1. The Problem:

Racism and the discrimination accompanying it had always been instruments of oppression and justification for exploitation. Colonialism and imperialism used these concepts to advocate the superiority of certain races and tried to "prove right" their tyrannies. It is well-known that the early (1933) laws of the Nazi régime in Germany were only the beginnings of the genocide which followed. Later events proved that racism could not be confined to a single country and that it was, by its very nature, a threat to international peace as well.

The present confrontations around racism and discrimination have also acquired serious proportions. Violence based on real or attempted discrimination is still among the most explosive phenomena of our times. Racism and its accompanying consequences still affect a number of peoples on account of the colour of their skins and/or national, ethnic or religious origins. The native peoples in the Americas, Australia, parts of Asia and northern Europe have less right than others. Discrimination is the common denominator in the cases of the Amerindiano, the Mayas (Guatemala), the Miskitos (Nicaragua), the Inuit (Canada), the Adivasis (Bangladesh), the aborigines of Australia, the Sami (Lapland) and the like.

Moreover, the increase of attacks on minority groups, migrants, refugees, citizens and foreigners by hate groups is forcing world public opinion to acknowledge the dramatic fact that racism has reached alarming proportions. It was the European continent, more than the others, which experienced, decades ago, analogous acts leading to a world war. Although anti-Semitism looms large in neo-Nazi rhetoric, the Jews are not the main
targets of the racists, who single out other groups for violence. The foreign
workers in Europe, who are now the continent's "reserve army" of new
proletarians, are the objects of various forms of discrimination. Democracy in
Europe, where fascism becomes respectable in some of its parts, is certainly
put to the test. While Bosnia comes to the fore as a playhouse for
aggression, ethnic cleansing and genocide, some Caucasians now seem to
fulfill the main scapegoat role for Russia. A further rise of the ultra-
nationalists in the latter will threaten all non-Russians and non-Orthodox
peoples in the Russian Federation. Finally, the far right in the Western
European societies makes use of the European Parliament as a further forum.
Underlying discriminatory attitudes and application are deep socioeconomic
roots, involving a conflict for division of opportunities, wealth and political
power.

II. Anti-Semitism:

Judging by the rise of incidents in a number of countries all over the
world, as well as the anti-Jewish expressions causing the erosion of the
taboo, one may state that anti-Semitism is becoming a lingua franca of
exclusionist and xenophobic politics. Denial of the Holocaust is part of this
internationalization. There are few events in history that fit into the legal
description of genocide, as defined in the 1948 Convention and applied only
to particular instances of mass killings, supported by objective facts. The
extermination of the bulk of European Jewry is the foremost example.
Although the documents prove the existence of a genocide beyond any doubt,
not all researchers agree on all particulars of the issue. Writers may have
different explanations as to why it started in Germany or the reasons for it.
France, on account of the Dreyfus affairs, and Tsarist Russia, because of the
pogroms, both close to the end of the 19th century, would have come to
mind first. Germany was a Rechtsstaat where legality reigned, and there had
been no violent anti-Semitism there. The Jews of Alsace were happy that
Germany had annexed that land, the Jews of Galicia looked up to the
Habsburgs for protection, and many Jews had welcomed the German soldiers
as liberators as the latter entered Polish territories in the 1914-18 War. But
the Holocaust in Europe during the Second World War targeted every Jew as
state policy, and consequently, about one-third of world Jewry and two-thirds
of European Jewry perished.\footnote{The Bulgarian governments under the pre-1989 régime asserted that Bulgaria
was "the only European country" overrun by Hitlerite fascism in which the
life and security of the Jews were "completely preserved". For a contrasting
opinion, see: Türkay Ataöv, "Did Bulgaria Refuse to Surrender the Jews?"}

\footnote{Annual volumes (Antisemitism World Report) of the Institute of
Jewish Affairs aim to monitor and assess the developments in anti-
Semitism. The three volumes, so far published, show a continuity and
intensification in contemporary prejudice.}
In addition to the Jews, the Nazi Holocaust was a fearful catastrophe for a number of others including the Roma people (Gypsies), the first "blacks" in Europe and who are a rejected minority in almost the whole of the European continent. The Gypsies are certainly as valuable in terms of human worth as other victims. They are enduring, like Jews, a long history of defamation, deportation and destruction. They were all victims of the same circumstances, not opponents. Those who escaped the blood-bath of the "final solution" still face the prejudice of the contemporary generation. For Gypsies, the struggle against racism and discrimination is far from being over.

