
Racist violence in Denmark

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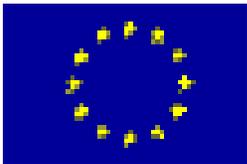
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An assessment of overall trends and patterns

It should be mentioned that Denmark as a whole is a very peaceful country and the level of extreme physical violence, has been minimal. However incidents of animosity, verbal insults, media propaganda, populist political statements, campaigns from extreme rightwing anti-minority movements, graffiti, harassment in schools, desecration of graveyards and prayer houses and lately youth gang fights with racial motivation has been part of Danish reality for many years. Nevertheless, it is only of recent times that the police and secret service have started collecting data concerning hate speech and racial violence.

Moreover, the Danish police are inclined to believe that violent actions against minorities are spontaneous, non-racial and unorganized. However some researchers believe that there is a political dimension to the violence and harassment because it manifests itself in waves¹. This first appeared in 1985 with attacks on a group of Iranians in Kalundborg municipality in south of Copenhagen. The reason behind the attacks was that the parliament in 1983 begun an immigration debate with xenophobic overtones. The Conservative Justice Minister, Ninn Hansen warned against immigration and Glistrup and Kjaersgaard's progressive party launched the campaign highlighting the 'Islamic threat'. In addition, the number of asylum seekers increased markedly from 1984 to 86 and with the civil war in Yugoslavia, the number of asylum seekers reached new heights in 1992-93. The extreme rightwing exploited this situation and reacted with demonstrations and violence. These groups were also inspired by xenophobic riots, murders and fires by the neo-Nazi movement in Germany in 1991-93.

Neo-Nazis in Denmark threatened to do the same as what their brothers in Germany did. This was proven by the statements given by the arrested perpetrators who were behind the firebombing of Danish asylum centers. They even admitted being influenced by foreign events. The extremist anti-minority Danish Association compared the violence in Denmark with 'national resistance movement during World War II'.

Between 1985 and 1999, there has been a steady increase in politically motivated violence. From 1994 onward, racist violence was increasingly exercised by persons associated with the Nazi movement. The neo-Nazis tried to get practical support from Nazi groups in Germany, England, Sweden and Norway. They were encouraged by the fact that the Danish government did not intervene against Nazi rock concerts and marches with the public promotion of Nazi symbols.

Organised violence

Karpantschhof, identifies the mobilization pattern which allows organized violence to take place in Denmark. He states, 'for many years violent attacks have continuously been carried out by right-wing and xenophobic forces. The existence of the organization and network has consistently been able to respond to the political situation and mobilize members and sympathizers to take collective violent action'².

¹ Karpantschhof, Rene (2000) Nynazisme, antiracisme og unge i bevægelse. Roskilde University.

² Karpantschhof (nError! Bookmark not defined.).

We can divide violent actors into four main groups³:

- First, the National Right, consisting of, inter alia, The Danish Association, Danish Forum, Common List against Immigration and neo-Nazis including the Danish National Socialist Movement (DNSB), Blood & Honour DK, Danish National Front and White Pride.
- Secondly, there are the anonymous groups. These are sympathizers and activists with slogans, labels, signs and similar aims as the 1st group.
- Thirdly, we can identify, a subculture made up of Green Jackets, Ku Klux Klan supporters and skinheads.
- Finally, a much more dangerous and visibly violent anti-minority group has emerged in the last three years. This group is primarily made up of the Hells Angels and its subsidiary AK 81. These two groups are very well organized, self-financed and action oriented. The groups' operating methods range from more conventional assemblies such as indoor protest meetings, Nazi concerts, demonstrations and harassment to violent riots, assaults, vandalism, and fire bombings. Their actions are addressed to the authorities, Jews, anti-racist groups, but primarily against the immigrant and refugee populations.

The Hells Angels and its affiliate AK 81 have been involved in violent clashes with various minority youth groups. The conflict has resulted in running gun battles in the street, drive-by shootings and the killing of many innocent bystanders of minority background. The official spokesperson of Hells Angels, Jørn(Jønke) Nielsen has in his interviews on TV and with newspapers described his group's fighting with the youth minority as defending Danish culture. He went further and blamed Islam as the reason for violence among minority youth.

