

A Study on Public Opinion about Discriminatory Ethnic Profiling Around Tamilnadu

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Abstract: *Ethnic profiling is hardly spoken in the society that stipulates a huge lack of awareness. It's a very wrong form of act that needs to be put to an end. This research mainly focuses on how to bring awareness to the people living in Tamilnadu about ethnic profiling and to prevent the occurrence of such a heinous act. Discriminating and depriving the rights of someone one based on their caste, creed, color and religion etc is a long followed process that brings no benefit to the public or the government. It is said to village the Basic principle which is the equal treatment under law. Given its reliance on ethnic or racial criteria, it will rarely be possible to show that ethnic profiling is objectively and reasonably justified. The researcher has followed empirical research combined with a convenient sampling method for the study, to understand and prevent discriminatory ethnic profiling. The sample size of this study is 225. Most of the people take no adequate steps to prevent ethnic profiling when they are encountered with one. Taking necessary steps at the correct time can do a lot of damage control. The most crucial point is, when even the concerned officials are not up to their potential to prevent ethnic profiling. The aim and finding of the study is to identify the root cause of ethnic profiling and how to eradicate them permanently.*

Keywords: Ethnicprofiling, preventive measures, discrimination, ethnicity, Implicit bias

I. INTRODUCTION

Ethnic profiling is essentially the implementation of law under the statutory on usage of policy, security, immigration or custom official based upon religion, ethnicity, caste, creed, race and national origin. it's a significant right violation. From religious to castes, from dressing styles to cuisines, from language to artistically structural India are heralded in concert of the foremost complex cultural identities. The state also laws provide insufficient and inconsistent protection against ethnic profiling. A staggering number of individuals in Tamilnadu are subjected to ethnic profiling. Many incidents that instigate racial crime, mob lynching, discrimination is within the upsurge which is that the results of many racial, religion, caste and gender problems. The practice of categorizing someone as a criminal, law breaker or terrorist mainly thanks to their ethnicity, race or skin colour could be a system that has been followed for several years. When enforcement officers treat a whole group of individuals as suspicious, they aim many innocent people and are likely to miss criminals who don't fit the profile. Reliance on ethnic profiling doesn't improve hit rates. The custodian of law, our police, who are assigned the duty to uphold and enforce the law impartially and protect life, liberty, property, human rights, and dignity of the members of the general public fails to discharge their duties and differentiate individuals on the idea of their religion and ethnicity.

The act of branding someone as criminal, law-breaker or terrorist mainly thanks to their ethnicity, race or colour may be a yearlong practice followed across the globe. It is incredibly common in various countries across the world. Such branding of citizens supported their ethnicity or race prevails even in India. The factors which end up in such profiling and police bias, the effect of racialism and the way it violates the Constitutional Provision also as Human Rights Law. At the tip the author has given the advice and suggestion that may help in minimizing and eradicating such wrong practice. The 2011 Human Rights Watch the foundation of Humiliation – Abusive identity register France casts lights



on the way through which the utilization of identity check affects emotionally and mentally the recipients, who are often stigmatized as 'untrustworthy'. This affects the entire society. Specifically, the relation between police and minority groups. Control after control, minorities feel increasingly insecure. Ethnic profiling is taken into account as a necessary measure to forestall security threats. Therefore, standard security measures don't seem to be enough to dam terrorism and extra controls are required. A quick go searching shows that this strategy isn't pretty much as good obviously in maintaining stability. Moreover, evidence shows that massive identity checks, supported skin colours, ethnicity, national origins or religion, have a negative impact on society.

Moreover, it affects the total realization of other correlated human rights, like freedom of movement, right to privacy and right to life. ECRI has strongly condemned the abuse of ethnic profiling and involved the prohibition of this practice by law. Moreover, ethnic profiling doesn't even reduce crimes. Secondly, within the targeted communities, it affects trust towards the enforcement communities, with a major impact on the opportunities for cooperation. Today, most of the ethnic profiling in Europe takes place within the name of immigration controls from ID checks, data processing, stop and search, interviews, etc. It has also increased the amount of mistrust, deteriorating the already fragile social equilibrium and increasing radicalization. Government policies may provide excessive discretionary powers to enforcement authorities. A related pattern is the performing of additional identity checks or interviews of persons or groups at border crossing points and transportation hubs like airports, metro and railway stations and bus depots. In certain contexts, persons belonging to minority groups are prevented from leaving the country of which they're nationals.

Racial and ethnic profiling also occurs within the criminal justice system, with persons belonging to minority groups often receiving harsher criminal sentences, sometimes also because of implicit bias which is increasingly being perpetuated by machine-learning algorithms. According to the results of an EU-wide survey carried out in 2015-2016 of over 25,000 respondents with different ethnic minority and immigrant backgrounds, 14% had been stopped by the police in the 12 months preceding. According to the results of a national survey of more than 5,000 respondents, young men of Arab and African descent are twenty times more likely to be stopped and searched than any other male group. The aim and finding of the study is to identify the root cause of ethnic profiling and how to eradicate them permanently which will be further discussed in this research.

