banks and blood donor clinics, effort by national organizations to bring Muslims into the mainstream of the society. It may well be that these efforts will bear fruit in time and the anti-Muslim sentiment will hopefully diminish, but the community must also evaluate the effectiveness of its own efforts and ask: Are the

existing programs being delivered effectively? Are they meeting their objectives? Are there pre-set criteria to evaluate their success? Are they preaching to the converted? Is the present level of effort and resources enough? Is there enough visibility of Muslim women at open houses in mosques and religious organizations? How much harm do the occasional absurd remarks by an odd 'religious' and community leader do in spite of the community's condemnation of them?

4.4. Canadians' comfort levels

Canadians across the country believe that Muslim and other communities encounter discrimination and unfair treatment. But how would they themselves interact with these communities? If asked, it is highly unlikely that anyone would admit harbouring prejudice or acting in a discriminatory manner, except those who openly belong to or sympathize with racist groups. What is possible -- and more meaningful for analysis -- is to gauge people's comfort or discomfort level in their dealings with ethnic, linguistic and religious communities.

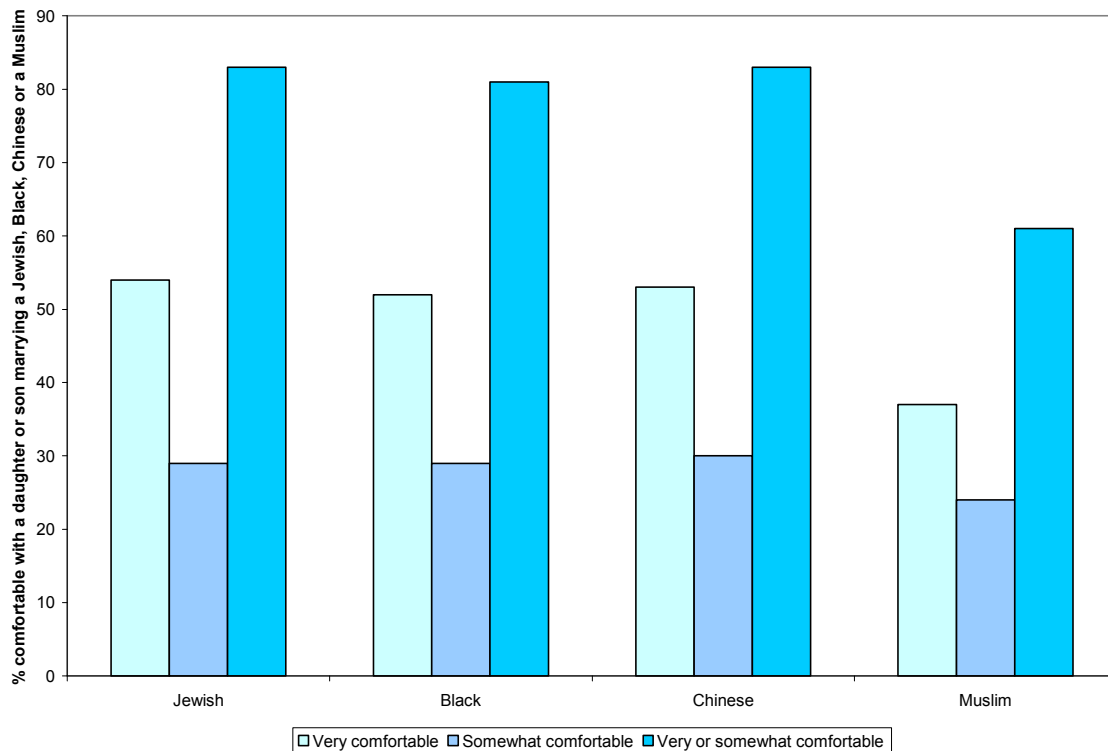
As attitudes are formed at home and in school and are then carried over into personal relationships and business dealings in adult life, four indicators covering different phases of life suggest themselves. How at ease would the Canadians be with a Muslim teacher in their children's school? Would they be comfortable working with a Muslim boss? At the social level, would they be upset if their son married a Muslim? Finally, how willing would they be to trust affairs of the state to a Muslim political leader? These are not entirely hypothetical examples. Canadians are increasingly likely to find themselves in these situations, as visible minorities and non-Christian faith communities are becoming growing segments of the society.