Xenophobic political parties in Denmark

No single explanation can be given for a rise in racist and xenophobic political parties in Denmark. This development must be seen in the national context, taking into account its history and political culture. In Denmark, it began with a voters shift in 1973 that elected the Progress Party to parliament with 15.9% of the vote. After some years of unpopularity, under the charismatic leadership of Mogens Glistrup, it regained popularity when it launched a campaign for a 'Mohammadans free Denmark' in 1984. In 1983, there was a heated debate regarding immigration and 'foreigners' in which the then Conservative Minister Erik Ninn-Hansen talked about the danger of Denmark's existence as a nation, while the upcoming member and later head of the Danish People's Party, Pia Kjærsgaard, raised concerns and opinions regarding 'luxury refugees' and his belief that Denmark was perceived as an 'asylum paradise'.

After the split of the Progress Party, the Danish People's Party was formed in 1995⁴. Numerous statements by leading members of the Danish People's Party bear witness to

³ Ibid.

⁴ Several prominent people, including Pastor Søren Krarup and Søren Espersen from the extreme right organization, the Danish League, helped shape the Danish People's Party rhetoric and political attacks on ethnic and religious minorities.

negative propaganda and stigmatization of Muslims. These are designed to systematically categorize an entire group, as a less dignified and harmful foreign element, which the Danish society must get rid of⁵. In 2001 rightwing parties came to power and the Danish People's Party gained a position from which they could shape the foreign and integration policy in a more direct way. This resulted in restrictions on immigrants' social and civil rights.

Attacks on Muslim communities from the Danish People's Party became a regular event with nationalist terminology, such as; 'the fatherland', 'the Danish heritage', 'Christianity', and other national benchmarks and symbols being used in a more systematic and nationalistic manner. This was evidence of a growing nationalist movement. Since the return to biological racism⁶ in Denmark, a view has been put forward which is ethno-nationalist and neo-racist based on the idea of a mono identity. The argument is that to preserve people's unique national character, it must be segregated, because mixed ethnicities lead to the extinction of the national culture. Immigration is considered by the Danish People's Party, as a threat to Danish culture and ethno-national identity and threatens, ultimately, national cohesiveness.

Typical case study

A typical racist case in Denmark is one that has indicators of a racist motive; however the Danish authorities refuse to believe that the attack had a racist intent. However from time to time some cases are being handled correctly and consequently the two case studies below illustrate two 'typical cases'.

By way of example two Israeli salesmen were shot in the town of Odens on December 31, 2008, and the 28 year old attacker was sentenced 10 years imprisonment. According to the verdict the sentence was raised from nine years to 10 because nine out of 12 members of the Jury voted for using the Criminal Code Section 81 (6) (which provides for a racist motive as an aggravating factor). The shooting took place when the Israeli troops were fighting inside Gaza (end of 2008, beginning of 2009), and consequently Denmark experienced a number of anti-Semitic attacks.

However the racist motive is not always taken into account. By way of example in March 2008 a young man was delivering newspapers in Copenhagen. He was standing on a corner with a friend when a group of three youngsters of Danish origin attacked him. One of the attackers began hitting him with a baseball bat and said 'what are you looking at perker svine' (Perker = paki). The force of the blow to the head caused the death of the man shortly after.

On trial a friend of the victim (who was present at the time of the attack) testified that the accused, shouted racial slurs at the victim and repeated what the accused said before

⁵ Karpantschof, Rene (2003 a). Højrefløjen. Fra skattenægtere til racister. Århus University

⁶ Biological racism or scientific racism generally refers to the use of scientific, or ostensibly scientific, findings to examine differences amongst human races, often to validate racist world-views.

the attack and what he had told the police shortly after the murder. Nevertheless, the Chief Inspector of homicide in Copenhagen Police stated in public on 28 March 2008 'I totally reject that this manslaughter has anything to do with racism or religion. It is only violence for the sake of violence'. In this case the prosecution failed to invoke Section 81 (6) and consequently the Court at the sentencing stage was unable to raise racism as an aggravating factor. Subsequently, it became known (17 March 2009) that the accused had stated to a guard in the prison that: 'We just had to kill a perker'. He received 3 years imprisonment.