Objectives

- To know about the causes of ethnic profiling.
- To examine the steps that need to be taken in order to prevent the practise of ethnic profiling.
- To analyze the various factors that influence ethnic profiling.
- To get an insight about the effects of ethnic profiling on the people of Tamilnadu.
- To interpret the steps that need to be taken in order to eradicate ethnic profiling in tamilnadu.

II. REVIEW OF LITERATURE

Andras Pap 2011 : This research mainly aims paper focus on ethnic profiling. Besides providing a description of the concept and introducing a recent, groundbreaking Hungarian empirical research project on police profiling, They will also highlight the international context with which profiling should be seen. **Annabelle Lever:2015**: Here the researchers state that profiling has so much to recommend them and when they are taken together as essential component of the political philosophy of race. **Dinant Et Al 2009** :The researcher conveys us that Ethnic profiling is not a new practice of the European Union, but it has become more prominent in reaction to the terrorist bombings in the United States of America (USA, 2001), Madrid (2004) and London (2005), as well as increased concerns over illegal immigration. **John Wadhem 2010** : The researcher gives us an insight about Ethnic profiling grabbed global headlines last summer when President Obama made what proved to be a controversial statement about the police treatment of respected Harvard professor Henry Louis Gates Jr, who was arrested in his home in July 2009.

Christopher Stone 2005 The research paper states Ethnic profiling, the inappropriate use by law enforcement of an individual's ethnic characteristics in identifying criminal suspects, is widespread but under-researched in



Europe. **Rachel Neild 2012** : Here the researcher conveys that ethnic profiling is the use by police of generalizations based on race, ethnicity, religion or national origin—rather than individual behavior or objective evidence—as the basis for law enforcement actions. **Judith Zollar Jim Cleary: 2000** The researcher here concern about racial profiling is erupting throughout the nation. Many cities and states have decided to study racial profiling, or how race and ethnicity may play a part in stops by law enforcement in their jurisdictions. Minnesota is no different. **Cole, David, and John Marcello 1999:** Here the resarcer states he term “racial profiling,” as a relatively new term and, thus, there is not yet a clear consensus on its meaning. **Harris, David. 1997:** The researcher analyses the stopping of black drivers, just to see what officers can find, has become so common in some places that this practice has its own name: **Darren K. Carlson 2004** :When it comes to race relations in America, few topics generate more discussion than racial profiling does. Whether it's real policy or just a perceived tendency, the idea that law enforcement may be stopping members of certain racial or ethnic groups. **Anthony A. Braga, Andrew V. Papachristos and David M. Hureau 2014:** Racial profiling also represents a missed opportunity to apply more effective strategies. In the context of street policing, for example, research has highlighted strategies that have a real impact on crime, such as “hotspot policing”, **Joel Miller 2010** :The researcher states that police practice of “carding”, or stopping, questioning and documenting subjects suspected of a crime, disproportionately affected people of African descent. **M.D. Ruck & S. Wortley 2002:** In this research there is a strong perception that the Safe Schools Act and school board policies applying the Act are having a disproportionate impact on racial minority students. The Commission’s research has found that there is some empirical evidence to support this belief, although it is difficult to gauge the impact of the Act. **R.D. Putnam 2000** : In this research there is a impact on Ontarians’ standard of living. Research suggests that higher levels of social cohesion are significant contributors to a prosperous economy and society. Social cohesion has been defined as “the ongoing process of developing a community of shared values. **Jack Glaser 2006** : The researcher explains that racial profiling—the use of race, ethnicity, or national origin by law enforcement officials to make judgments of criminal suspicion. **J. Falconer & C. Ellis 2000:** The Canadian media has contributed to stereotyping and profiling of racialized communities by linking them with violence and aggression.

Aaron Baker 2011 : The research states that Counter-terrorism officials in the USA and the UK responded to the events of 11 September 2001 and 7 July 2005 with an increasing compliance to the use of ‘intelligence-led policing’ **Sarah Salway 2009:** Social researchers are increasingly required to produce evidence on the patterns and causes of ethnic inequalities in diverse arenas of social and economic wellbeing. **Badi Hasisi 1968–2010** :The research states about the fact that even though ethnic profiling is efficient does not mean that it is socially desirable. Moral considerations must be taken into account (Blumkin and Margalioth, 2006) **P. A. J. Waddington, Kevin Stenson and David Don 2004** : This article examines the view, expressed authoritatively in the Macpherson report (1999), that racial disproportionality in police stop and search is attributable to officers selectively targeting minority groups.

III. RESEARCH METHODOLOGY

A proper study through empirical research has been followed here and a total of 225 samples has been collected for this study. All of these samples have been collected through a convenient sampling method. The sample has been collected from people in and around Tamilnadu that is from the convenient sample units of the researcher. The independent variables used here are age ,gender, educational qualification, occupation, living area. The dependent variables are understanding ethnic profiling and ways to prevent it, feelings of the people encountering ethnic profiling. The statistical tools that are used further below are tabulares, graphical representations like bar charts, cluster bar charts. Tests like independent T test have taken place.

Hypothesis

This research study is assigned to assess the level of Ethnic profiling and the extent of understanding among people living in Tamilnadu.