There are, on the other hand, new racist motives and expressions connected not only with anti-Semitism, but also coming from a section of the Jewish people. Having emerged from the Muslim Brothers movement, the establishment of an Islamic Palestinian state is among the objectives of "Hamas" (Harakat al-Muqawama al-Islamiyya), which adopted a more activist line beginning with the late 1980s as a response to the growing threat to its status among its constituency from the Islamic "Jihad" organization. Its (1988) covenant, which presents the movement's ideology, contrast with that of the Palestine Liberation Organization (PLO). Similarly, for an entire decade, "Kach" (Thus), an extremist Israeli party, based on the expulsion of all Palestinians, advocated terrorism against them. Its former leader (Meir Kahane) publicly preached a vulgar form of "Social Darwinism", blended with immense amount of anti-Gentile racism and admiration of violence.

III. Refugees and Foreign Workers:

Some people are leaving their original homeland for a variety of reasons, including persecution and desperate political and economic circumstances. The international public may still remember the impact of the exodus of the Turkish minority from Bulgaria, and the two occasions when


the Kurds fled in large numbers from Iraq. The exodus from Eastern Europe, including the tragic case of the Bosnian Muslims, continues to affect European politics in the 1990s. Observers still predict westward movement of some citizens from the former Soviet Union as well as from Eastern Europe. Albanians crowding onto boats heading for Italy is a case in point.

Every seventh man in Europe is a foreign worker. Adding together all the migrant workers, from West Indies to Indonesia, one reaches a figure half as many as emigrated from Europe to North America in the general migrations of the 19th and the 20th centuries, the former occurring, moreover, in only four decades. The new migrant workers have common as well as special problems reflecting particular social environments. For instance, according to some commentators, racism being deeply embedded in white British society, the whites underline the theme of "English identity", which, in their opinion is threatened by the presence of Afro-Asian-Caribbean people. Most of the foreign workers in the Persian Gulf, on the other hand, suffer from lack of protection due to the absence of well-defined legal rights.

The total number of migrant workers in Europe is unknown. The statistics, even the official ones included, are not entirely reliable. Not only each country, but also various departments within the same state use different definitions and collect data in dissimilar ways. In Holland, for example, there are three official departments, each giving contradictory figures based on different criteria. The Antilles and Surinamese workers possess Dutch passports, and therefore, do not figure as migrants. Illegal migration into any part of Europe is never recorded. The same discrepancy applies to the sending countries as well. While some have returned home, the children of others, born in the host country, have grown up and joined the labour force there. Comparatively young while the local population is ageing, they seem to be so rooted in the European economy, their existence no longer fluctuating with economic indices, that only war or fiscal catastrophe would drastically reduce their numbers.

In some countries (Germany), they are called "guestworkers", implying that they are there at the behest of the hosts. Some governments (Belgium) have unlimited powers to send a foreigner back. The trade unions in some others (Switzerland) are weak. In almost all of them, children are illegally employed. There are endless examples, from all the host countries, of racism and discrimination. Growing intolerance is reflected in the multiplication of racist organizations and extreme rightist parties. The

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foreign worker feels like a lemon, first squeezed and then thrown away. This is what the Greek, Italian, Maghrebian, Portuguese, Spanish, Turkish and Yugoslav workers have been experiencing for decades. Günter Wallraff's Ganz unten, which describes the life of an average Turkish worker, that is, how he is hired and fired, used and abused, ill-paid and exhausted, frequently brings to mind Upton Sinclair's The Jungle.

The attacks of the neo-Nazis in Germany against foreign workers, especially the Turks, are becoming increasingly serious in intensity. More and more German youth, in need of a new role assignment, do not want to identify with their own system and find an outlet in their prejudice, as demonstrated now against hate and enemy figures. This brings to mind the question as to how stable German democracy is. The question is, not only the influence of the Nazi period, but also the values of the new generation. In the initial years after the Second World War, the Western occupying forces had announced a program of "denazification", which was only partly put into practice. The new German Grundgesetz, especially Article 21, would prevent the repetition of the ruin of Weimar. Neither could a new Hitler exploit a situation permitting him to take emergency measures, nor could full-fledged proportional representation lead to a proliferation of political parties. Germany experiences prosperity while the Weimar Republic faced an economic crisis. Some leading Nazis were tried, and some removed from public posts. But some remained where they were. Even Konrad Adenauer's State Secretary of the Chancellery (Dr. Hans Globke) was reported to have drafted Hitler's anti-Jewish laws.