On the whole, the results present a picture of an inclusive, accommodating society. Canadians are open to having members of other faith and ethnic communities as their boss at work, teacher at their children's school, or having them as their daughter-in-law. However, this does not apply equally to their relationships with all groups.

Their comfort level depends on the community with which they are dealing and the context in which they have to interact. While they are open to other groups in all situations, with respect to Muslims they are withdrawn, particularly when the interaction concerns close social ties or positions that carry substantial responsibility and power and a high profile.

For example, they are at ease working with a Muslim female or male supervisor at work, or having Muslims teach their children at school, but a non-Muslim boss or teacher would be preferable.²¹

Figure 2: Canadians' comfort levels with intermarriage, 2004

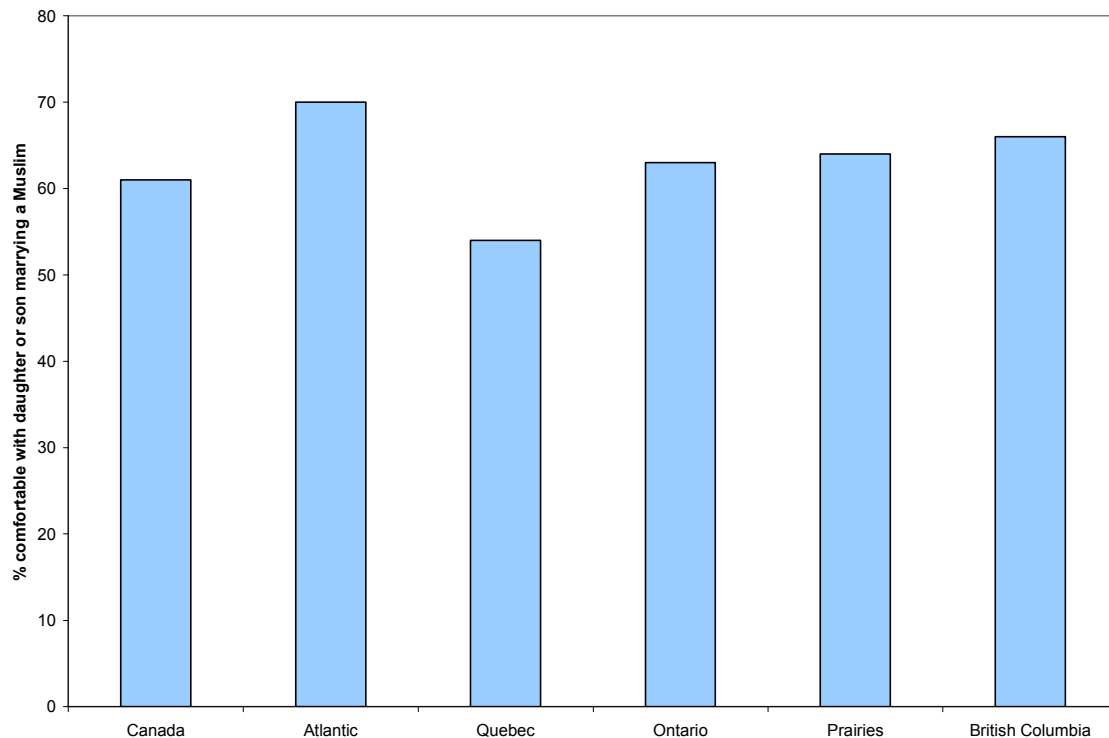


Source: Jodey Michael Derouin, *Perceptions of Discrimination*, presented at Immigration and Outmigration Atlantic Canada at Crossroads, November 19, 2004; source attributed to Environics Group, research commissioned by Heritage Canada, 2004.

