

Reporting Hate Crimes: The Arab American Experience

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Next week, the Arab American Institute Foundation will release a comprehensive study on anti-Arab hate crimes in the US. The result of eight months of work, "Underreported, Under Threat: Hate Crime in the United States and the Targeting of Arab Americans," fills a gap in available research on hate-based crime.

More than just a compilation of acts of violence or threats against persons of Arab descent, the AAIF study also reviews the history of how law enforcement agencies have dealt with (or rather has not dealt with) anti-Arab hate crimes. The report then rates the performance of all 50 states and the District of Colombia as to whether or not they have hate crime and data collection statutes, and require and provide appropriate law enforcement training. It concludes with recommendations for national and local governments to assist in improving their reporting and performance in dealing with these crimes.

Among the report's findings we learn that while pervasive negative stereotypes and political exclusion have increased the vulnerability of Arab Americans, actual threats and incidents of violence against members of the community have "historically intensified in the wake of developments in the Middle East or incidents of mass violence"—whether or not the perpetrator was of Arab descent. The study notes with concern that this "backlash" effect has "increased in the current political climate."

As the report makes clear both federal and state governments have, to varying degrees, been negligent in addressing this problem. The FBI started collecting data on hate crimes, including those targeting Arab Americans, after Congress passed the Hate Crime Statistics Act of 1990. But in 1992, the federal government told the FBI it was not allowed to publish statistics on anti-Arab hate crimes, and the category used to report anti-Arab hate crimes was removed from the FBI's data collections. This did not stop local law enforcement agencies from reporting hundreds of incidents under this category until 2003, when the FBI told agencies that it would start rejecting "improperly coded data." Even though the category was reintroduced in 2015, the AAIF study shows that federal anti-Arab hate crime statistics are still deficient. One indication is that state governments report a greater number of anti-Arab hate crimes in their own publications than federal statistics. In the case of nationwide data targeting all communities, comparing hate crimes compiled by state governments with federal data reveals "thousands of hate crimes were reported at the state level but not published in federal statistics."

For me, this issue is deeply personal. I know from experience how dangerous and painful

anti-Arab hate can be. I received my first death threat in April 1970 in the form of a letter stating, “Arab dog, you will die...” In 1980, my office was fire-bombed and I continued to receive threats throughout the next two decades. After repeated threats, a colleague and friend in California, Alex Odeh, was murdered when his office was bombed in 1985. And since September 11, 2001, three individuals have gone to prison for threatening my life and the lives of my children and staff.

In all of this, I have observed several patterns.

In most instances, these hate crimes were politically motivated and were tied either to the perpetrator’s racist assumption that all Arabs were responsible for violent events in the Middle East or here at home. Or they were an effort to silence me and other Arab Americans from speaking out on issues of concern. Although it is not the focus of the AAIF report to discern the motives of the perpetrators of bias-motivated incidents, my experience dictates the “why” is worth noting.

As I observed in congressional testimony in 1985, in too many instances the threats against us were preceded by incitement. As I noted,

These acts of violence and threats of violence against Arab American(s) are but part of a larger picture of discrimination, harassment, and intimidation. We can document numerous instances of active political discrimination against Arab Americans, ‘blacklisting’ of Arab American political activists and spokespersons, and efforts to bait or taint Arab American leaders and organizations as terrorists or terrorist supporters.

All of these actions and practices create a climate in which Arab Americans become fearful of speaking freely and participating in legitimate political activity. Further, these practices serve to embolden the political opponents of Arab Americans to the point where, as we have seen, some have escalated their opposition to include acts of violence against Arab Americans and their organizations.

To the old adage “sticks and stones will break my bones, but names will never hurt me,” I have suggested adding “but names, if repeated often enough, may incite others to commit violence.” It was no mere coincidence that some of the death threats against me and my colleagues quoted material taken from virulently anti-Arab publications or websites.

Another byproduct of persistent defamatory attacks, some emanating from major pro-Israel organizations, was to make it difficult for Arab Americans to normalize their political involvement or to discourage others from becoming politically engaged—which I believe was the purpose of the defamation. This, in turn, historically played a role both in increasing the community’s vulnerability to threats and also in discouraging Arab American victims from reporting them when threats occurred.

Why would discussions of Middle East politics find their way to an analysis of hate crimes? Because as the AAIF report notes, targeted violence against Arab Americans is best contextualized within broader historical trends of anti-Arab animus and the role exclusionary politics played in advancing it. This exclusion, or the fear of being excluded, often made members of the community reticent to go public when threatened.

Thankfully, this situation has dramatically changed. Although still subject to defamation, Arab Americans are no longer excluded from the political mainstream. Not only have we found our voice, but we have allies who will come to our defense. And, despite real concerns with their work in other areas, law enforcement agencies have become more responsive to hate crimes against Arab Americans.

A final word about the efforts of law enforcement in addressing hate crimes:

Over the past four decades, the performance of federal law enforcement agencies in addressing hate crimes has gone from deplorable to commendable. Early on, Arab Americans even hesitated to report death threats because of the behavior of the agents who came to visit us. After the 1980 fire bombing for example, I ended up feeling that I was being grilled more for information about the Arab community, then about the likely perpetrators—members of an FBI-designated terrorist group, the Jewish Defense League (JDL). The JDL had issued a statement “approving” of the attack and the group’s founder later appeared outside my new office shouting,

I know who is in there—cowards and supporters of terrorism. Their office was burned down. They ran over here and changed their name. But we know who they are.

In 1985, I went to the director of the FBI with over 100 affidavits from Arab Americans in the Los Angeles area complaining of FBI harassment and a dozen reporting threats of violence. I pointedly asked, “why do you spend so much time and resources harassing us and so little time defending us.” A few months later, one of the Arab Americans who had reported a threat, Alex Odeh, was murdered in a bombing attack on his office.

Since 9/11, the situation changed quite dramatically. The FBI and the Department of Justice Civil Rights Division have taken threats seriously. While other problems remain, in this area they have been quite protective of the community – investigating, prosecuting, and convicting individuals in over one hundred hate crime cases.

It is this context of the progress made and the work that remains to be done that the AAIF report has been issued. It will, I believe, serve as an invaluable resource for policy makers, law enforcement agencies, and community groups.

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