Although the 1930s generation has almost totally died out, there is now a new interest in Nazism, and public polls show a decline in confidence in the existing political institutions. Corruption seldom penetrated the top leadership during the Adenauer-Erhard and Brandt-Schmidt eras, but the Flick affair demonstrated that this is no longer the case. There are some checks and balances but citizens participate in politics less than they should. Economic success, other than legal safeguards, may be the main stumbling block against a slide towards authoritarianism and racism, but perhaps even prosperity is not, at times, enough to hold the society together.

It may not be an exaggeration to say, under the circumstances, that the German society oscillates between alternatives. To some observers, the Germans will always be a pray to some sort of authoritarianism, whether Prussian conservatism, fascist totalitarianism, Communist control or neo-Nazism. Others believe that Germany can achieve an unbroken democracy with pluralism. The issue attains importance when one considers that Germany, as Madame de Staël noted, is "le coeur de l'Europe" and is going to

7 The Lowest of the Low translated into Turkish as: En Alttakiller, Köln, Kiepenheur-Witsch, 1986.
affect the whole continent. In a relatively short period of time, Germany swung from disunity to unification (up to 1871), centralization and to fragmentation and later to unity again. The same society lived through the greatness of Kant, Goethe and Beethoven, and the abyss of the concentration camps. It produced Wilhelm von Humboldt and also Arthur Moeller van den Bruck. Their own parliament was burned down when gardeners attentively trimmed the trees on the boulevard in front of it. It was this diversity of theories, this feeling of uncertainty that contributed to the rise of a dogmatic and racist creed to which large masses flocked. Although the way was open to free thought after the latter's breakdown, significant grand theories have not appeared — in any case, not in the category of Hans Kelsen or Carl Schmitt.

Some Germans may fear that they are expected to host more and more migrants, asylum-seekers, refugees, illegal trespassers and now Aussiedler, or ethnic Germans living for generations in Eastern Europe and in the former Soviet Union. They may speculate that many more millions are eager to go West. But such a possibility does not give the Germans the right to racism, anti-Semitism, chauvinism and general xenophobia. Moreover, the impotence of the police and the judiciary cannot be excused. Some individuals are first arrested and then quickly freed, thereby becoming able to take part in crimes the next day. Assuming that the authorities want to punish the offenders, punishment is a deterrent when it follows on the heel of the offense.

IV. Swing to the Right:

The rise in racism and discrimination is necessarily linked with the fact that the political pendulum in Europe continued to swing to the right for some decades. Some commentators explain this phenomenon by the impact of the demise and the disintegration of the former Soviet Union as well as the radical changes in Eastern Europe. Although the effects of the aforementioned may be undeniable, the Western European societies had already taken definite turns to the right with the late 1970s much earlier than the Gorbachev-led reforms. They had even then reversed the fundamental tenets of the post-1945 consensus. Conservative forces had already come to dominate Western European politics. Social democracy, and with it, left-of-center governments in the majority of the European states, gave way to right-wing parties, even racist movements becoming stronger in a number of countries.

Conservatism is basically a defensive phenomenon. It is well-known that, in modern times, it emerged in response to the French Revolution. Its varieties showed tendencies of mutual support in reaction to labour movements and socialism. While the latter replaced liberalism as the

alternative to conservatism in developed western societies, fascism in Italy, Germany and Spain offered violent variants of the old ideology. Contemporary conservatism, however, is, in some respects, different from these earlier forms.

Indeed, the political right was discredited after 1945 in all Europe, except Spain and Portugal. The European left, which had become popular for having been the spearhead of struggle against fascism during the war, was strengthened. The British Labour Party was voted into office (1945), and the parties of the left participated in a number of coalition governments. But the Conservative Party in Britain came to power again (1951), and the German Communist Party was banned (1956). While the neo-liberal economists, led by Friedrich von Hayek, offered a market model, ostensibly based on unfettered competition, workers' strikes in France and Italy were crushed by force. The emergence of the Cold War, market economy and the protection of American interests became the dominant themes providing the ideological substance of European conservatism.