HO :There is no significant association regarding understanding and preventing Ethnic profiling.

Ha :There is significant association regarding understanding and preventing Ethnic profiling.



IV. ANALYSIS AND DISCUSSION

Table 1

Statistics

1. Gender

N	Valid	225
	Missing	0

1. Gender

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Female	103	45.8	45.8	45.8
	Male	122	54.2	54.2	100.0
	Total	225	100.0	100.0	

Legend

The table above shows the gender of the sample collected.

Table 2

2. Age

N	Valid	225
	Missing	0

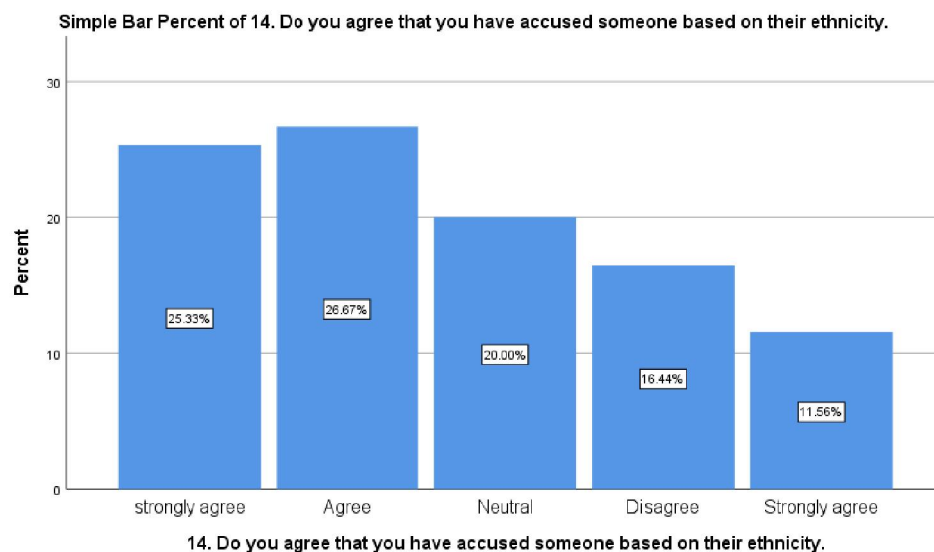
2. Age

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	10-20	66	29.3	29.3	29.3
	20-30	83	36.9	36.9	66.2
	30-40	56	24.9	24.9	91.1
	40-50	18	8.0	8.0	99.1
	50 Above	2	.9	.9	100.0
	Total	225	100.0	100.0	

legend The above table shows the age of the sample collected.



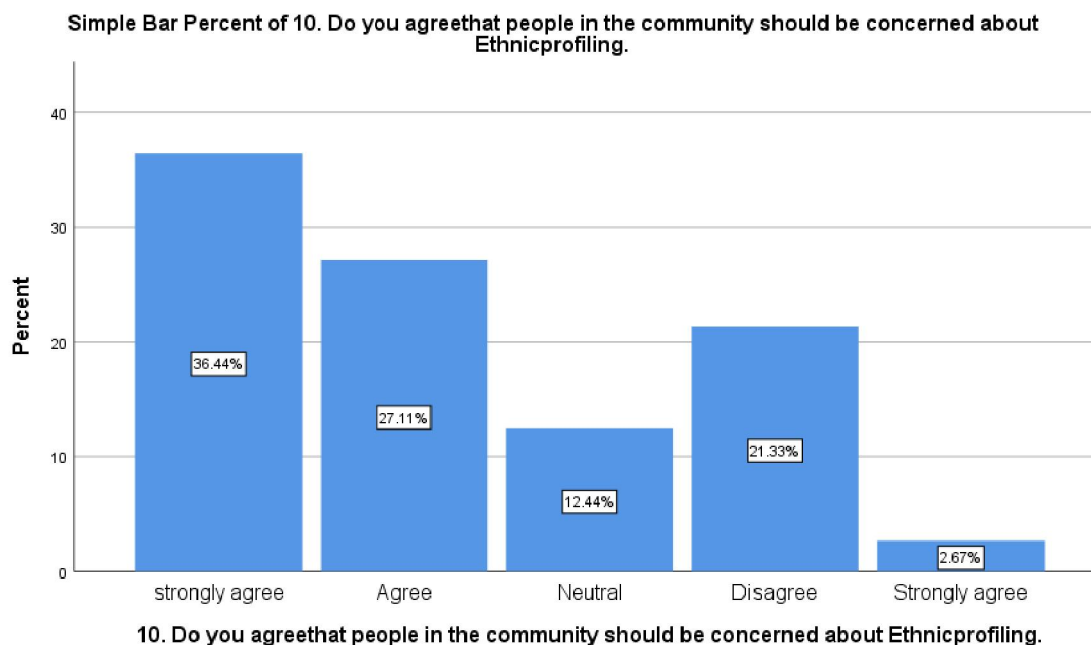
Figure 1



Legend

Figure 1 represents the percentage analysis of the sample populations opinion regarding whether they accused someone based on their ethnicity.