However, with respect to more intimate or family relationships or trusting Muslims in positions of influence and consequence, they were far more reserved even reluctant. This was quite noticeable in the case of intermarriage. Canadians have an open mind towards interfaith marriage, as a survey found that religion was not a very important factor relative to other considerations in the choice of a spouse. However, it seems to become an important point when an interfaith marriage involves a Muslim bride or groom. Just over three-fifths (61 per cent) of the respondents to a survey commissioned by Heritage Canada in 2004 said that they would be very or somewhat comfortable if their daughter or son married a Muslim. In comparison, their comfort levels with intermarriage with other communities, including the Chinese, Jewish and the Black people, were over 80 per cent (Figure 2).

Canadians' attitudes towards intermarriage with Muslims are not uniform across the country (Figure 3). Residents of the Atlantic region were the most open to marriage with them. However, Quebecers were split, with just over one-half expressing comfort if their son or daughter married a Muslim.

Figure 3: Canadians' comfort level with intermarriage, by region, 2004



Source: Jodey Michael Derouin, *Perceptions of Discrimination*, presented at Immigration and Outmigration Atlantic Canada at Crossroads, November 19, 2004; source attributed to Environics Group, research commissioned by Heritage Canada, 2004.

In politics, Canadians appear to be uneasy trusting Muslim Canadians. In order to assess the effect of religion and ethnicity of a political leader on their voting decisions, Canadians were asked whether they would be more likely or less likely to vote for a party if it was headed by a person of certain religion or ethnicity. A majority did not think that it would influence their decision, but more Canadians had reservations about a Muslim leader than any other in a list that included the people of different ethnic origins, faiths, colour, lifestyles, and of sexual orientation, etc.²²

4.5. Hate Crimes against Muslims

Discrimination becomes more than a social issue when it turns into hatred, as offences motivated by hatred are treated as crime and are punishable in our justice system. As well as being an aid in the enforcement of the law, hate crime statistics provide useful information about the relations between the community and law enforcement agencies. Lack of trust and confidence between the two can discourage people from reporting incidences and approaching police for help. Police need communities' cooperation and collaboration to do their work more effectively just as the people need police to provide safe neighbourhoods. Increasing emphasis by both Muslim organizations and police forces on outreach programs is an obvious indication of the importance of trust.

Unlike the United States where the Hate Crimes Statistics Act, 1990 requires states to gather data on hate crimes and submit it to the U.S. Attorney General annually,