In other murder/violence cases the prosecution have also failed to raise the racist element.

Recommendations

- The Danish Government should declare reprisals and hate crimes as unacceptable and illegal.
- There should be more dialogue with the affected groups
- The Danish Police and Intelligence Service should set up a database for the registration of hate crimes.
- The Prosecution should take cases to court as possible racist motivated offences (hate speech or hate crimes)
- Since official data relating to hate crimes is very sparse, it is recommended that there is more interaction between the local police force and the central Police Intelligence Service (PET) in order to ensure that all crimes with a racist intent are properly recorded.
- The legislation prohibiting hate speech is in place; however it is not being used properly by the authorities. The relevant authorities should use it more often where appropriate. Furthermore racist violent attacks should be classed as such where appropriate.
- More support should be provided for affected groups
- There should be dialogue and the sharing of information between affected groups and tribunals
- NGO's that assist victims of anti-Semitism, Islamofobia or other forms of racism should be supported with resources for their work.
- The Official Board on Equal Treatment and other official bodies should interact with the relevant groups and their NGO's in order to establish a dialogue on how to combat discrimination in Danish society.
- There is a need for the visibility of institutions who work with anti-discrimination bodies. It can be achieved by close co-operation with minority media, organisations and professional people.

- Awareness raising campaigns directed towards the majority and minorities is essential to create an atmosphere of trust and a sense of belonging.

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Recording incidents of racist violence

Although there are over 500 NGOs in Denmark which work for the wellbeing of ethnic and religious minorities, there are few NGOs capable of keeping records or establishing a database on racial violence, hate crimes and hate speech. In our experience it is very difficult to assess due to the following:

- NGOs do not have financial or human resources and recording systems,
- NGOs have very little trust in the official system so they do not see it useful to carry out the exercise of mapping and collecting data,
- It is forbidden to collect and store data by non-governmental agencies, based on nationality, religion and ethnicity⁷.

There are however two exceptions; since 2002, the Documentation and Advisory Centre on Racial Discrimination (DACoRD) and the Jewish Community (MT) in Denmark have monitored this issue and gathered information. However, they are dependent on victims coming forward to register the complaint.

Copenhagen City Council have also launched an anti-discrimination hotline on 8 April 2010 in response to worrying figures of widespread discrimination, particularly among immigrants. A recent council study showed that 60,000 Copenhagen residents last year felt discriminated against on the grounds of sexual orientation, disability, gender, religion, age, ethnic background or nationality. Nevertheless, only 300 people contacted the local authorities or an NGO. The hotline should be an easy means for people to contact the authorities with their complaints and to get advice about their legal rights on the matter. Refugees and immigrants in particular feel they have been the subject of discrimination – 22% according to the council's study.

There is no clear official definition of Racial Violence

Racial violence is understood in Denmark as being a number of different crimes (violence, vandalism, arson etc.) which have a racist motive. In 1992 the Chief Superintendent of Danish Security Intelligence Service (PET) sent a circular to all police districts in Denmark stating that all criminal incidents with a suspected racist motive must be reported to PET.

It is important to note that the police only have to suspect a racist motive to warrant PET's notification and not necessary to be able to prove it. The circular stated that this suspicion could for example stem from (i) the victim's, the perpetrator's or witnesses' statements, (ii) from the presence of racist or xenophobic symbols or graffiti, (iii)

⁷ As instructed by the ENAR secretariat in Brussels, we distributed the **Appendix 3 Form** which deals with 'recording incidents of racist violence' to 32 member organizations of ENAR - Denmark as well as to over 50 organizations which we have close contacts with. We received four written responses, seven telephone calls and two interviews. None of the respondents kept any record of racial incidents even if some of their members did experience violence. The factors of powerlessness, resources and training play a part in this situation.

whether the victim and perpetrator knew each other, or (iv) whether the crime was a planned action. The circular also stated that the incident should be reported to PET as soon as the relevant police officer noted the incident. PET state that the majority of the incidents that occurred between 1992 and 1998 can be described as racist propaganda, i.e. flyers, graffiti, harassment, threatening letters and telephone calls etc.