Figure 2

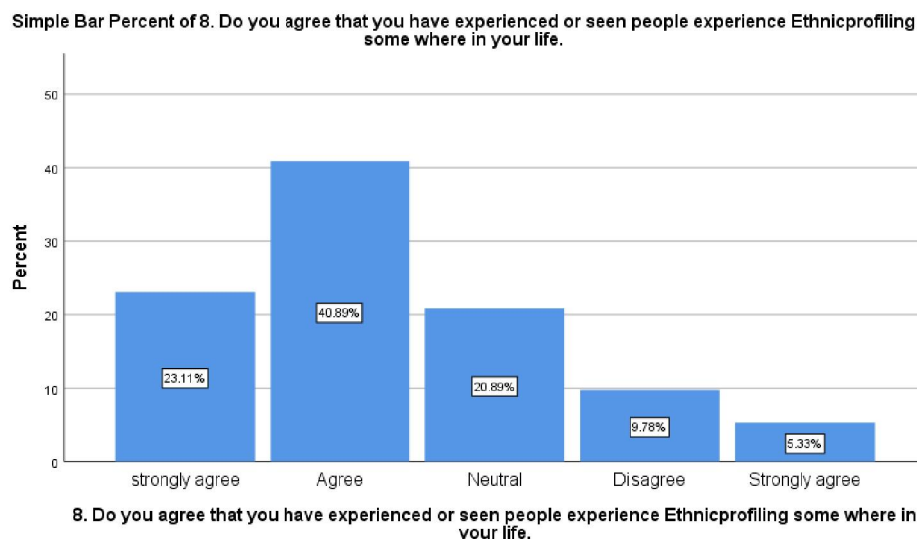


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Figure 2 represents the percentage analysis of whether the people living in the community should be concerned about ethnic profiling.



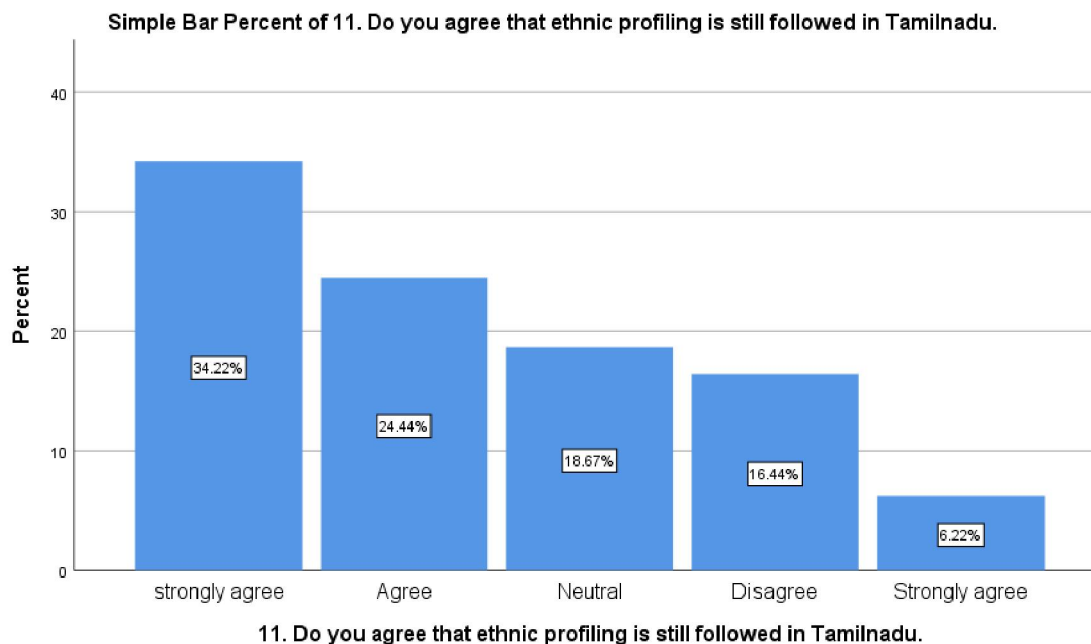
Figure 3



Legend

Figure 3 represents the percentage analysis of whether the population have experienced or seen people experience ethnic profiling somewhere in their life.

Figure 4

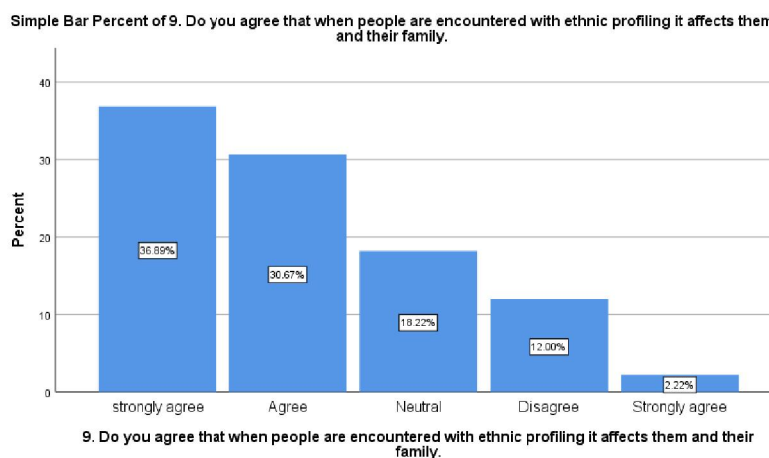


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Figure 4 represents the percentage analysis of whether the sample population agrees that ethnic profiling is still followed in Tamilnadu.