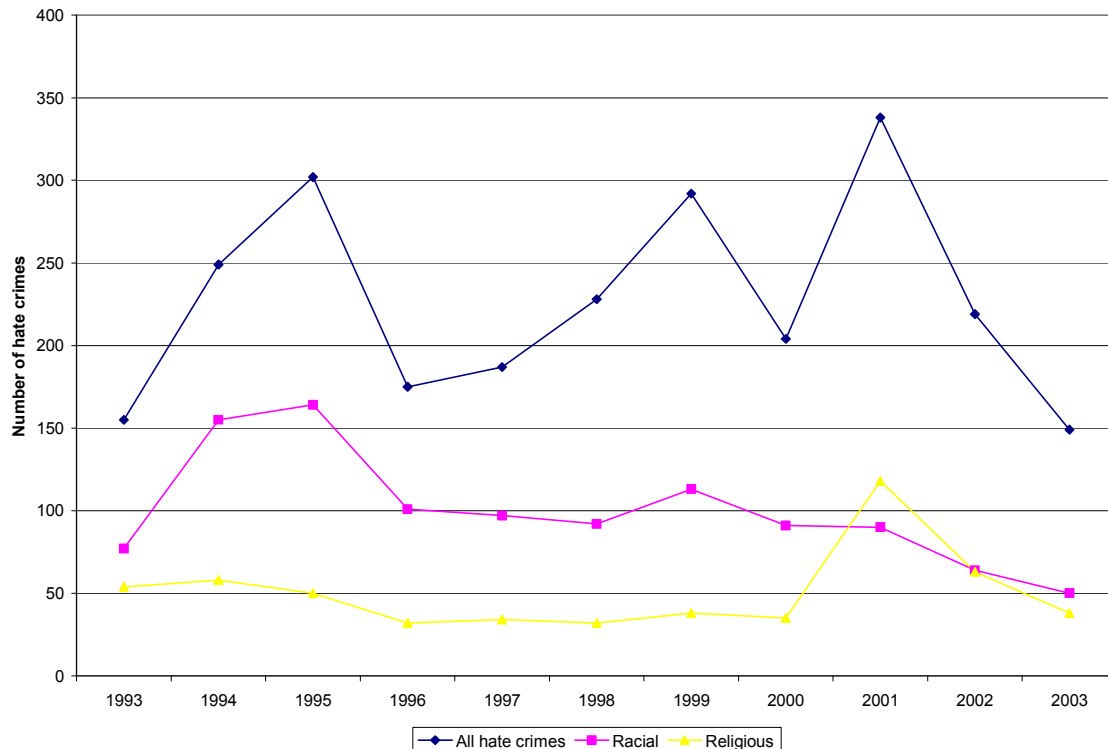
there is no similar national mandate in Canada requiring police to compile information on hate crimes. However, some police forces maintain databases voluntarily. Of particular interest for this study are the annual reports of the Toronto Police Force. They contain very useful detail and also provide insights into the historical patterns of offences motivated by racial and religious hatred. This source is also particularly relevant because of the large concentration of Muslims in and around Toronto.

4.5.1. Aftermath of 9/11

Hate crimes jumped in the aftermath of September 2001 and reached the highest level ever observed during the eleven-year period, 1993-2003, reviewed in Figure 4. Historically, racism has been the principal cause of hate crime and 1996 on racism and religious hatred contributed to hate offences proportionately, but in 2001 religious hatred took over as the prime motivation.

Many communities were affected, including people mistaken to be Muslim, but Muslims bore the brunt. More than two-thirds of the rise in offences reported by Toronto police between 2000 and 2001 was against Muslims; only one anti-Muslim hate crime was recorded in 2000; in 2001, the number was up to 57 offences.

Figure 4: Hate crimes reported to Toronto Police, 1993-2003, by motive



Source: Toronto Police Department, annual reports.

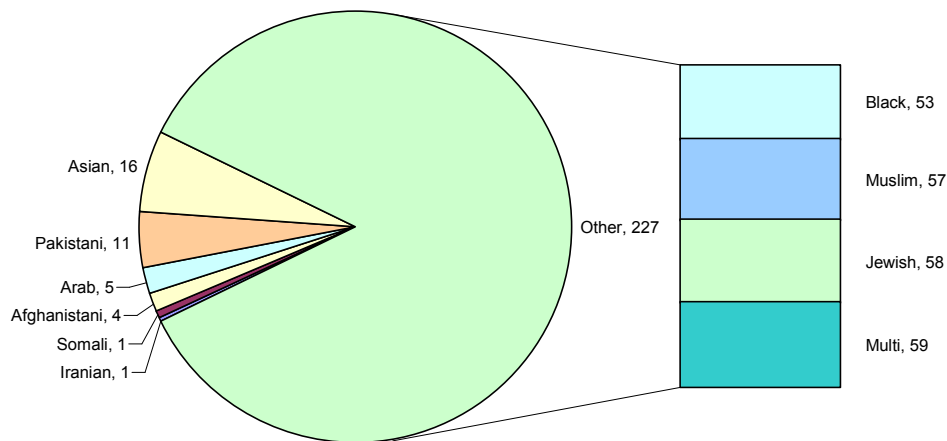
Muslim organizations contend that the actual situation is much worse than the data indicate because Muslims have a greater tendency not to report hate incidences. By their count, total complaints registered with them in just two months following