But whatever changes were introduced, they were not planned to contradict social democracy indirectly. Even the British welfare state was designed by liberals like Lord Keynes and Sir William Beveridge. This was a way to reduce the tension around the reality of social conflict which had haunted the industrialized Western societies for decades.

A citadel of conservatism is the United States, which, nevertheless, gave the world a War of Independence, a social and political revolution. American society has gone a long way in the two centuries of its existence. These years have also seen the evolution of a two-party system, which constitutes the major leverage enabling the ruling groups to secure their dominant role in all spheres of life and in the state machinery. During those years, the black people, who have made a large contribution to the development of the United States, are discriminated against in that country. Their struggle has written many glorious pages in the history of the best traditions of the American people. But even today, there are strong racial prejudices in the United States. Civil rights statutes are good in themselves, but they cannot create jobs or build houses. Anti-discrimination laws, if administered forcefully, can control conduct and affect attitudes, but racism dies hard. Merely declaring discrimination on the grounds of race or colour illegal cannot overcome the prejudice, emanating from self-interest of an entrenched majority. An unenforceable declaration without penalty is only a gesture. The so-called American Indians, the Puerto Ricans, the Haitians, and the peoples of the Far East and of the Pacific islands also face discrimination.

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Although the struggle of the Afro-Americans not only caused significant progress in solving problems vitally important for them, but also helped democratize the nation's domestic policies as a whole, the alternative political course for the American society is not one to change the order but finding the better means to sustain and strengthen it. There are differences between the contenders for power only within these bounds. When there is a new upsurge, the ruling group makes some concessions and thereby neutralizes attempts to break free from this political control.

The European left as well offers no meaningful alternative to counter the strategy of the neo-conservatives. As more and more conservative policies were pursued, social democracy tolerated unemployment and public sector cutbacks. While international capital got stronger, and the profits of the oil-producing states flooded world markets, the domestic right presented its own agenda based on "traditional values". Consequently, European social democracy collapsed before the outbreak of the Soviet Union. The new conservatives' counter-offensive had been possible because the social democratic forces had failed to offer acceptable and realisable programs, and those elected to office had failed.

V. Struggle Against Racism:

In spite of a swing to the right, a number of United Nations acts elevated equality among peoples, irrespective of race, to a cardinal principle of international law, and the principle of equality of all citizens was incorporated in the legislations of a number of states. It was when Nazi-inspired anti-Semitic incidents occurred (1959) in the Federal Republic of Germany that the U.N. General Assembly passed (1960) a resolution condemning racial, religious and national hatred. When eight newly-admitted African states, backed by others, pressed for a separate treatment of the racial issue, the General Assembly adopted (1962) two declarations and two covenants, one on racial discrimination and the other on religious intolerance. The former entailed precise commitments. There were no votes against the Convention on the Elimination of All Forms of Racial Discrimination. It was followed (1966) by the twin Covenants on Civil and Political Rights and of Social and Economic Rights.

Further, a resolution (1980) of the Parliamentary Assembly of the Council of Council of Europe urged governments and parliaments to adopt legislation against action inspired by racism and xenophobia. The Copenhagen meeting (1990) of the Conference on Human Dimension of CSCE adopted a resolution condemning totalitarianism, racial and ethnic hatred, anti-Semitism, all manifestations of xenophobia and discrimination as well as persecution on religious and ideological grounds. The heads of State and Government of the members of the Council of Europe resolved, in their Vienna meeting (1993), to pursue a policy for combating racism and
intolerance and to adopt for this purpose a Declaration and a Plan of Action. They expressly stated that Europe's future demanded from individuals and groups, not only tolerance, but also the will to act together. The Council of Europe is taking due account of the work of UNESCO in the field of tolerance, in particular its preparations for a "Year of Tolerance" in 1995.

There are a few but important encouraging signs although almost all fall outside the borders of Europe. Some time after the radical change for the better in Zimbabwe, Namibia attained independence, and the Republic of South Africa turned its back on apartheid, a revolutionary transformation crowned by the bestowal of the Nobel Peace Prize, among others, on the black and white leaders, President N. Mandela and Vice-President F.W. De Klerk, who, with boldness and dignity, made indispensable and irreplaceable contributions towards putting South Africa on the road to peace. Although the democratic process in Namibia since 1990 and in South Africa since 1993 seems irreversible, there are other regions in Africa, such as Somalia, Liberia, Burundi, Uganda, and Sudan, where groups of people continue to be subjected to varying degrees of discrimination, or worse treatment.