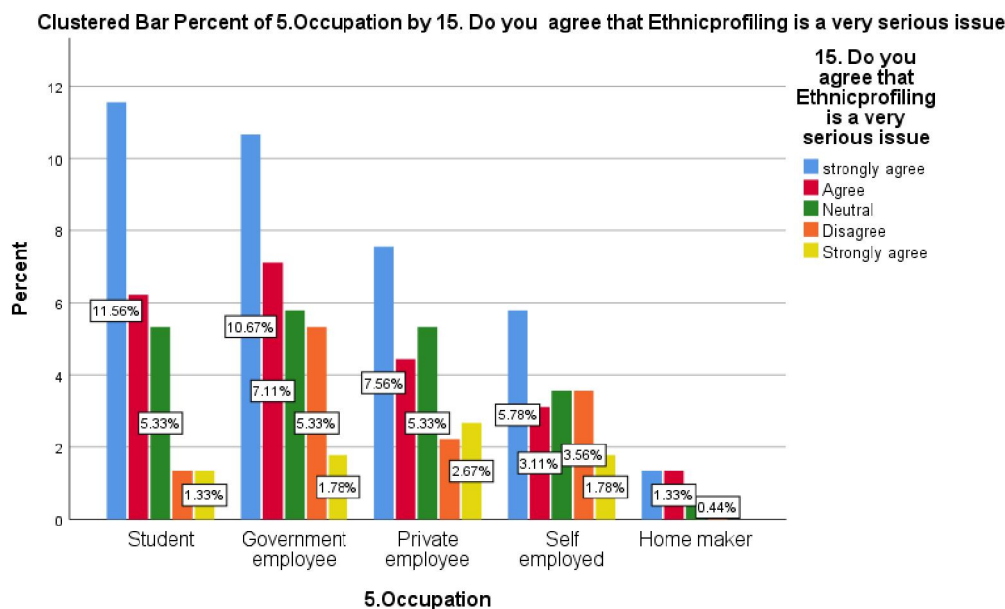
Figure 5



Legend

Figure 5 represents the percentage analysis of whether the sample population agrees that when people are encountered with ethnic profiling it affects them and their family.

Figure 6



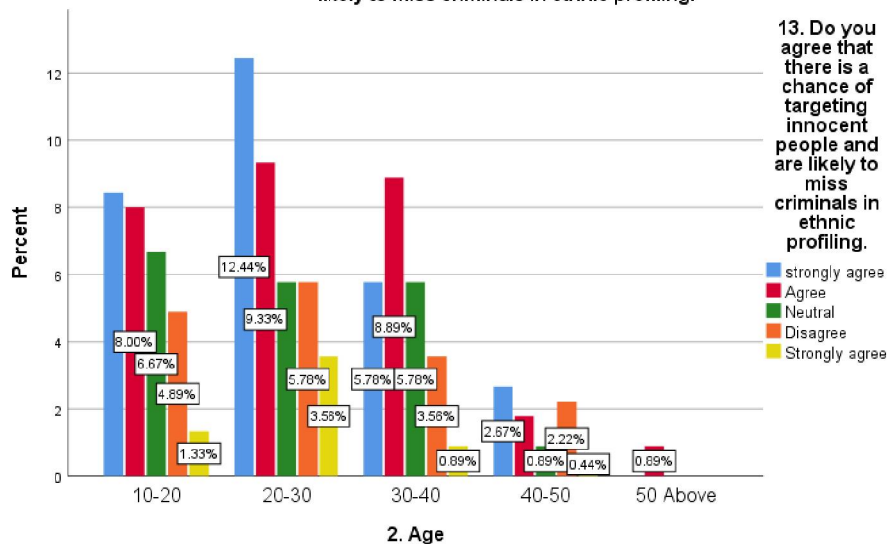
Legend

Figure 6 represents the percentage analysis regarding whether the sample population agrees that ethnic profiling is a serious issue and occupation



Figure 7

Clustered Bar Percent of 2. Age by 13. Do you agree that there is a chance of targeting innocent people and are likely to miss criminals in ethnic profiling.