Figure 5 (PET records 1992-2008)⁸

Year	Number of Incidents
1992-1998	620
1999	16
2000	28
2001	116
2002	68
2003	52
2004	36
2005	87
2006	227
2007	35
2008	175

Reviewing incidents of racist violence

There was a significant increase in racist violence in the aftermath of 9.11 (New York), particularly in the months of September and October. Almost all incidents were directed against Muslims or persons originating from the Middle East. In November and December these attacks decreased. Similarly, in the aftermath of the London Bombings which took place in July 2005, there was an increase in racist violence. For example, a man entered a bus and hit the driver saying 'this is because of London'. The driver was a Sikh (who was wearing a turban) but the attacker mistakenly believed he was a Muslim.

The increase in racist incidents in 2006 can in a similar manner be explained by the so-called 'Cartoon crisis' in Denmark. After some local Danish Imams gave copies of the Cartoons to Imams in the Middle East, some members of the Danish population held the local Danish Muslim population responsible for the attacks on the Danish Consulate in Beirut, Damascus etc. Since 'they' were responsible for the attacks against Danish property it was thus justified to attack Muslims in Denmark as part of 'revenge' or 'defence' of Denmark.

Due to the fact little data is held amongst NGOs, the ability to give a proper assessment of the situation is very difficult. However data from the MT and DACoRD indicates that

⁸ See homepage of the Danish police intelligence service www.pet.dk accessed 4 July 2010.

not all incidents recorded by the police at the local level are in fact reported to the central Police Intelligence Service (PET).

Where does Danish law stand?

Denmark makes a clear distinction between Racist Speech and Hate Speech and Racist Violence and Crimes with a Racist Motivation⁹. The Danish Penal Code only includes provisions targeting crimes with a racist, ethnic, religious or cultural motivation in the field of racist speech. Racist violence, including violent attacks, arsons, murder etc. are covered by the ordinary provisions in the Danish Penal Code. It can, however, be considered an aggravating circumstance if the crime was committed with a racist motive.

Racist Speech and Hate Speech

The provision prohibiting racist speech dates back to 1939. Section 266 (b) was introduced in the Danish Penal Code in order to protect society from anti-Semitic statements and to counterattack the rise of anti-Semitic views throughout Europe. In 1971 Section 266(b) was amended to fulfill the requirements of the international Convention on the Elimination of All Forms of Racial Discrimination. It has since been amended in 1987 (to include a prohibition on discrimination on the basis of sexual orientation), in 1995 (in which the dissemination of information can be conceived as propaganda and considered as an aggravating circumstance) and in 2002 (to include the possibility of punishing legal entities).

Racist Violence and Crimes with a Racist Motivation

The ordinary provisions in the Danish Penal Code cover crimes that are motivated by a racist intent. The elements of crime regarding violent attacks (Sections 244-246), murder (Sections 235-236), arson (Sections 180-181) or vandalism (Section 291) do not include any reference to a racist, ethnic, cultural or religious motivation.

In 2004 Section 81(6) was inserted in the Penal Code to include a specific provision allowing the Court to consider a racist or homophobic motive as an aggravating factor when handing down a sentence. Since the introduction of this provision, it has become evident that racist intent has been considered as an aggravating factor when passing sentence. Consequently, the Metropolitan Police Force in Copenhagen has issued an instruction that in all cases of violence with a possible racist motive, the prosecutor must ask the court to consider this as an aggravating circumstance.

⁹ fra.europa.eu/fraWebsite/attachments/CS-RV-NR-DA.pdf accessed 3 August 2010.