September 2001, exceeded the annual total shown in the police report.²³ Moreover, the statistics on hate crime reported by Toronto police show a drop in 2002 from the 2001 peak but Muslim organizations tracking complaints in that period reported a continued increase.²⁴

It is important to note that Muslims are one of the most diverse faith communities in the country in terms of race, colour and ethnicity, and their diversity can affect how a hate crime against them gets reported. It can be interpreted against their race, ethnicity, nationality, religion, etc. depending on how information about the offence is provided to and interpreted by the police officer handling the case. Therefore, the likelihood that a hate crime against Muslims could get classified as racial or ethnic is greater than would be the case with less diversified faith communities. This possibility can be observed from the information in Figure 5 which provides a detailed breakdown of hate crime data reported by Toronto Police for 2001. Most of the communities listed in Figure 5 that were targeted because of their race are predominantly Muslim as are very large numbers of Arabs and Asians. Similarly, two of the largest groupings 'Multi' and 'Blacks' could include many Muslims.

Criminology statisticians and researchers agree that a large number of incidents go unreported because victims of hate crimes are less likely to go to police than victims of other types of crimes. This is probably more the case with visible minorities, particularly Muslims, and, among Muslims, women are much less likely to report them than men because of the social and cultural norms.

Figure 5: Hate crimes reported to Toronto Police, target communities, 2001



Source: Toronto Police Department, 2001 report on hate crime in Toronto.

Belief that their complaint will not be taken seriously or a perception that they are under suspicion as a community could deter victims from reporting the incident. Although the law enforcement agencies rank the highest among public institutions with respect to the people's confidence,²⁵ a study conducted for the Canadian Council of Muslim Women pointed out that female participants in focus group discussions noted that after 9/11 they only trusted their family and very close friends and were afraid of talking to anyone else.²⁶ A survey carried out for Heritage Canada in 2004 showed that twice as many visible minority members as others felt that they had been discriminated or unfairly treated while dealing with the justice system.²⁷

The degree to which hate crimes go unreported to police appears to be substantial. After studying the patterns of underreporting in other countries and using hate crimes recorded by Ottawa police as the basis for extrapolation, Roberts estimated in a study for the Department of Justice the number of hate crimes in urban centres at 60,000 in 1994. He argued that his estimate was in line with the experience of other countries such as the United Kingdom, after allowing for differences in definitions.²⁸ More recent information suggests that as many as one half of the victims of hate crime may not be bringing these offences to the attention of police. Non-reporting in the case of Muslims and particularly Muslim females is said to be much higher.

4.5.2. Muslims more likely to suffer bodily harm

The fear of being victimized in the wake of September 2001 was not the only challenge the Muslim community faced. They also became more exposed to bodily harm. While vandalism and desecration of religious institutions was the most common crime against religion in the country, more than one half of the offences targeting Islam were crimes against the person.²⁹ These included physical assault, assault with a weapon, assault causing bodily injury and aggravated assault. Studies have noted that crimes motivated by hatred are likely to involve excessive force and greater psychological trauma to the victim than other crimes;³⁰ the trauma of bodily injury leaves a far more lasting psychological effect on the individual and the entire community.

5. Workplace the likeliest place for discrimination

Discrimination can surface anywhere where there are people. Identifying the likeliest places can help in leveraging resources and designing effective programs to overcome it. Discussion in the following paragraph is based on information obtained from a survey commissioned by Heritage Canada. Respondents to that survey who indicated that they had experienced discrimination were further asked to identify the institutions or places where these incidences occurred, from a list which contained four types of business establishments and institutions. Respondents could identify as many different types of establishments as had mistreated them.