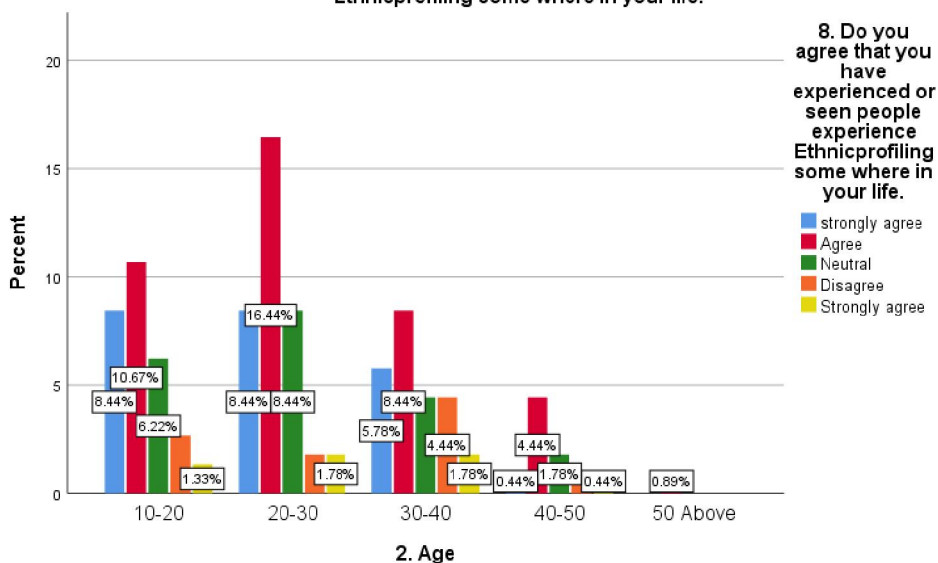


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Figure 7 represents the percentage analysis regarding whether the sample population agrees that there is a chance of targeting innocent people and are likely to miss criminals in ethnic profiling and age groups.

Figure 8

Clustered Bar Percent of 2. Age by 8. Do you agree that you have experienced or seen people experience Ethnic profiling some where in your life.



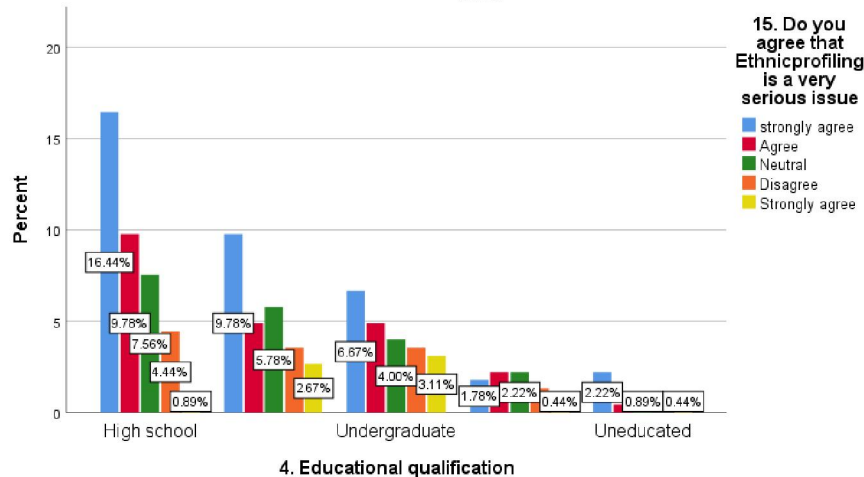
Legend

Figure 8 represents the age and the percentage analysis on whether they have experienced or seen people experience ethnic profiling somewhere in their life and age group.



Figure 9

Clustered Bar Percent of 4. Educational qualification by 15. Do you agree that Ethnic profiling is a very serious issue

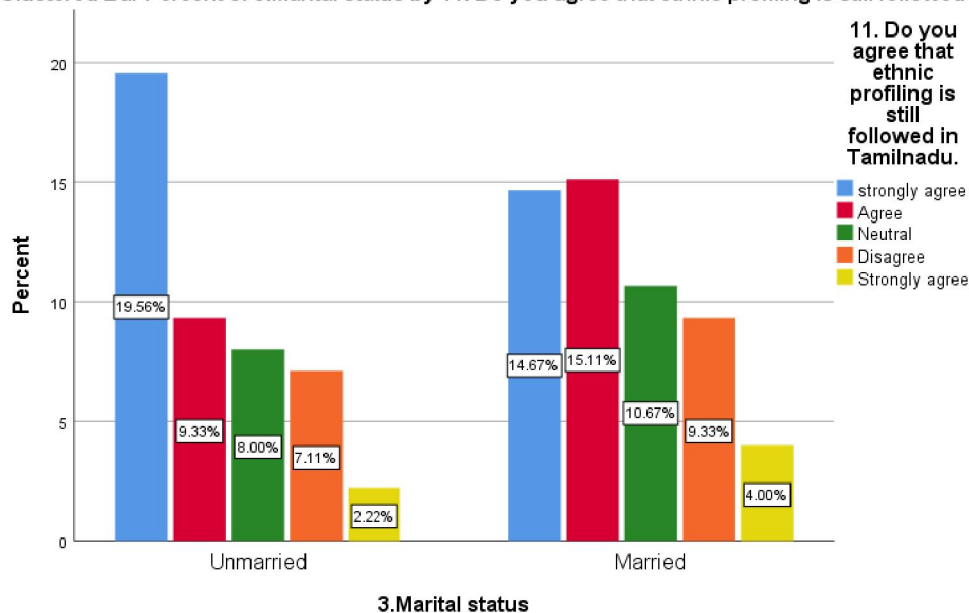


Legend

Figure 9 represents the educational qualification and the percentage analysis of whether people agree that ethnic profiling is a very serious issue and educational qualification.