The peace process between Israel and the Palestinians is another encouraging sign worthy of remark. Following the creation of Israel (1948) Jewish leadership set up in Palestine a settlers' state over the indigenous Arabs, some of whom were either expelled or fled while the remaining faced discriminatory laws. The fact that the Arabs were deprived to have their own state was a leading cause of a conflict of long duration. Israeli and Palestinian leadership found ways of starting talks, compromising and gradually burying resentments, rather than insisting indefinitely on the acceptance of irreconcilable claims.9

VI. By Way of Conclusion:

In our epoch of outstanding scientific and cultural advance, racist morals continue to exist. Although the ideas of racism, emanating from ignorance and prejudice but having caused a terrible war, are actually helpless in the face of the struggle mankind wages for equality and democracy, contemporary allusions to supremacy sow seeds of hostility between social groups belonging to different races, nations or religions. The overwhelming majority of mankind now realizes, however, that racism results in genocide if not checked on time and threatens to erupt into armed conflicts, thereby menacing peace and security. The struggle against it and several of its manifestations has to continue even after the conclusion of the decolonization

9This writer was associated, since its establishment in 1976, in central executive position, with the International Organization against All Forms of Racial Discrimination, which contributed to the solution of the conflicts in South Africa, Namibia and Palestine.
process. The continent of Europe also houses various kinds of groups that face discrimination. Some cases, reflecting violent conflicts, have ceased to be matters of domestic jurisdiction because they constitute a grave threat to world peace and security as well. The issue, then, has international dimensions much more than ever.

We have gathered here in Istanbul in this International Seminar on Racism and Anti-Semitism, within the framework of the Plan of Action against intolerance of the Council of Europe, to contribute to the drive to arrest these two wicked developments. The remedy seems to lie in the convergence of two inter-related pursuits. One is well-targeted legal measures, and the other is educational efforts to change attitudes.

Although the protection of social groups is basically a domestic matter, international declarations and covenants, which set standards, are useful because they express what should be the domestic law and practice. In spite of the fact that their observance may be secured through domestic machinery, they continue to have an intangible influence by way of their mere existence. The resolutions of the United Nations and the Council of Europe as well as the propositions of similar bodies had far greater impact than the original authors had expected. Because the bare existence of world standards play a part in intervention for the production of new ones will force national authorities to take appropriate measures to discourage discrimination on the part of the state or general population. While nobody may be denied the right to identify himself or herself voluntarily with the majority of the population of the state of which that person is a national, the state must not undertake, support or favour a policy of discrimination, violence or assimilation.

The remedy is philosophical and psychological as well as legal and procedural. The long-term changes pertaining to attitudes are even more difficult to attain. In terms of short-range and procedural steps, those circles which previously resisted proposed changes in domestic laws must have come to realize, under the impact of rising right-wing violence, that it is in the interest of democracy to adopt measures to combat crimes which the present legal frameworks may prove to be powerless. The state should certainly stay within the law, but a democracy must be in a position to ward off its internal mortal enemies as well and should have the legal power to overcome the reign of terror on its streets. Historical examples show us that tolerance towards the enemies of democracy may bring disaster upon the nation and the world. Racists, fascists and anti-Semites should feel the full force of law, just like any other criminal. There is room for improvement if the fault lies with the police, the judiciary, the implementation of the law, and the law itself.
The required change in attitudes concerns the ability of the present generations to interact with various cultures and the level of their maturity. Pragmatic possibilities, although useful, only help to reduce the difficulties. The source of the tension is ethnocentrism, which is learned and not inherited, and therefore modifiable. Prejudice is directed against groups which maintain distinctive lifestyles. Future peace depends upon common loyalty to anti-racist transnational ideals. Although a state, with a particular socio-economic origin, may perpetuate a racist society through discriminatory laws, attitudes are either racist or not, and each culture has its own patterns of prejudice. The question is to change racist approaches through education as well as the improvement of the socio-economic model. It is often stated that the minority groups, the Turks for instance, face a difficult problem in accommodating their inherited culture, including religion, to modern contemporary living in Western Europe. The question also rises whether Western civilization is able to develop so as to include another culture.