By far, the largest number of people pointed the finger at the workplace. Nearly two-thirds of the visible minority respondents noted having experienced discrimination at work or when applying for a job or promotion. Commercial places such as stores, restaurants and financial institutions were next, identified by 40 per cent. In comparison, very few Canadians had these experiences when dealing with the police or courts,³¹ but visible minority people outnumbered them by a margin of two to one (17 per cent versus 8 per cent). Although these numbers are small they

attract a lot of attention because the effectiveness of these institutions crucially depends on trust in their fairness.

The above figures are fairly representative of Muslim women and men because four-fifths of them are identified as visible minorities. If at all biased, they are likely to be higher in the case of Muslims as Muslim visible minorities are more at risk of being discriminated than their counterparts in other faith communities.

Workplace discrimination can take many forms, including denial of a job, equal pay, or promotion; persistent high unemployment and underemployment; or it may also mean dismissal from the job. A recent study released by the Canadian Council of Muslim Women argued that jobless rate among Muslim females declined only slightly over the 1990s and stands at the highest level among the two dozen or so major faith communities and denominations. Moreover, many of those who have jobs do not work in their field of specialization and others hold term, casual and part-time jobs. The incidence of unemployment at 16.5 per cent in 2001 (the latest data available for Muslim women) was more than double the overall national female unemployment rate in the country. This is in spite of the fact that they are one of the most highly educated faith communities and have qualifications in leading edge technologies and disciplines such as the Internet, mathematics, computer sciences, and biotechnologies.³²

Numerous factors contribute to high unemployment and underemployment. Rules and regulations governing professional service industries are often difficult for newcomers to satisfy in the absence of sufficient access to training, internship or articling. Labour market failures compound their difficulties. In some cases, cultural factors add another layer.

Hiring practices may be another reason of high unemployment. A 2002 study of barriers faced by Muslim females in the labour market concluded that they "... do experience discrimination as a result of wearing *hijab* [and] this form of discrimination cannot be separated from anti-Muslim discrimination."³³

A recent and thorough study provides more insights into the difficulties Muslim women face, although it was not specifically concerned with religious groups. Based on an analysis of over 2,000 large, medium and small companies, Public Policy Forum said that hiring recent immigrants ranked low in the workforce strategies of Canadian employers. Employers place greater emphasis on keeping staff turnover low to maintain smooth flow of work and minimize the need to hire new employees because of the significant costs associated with recruitment and staffing, etc. The report further noted that there were several reasons for higher unemployment among recent immigrants, including hiring practices that "systematically discriminate against recent immigrants".³⁴

Low priority to hiring recent immigrants in corporate human resource strategies has a greater impact on Muslim females because they have one of the largest concentrations of recent immigrants. Nearly one-half (48 per cent) of the Muslim female population in Canada immigrated in the 1990s and one-third during 1996-2001. But it raises another question for future research: Why is the Muslim female unemployment rate so much higher relative to other communities that share similar demographic and geographical characteristics? It appears that while concentration of

recent immigrants in a community may be an important explanation it is not the whole story.

Part of the answer lies in looking deeper into why hiring recent immigrants is low priority in the corporate human resource strategy. Is it because of language proficiency, working skills, soft skills, ability to fit in corporate culture, being a team player, etc? The answer lies in understanding the changing nature of the workplace. Canadian experience and skills to do the work efficiently is only a part of it. The workplace has changed considerably with changing corporate strategies about human capital in the last one decade or so. Knowledge creation has become to corporate strategy what excellence was in the 1980s. Organizational learning, including knowledge generation and knowledge sharing, which have become crucial functions of a corporation, require leaders, teams, team players, and mingling of workers in informal settings. Workplaces are emerging to be campuses and workers are expected to be imbued with an *esprit de corps*. In this environment, 'Canadian experience' means much more than hands-on experience and dexterity. It also includes the ease with which job applicants are judged to fit in the organizational culture, which is made up of a gamut of social and cultural factors. Increasing emphasis on the importance of organizational culture and an employee spirit that treats the workplace as a campus to inculcate loyalty means growing attention to Canadian experience, defined in a broader sense than just hands-on skills and linguistic proficiency, and hence increasing difficulty for newcomers.