Figure 10

Clustered Bar Percent of 3.Marital status by 11. Do you agree that ethnic profiling is still followed in Tamilnadu.



Legend

Figure 10 represents the percentage analysis regarding whether they agree that ethnic profiling is still followed in Tamilnadu and Marital status.



Figure 11

Independent Samples Test

		Levene's Test for Equality of Variances		t-test for Equality of Means						
		F	Sig.	t	df	Sig. (2-tailed)	Mean Difference	Std. Error Difference	95% Confidence Interval of the Difference	
									Lower	Upper
10. Do you agree that people in the community should be concerned about ethnic profiling.	Equal variance assumed	10.214	.002	-1.557	147	.122	-.311	.199	-.705	.084

legend

Figure 11 shows the Independent sample test result for the sample population's opinion on whether they agree that people in the community should be concerned about ethnic profiling and age group.

V. RESULTS

There are about 103 females and 122 males who attended this survey. Most of the people who attend this survey were around the age group 20-30. Most of the people who attend this survey were around the age group 20-30. About 25.33% of people strongly agree that they have accused someone based on their ethnicity. 36.44% of people strongly agree that people living in the community should be concerned about ethnic profiling. 40.89% of the people agree that they have experienced or seen people experience ethnic profiling somewhere in their life. About 12.44% of the 20-30 age group strongly agree that there is a chance of targeting innocent people and are likely to miss criminals in ethnic profiling. About 16.44% of people from the age group 20-30 agree that they have experienced or seen people experience ethnic profiling somewhere in their life. 15.56% of people strongly agree that there is a chance of targeting innocent people and are likely to miss criminals in ethnic profiling. 19.56% of unmarried people strongly agree that ethnic thnic profiling is still followed in Tamilnadu. P value is lesser than 0.05 if the alternate hypothesis is accepted. Further we can conclude that there is a significant association between ethnic profiling being followed in Tamilnadu and occupation.

Discussions

It can be interpreted that most of the people living in Tamilnadu feel that people from a specific background of ethnicity will commit crimes. It can be concluded that people feel it's very essential to raise voice against ethnic profiling. We can interpret that most of the people living in Tamilnadu have experienced ethnic profiling in their life. We can say that ethnic profiling is still prevalent in Tamilnadu. It is a true fact that when people are encountered with ethnic profiling it affects them and their family. It can be concluded that people living in Tamilnadu feel that ethnic profiling is



not a very serious issue that needs much importance to be voiced out. It can be interpreted that respondents feel that innocent people should never suffer any sort of punishment which they are not to be blamed for. It can be concluded that people from all the age groups have experienced some sort of incidents that relates to ethnic profiling in their day to day life and it has affected them in some way or the other. Maybe Unmarried people strongly agree that ethnic profiling is still followed in Tamilnadu. It can be concluded that people from all age groups equally feel that the community needs to be concerned about ethnic profiling.

Recommendation

It is recommended that the government itself prevents the occurrence of such ethnic profiling and take necessary actions to punish people who practises such action to avoid the harming of the kids of such innocent people. Social awareness needs to be made to inform people about such practices so that people will also be aware of ethnic profiling and punish people when they commit such heinous acts.

Limitation

There are certain limitations that were faced by the researcher during the study liking sampling error where it failed to reflect the appropriate population due to the limited ability to gain access. There might be some errors due to lack of previous research studies on the same topic. There are limitations to conducting a thorough analysis of the result.

VI. CONCLUSIONS AND SUGGESTIONS

Based on the results of the analysis done above, we may conclude that most of the people are in favour of the occurrence of ethnic profiling, while the remaining population are not aware of the seriousness of ethnic profiling and are hesitant to bring it out to the public or already talk with someone regarding it. It can seriously bring a huge change when already one person stands up for their rights and fights against ethnic profiling. The most crucial part is people need to understand what is ethnic profiling and communicate about it with others. Government officials need to take adequate measures. Law enforcement officers also use ethnicity and other personal factors when they have specific, concrete intelligence regarding crimes involving a particular group of potential suspects, specified duration. It is very heart wrenching to know that people still discriminate against each other based on their caste, creed, religion, gender and colour. We will hope that everyone changes for the better and people become even more aware of the occurrence of ethnic profiling.