6. Concluding remarks

This report examined the extent of discrimination felt by Muslim women with the objective of providing inputs to strategic planning for facilitating the transition of Muslim community into the broader society. It provided metrics of discrimination as a social issue and as a criminal justice issue. This distinction is important because each requires different initiatives on the part of the community.

The report provided three perspectives on discrimination as a social issue: self-assessment of discrimination by Muslims; public perception; and public's comfort level while dealing with Muslim and other faith communities. These different perspectives provide checks against and complement each other. Understanding the different points of view is also necessary to engage and involve different groups because elimination of discrimination is and must be everybody's business.

In this respect, two important conclusions emerged. First, Muslim women are the principal target of discrimination, and even as the society has become more inclusive, anti-Muslim sentiment is on the rise. Second, the society recognizes that the problem exists, which is an important step towards combating it.

As a criminal justice issue, the report found that current information on hate crime against Muslim women and men did not reflect the actual situation. Victims of hate crimes are less likely to report them to police. This is more the case with Muslims and Muslim females in particular. In this respect, other faith communities offer good examples to follow with respect to setting up data banks and communicating with government statistical and law enforcement agencies. As Muslim women are far less likely to report hate incidences to police, women's organizations have a greater role to play.

The focus of this report was on the general issue of discrimination. Discrimination can surface in workplaces, schools, shopping malls, on the street, housing, etc. Specific areas need to be studied to focus attention where it is needed the most.

Endnotes

¹ See Daood Hamdani, *Muslim Women: Beyond the Perceptions*, November 2004, and *Muslim Women: From Polling Stations to Parliament*, March 2005 <http://www.ccmw.com>.

² See Aiden Enns, *Assessing the Coverage of Islam in the Vancouver Sun*, Master's thesis, University of British Columbia School of Journalism, 2002. Canadian Islamic Congress has been publishing an annual report on bias in the media entitled, *Anti-Islam in the media*, <http://www.canadianislamiccongress.org>.

³ Canadian Arab Federation and Council on American-Islamic Relations Canada, *Policy Review Submissions: Commission of Inquiry into the actions of Canadian officials in relation to Maher Arar*, Ottawa, February 2005; and Canadian Council of Refugees, *Feeling the Chill: Discrimination against Muslims and Arabs in Canada*, October 2004, www.web.ca/~ccr/

⁴ Samira Hussain, *Voices of Muslim Women*, June, 2004; and Canadian Council of Muslim Women, *Women Working with Immigrant Women*, 2002, <http://www.ccmw.com/publication>.

⁵ Jacqueline Nelson and George Kiefl, *Survey of Hate Motivated Activity*, TR1995-4e, Department of Justice, Ottawa, 1995.

⁶ Jack Leven and Jack McDevitt, *Hate Crime: The Rising Tide of Bigotry and Bloodshed*, Plenum Press, New York, 1993.

⁷ Samira Hussain, op. cit.

⁸ Barrick Poulsen LLP, *Opening Submission to the Commission of Inquiry into the Actions of Canadian Officials in relation to Maher Arar, on behalf of the Muslim Community Council of Ottawa-Gatineau*, June 14, 2004, p. 43, <http://www.maherarar.ca/cms/images/upleads>.

⁹ Jodey Michael Derouin, *Perceptions of Discrimination*, presentation at Immigration and Outmigration; Atlantic Canada at Crossroads, November 19, 2004.

¹⁰ Jodey Michael Derouin, *ibid*.