REFERENCES

- [1]. AU - Pap, Andras, PY - 2011/12/01, T1 - Ethnic profiling and discrimination: The international context and Hungarian empirical research findings, VL - 52, DO - 10.1556/AJur.52.2011.4.1, JO - Acta Juridica Hungarica.
- [2]. Lever, Annabelle. (2015). Race and Racial Profiling. SSRN Electronic Journal. ,2675633,10.2139/ssrn.2675633.
- [3]. Dinant Et Al, towards More Effective Policing Understanding and Preventing Discriminatory Ethnic Profiling: A Guide, Printed in Belgium PRINTED ON WHITE CHLORINE-FREE PAPER ISBN 978-92-9192-489-9 doi:10.2811/40252
- [4]. John Wadham , Ethnic profiling the use of race in UK law enforcement Group Director Legal, Equality and Human Rights Commission February 2010 ISBN: 978-1-906732-42-4 Published by Runnymede in May 2010
- [5]. Christopher Stone, Ethnic Profiling by Police in Europe, A publication of the Open Society Justice Initiative, issue :June 2005.
- [6]. Rachel Neild ,Reducing Ethnic Profiling in the European Union: A Handbook of Good Practices, Published by Open Society Foundations, ISBN: 978-1-936133-55-0 , Issue 2012
- [7]. Judith Zollar Jim Cleary, June 2000 Legislative Analyst 651-296-5053 , INFORMATION BRIEF Minnesota House of Representatives Research Department 600 State Office Building St. Paul, MN 55155



- [8]. Cole, David, and John Marcello. "Symposium: Opposing Views of Racial Profiling." *Insight on the News* 19 July 1999: 26. Cole is a professor at Georgetown University in Washington, D.C.,
- [9]. Harris, David. "Data Collection: The First Step in Coming to Grips with Racial Profiling." *Testimony. U.S. Senate Subcommittee on Constitution, Federalism, and Property Rights. Washington, D.C. 30 March 2000.*
- [10]. Carlson, D. K. (2004, July 20). Racial profiling seen as pervasive, unjust. *The Gallup Poll Retrieved May 28, 2009*
- [11]. Anthony A. Braga, Andrew V. Papachristos and David M. Hureau, "The effects of hot spots policing on crime: an updated systematic review and meta-analysis", *Justice Quarterly*, vol. 31, No. 4 (2014).
- [12]. Joel Miller, "Stop and search in England: a reformed tactic or business as usual?" *British Journal of Criminology*, vol. 50, No. 5 (1 September 2010).
- [13]. M.D. Ruck & S. Wortley, "Racial and Ethnic Minority High School Perceptions of School Disciplinary Practices: A Look at Some Canadian Findings" (2002) 31(3) *Journal of Youth and Adolescence* 185 at 186,194.
- [14]. R.D. Putnam, "The Decline of Civil Society: How Come? So What?" 27 *Optimum* 27; D. Stanley & S. Smeltzer, *Many Happy Returns: How Social Cohesion Attracts Investment*, Draft, November, 1999, SRA-389
- [15]. The Efficacy and Effect of Racial Profiling / 401, Jack Glaser: *Journal of Policy Analysis and Management*, Vol. 25, No. 2, 395–416 (2006) © 2006 by the Association for Public Policy Analysis and Management Published by Wiley Periodicals, Inc. Published online in Wiley InterScience DOI: 10.1002/pam.20178
- [16]. J. Falconer & C. Ellis., "Colour Profiling: The Ultimate Just Desserts" paper presented at the American Bar Association Conference in Toronto, August 1988; Henry, F. & Tator, C., "Racist Discourse in Canada's English Print Media" (Toronto: The Canadian Race Relations Foundation, 2000) at p. 154.
- [17]. Baker, Aaron & Phillipson, Gavin. (2011). Policing, profiling and discrimination law: US and European approaches compared. *Journal of Global Ethics*. 7. 105-124. 10.1080/17449626.2011.556142.
- [18]. Sarah Salway, Peter Allmark, Ruth Barley, Gina Higginbottom, Kate Gerrish and George TH Ellison, *social research UPDATE* (ISSN: 1360-7898) is published by the Department of Sociology, University of Surrey Guildford GU2 7XH, Edited by Nigel Gilbert (n.gilbert@surrey.ac.uk), Issue 58: Winter 2009
- [19]. Badi Hasisi, The Hebrew University of Jerusalem, Yoram Margalioth, Tel Aviv University, and Liav Orgad, *The Interdisciplinary Center, Radzyner School of Law, Ethnic Profiling In Airport Screening: American Law and Economics Review Advance Access published September 17, 2012*
- [20]. Waddington, P. A. J., et al. "IN PROPORTION: Race, and Police Stop and Search." *The British Journal of Criminology*, vol. 44, no. 6, 2004, pp. 889–914. JSTOR, www.jstor.org/stable/23639068. Accessed 24 Jan. 2021.

Paper pile

- [1]. (Neild and Open Society Justice Initiative 2009)
- [2]. (Ramirez, McDevitt, and Farrell 2014)
- [3]. (Glover 2009)
- [4]. (M. Harris et al. 2020)
- [5]. (Wadham et al. 2015)
- [6]. (Open Society Justice Initiative 2006)
- [7]. (Neild 1997)
- [8]. (Cleary 2000)
- [9]. (Khullar et al. 2021)
- [10]. (D. A. Harris 2003);
- [11]. (Palmer et al. 2006)
- [12]. (Weisburd 2011)
- [13]. (Anderson et al. 2014)



- [14]. (Unnever and Gabbidon 2011)
- [15]. (Putnam 2001)
- [16]. (Ratiu et al. 2003)
- [17]. (Tator and Henry 2006)
- [18]. (Fenwick and Phillipson 2013)
- [19]. (Weare 2013)
- [20]. (Schneider 2014)