¹¹ Statistics Canada, *General Social Survey, 1999*, cited in Warren Silver, Karen Mihorean and Andrea Taylor-Butts, "Hate Crime in Canada", *Juristat*, Canadian Centre for Justice Statistics, Statistics Canada, Catalogue no. 85-002-XPE, Vol. 24, no. 4. <http://www.statcan.ca>

¹² *Ibid*.

¹³ See Daood Hamdani, op. cit.

¹⁴ Jack Jedwab, *Collective and Individual Perceptions of Discrimination in Canada*, July 18, 2004, <http://www.acs-aec.ca/polls/collective>. Source attributed to Statistics Canada, Ethnic Diversity Survey, <http://www.statcan.ca>

¹⁵ *Ibid*.

¹⁶ *Ibid*

¹⁷ Ipsos/Reid and Dominion Institute, *One in Six Canadians Say They Have Been The Victim Of Racism*, March 21, 2005. <http://www.dominion.ca/>

¹⁸ Centre for Research and Information on Canada (CRIC), *New Canada Revisited*, July 1, 2004, http://www.cric.ca/en_re/analysis; <http://www.queens.ca/cora/>

¹⁹ *Ibid.*; and Environics Research Group, *Canadians do not believe that anti-Semitism is on the rise*, April 28, 2004; <http://www.erg.environics.net/news>

²⁰ CRIC, op. cit.

²¹ Ipsos-Reid Corporation, Filename: CR01-F-Doc, Table 15, <http://www.queens.ca/cora/>

²² CRIC, op. cit.

²³ Cited in Samira Hussain, op. cit. Note that police data do not cover all hate activity. However, differences between hate crime reported to police and hate activity as reported by Council on American Islamic Relations Canada appear to be too large to be explained to be explained by definitional differences.

²⁴ Canadian Islamic Congress, *Islamic Congress finds police departments have incomplete data on rising tide of hate-motivated crimes*, Media Communiqué, March 10, 2003.

²⁵ Police have the confidence of 82 per cent of the Canadians polled versus 57 per cent for the justice system and only 43 per cent for the federal parliament. See Statistics Canada, *2002 General Social Survey, Cycle 17: An Overview of Findings*, Catalogue no. 89-598-XIE, 2004.

²⁶ Samira Hussain, op. cit.

²⁷ Jodey Michael Derouin, op. cit.

²⁸ Julian V. Roberts, *Disproportionate Harm: Hate Crime In Canada – An Analysis of Recent Statistics*, Department of Justice, Ottawa, 1995.

²⁹ Warren Silver, Karen Mihorean and Andrea Taylor-Butts, op. cit., Table 6.

³⁰ Ibid. See sources cited in it.

³¹ Jodey Michael Derouin, op. cit.

³² Daood Hamdani, *Muslim Women: Beyond the Perception*, November 2004, <http://www.ccmw.com>.

³³ Women Working with Immigrant Women, no title, 2002, <http://www.ccmw.com>

³⁴ Public policy Forum, *Bringing Employers into the Immigration Debate*, Ottawa, 2004, <http://www.ppforum.ca>

About the author

Daood Hamdani is a pioneer in the study of Muslim Canadians and one of the most influential writers on the subject. He is the author of numerous articles in professional journals, including the critically acclaimed entry in the encyclopaedia of Muslim minorities and Islam. His work has been translated into several languages, including French, Spanish, Arabic and Farsi, and is cited in doctoral dissertations; in legal briefs and submissions to the commissions of inquiry; by policymakers and the media.

An economist by training, his main interest is the study of knowledge and information as the strategic agents of change. Recognized as one of the world's foremost experts on innovation measurement, he has served as an advisor to the U.S. National Science Foundation, Washington, D.C. and has given guest seminars at universities and government agencies in Europe and North and South America. His writings on economics have been translated into other languages, including Italian and Portuguese.

He has received several recognitions, including honorary from Tennessee, USA.