

1. RELIGIOUS DISCRIMINATION

Political, juridical, social and hermeneutical tools of interreligious bridge building as part of anti discrimination work

Discrimination on the grounds of religion and, within religion, on the grounds of denominations, schools, etc., has been present in Europe for many centuries. Anti Semitism has a long history. Disputes between Catholics and Protestants have existed since the reformation and disputes between orthodox and western Christianity have continued over a thousand years. Often these disputes have led to bloodshed, even up to contemporary times. (Consider Northern Ireland today, and the conflicts in the Balkans.) Post-colonial immigration has led to significant numbers of followers of different religions becoming visible in Europe – besides Jews and Christians there are now Muslims, Hindus and Sikhs, just to name the most obvious.

Islamophobia has taken on a new dimension, particularly due to the portrayal of Islamic fundamentalism and its being associated with terrorism and extremism. At the same time there are fundamentalist strains in Judaism, Christianity and, more recently, Hinduism and often religion is just misused for the purpose of political fundamentalism and power games.

The followers of Islam but also of Hinduism tend to be members of ethnic minorities who also face discrimination on the grounds of race. But as racial discrimination has been legislated against, and more and more members of the host population acknowledge that it is morally unacceptable but discrimination on religious grounds has even increased. On the other hand minorities have often found comfort and common grounds in their religion and the mosque or temple plays a much more significant role in their community than the church plays for the host community in most of Europe. Religious leaders have often become de facto community leaders as a result. This is despite the fact that many minority communities in Europe are much more secular than the population of their country of origin. Turks in Germany are an example of this.

Let us therefore take the situation of Turkish and non Turkish Islam in Germany as an example for the complexity and interdependence of immigration, foreign policy and national legislation (among many other factors) when we discuss the right to religious freedom:

We have the fact, that on the one hand more secular oriented Turks in Germany show a certain distance to Islam and religion in general, not the least because they fear that its Islamist or even fundamen-

talist appearance may postpone and even hinder Turkey's EU-membership. On the other hand Turkish Muslims and Muslims from other countries again and again describe how difficult it is for them to bring together their citizenship and political obligations and their religious identity in a Western context. This is not the least the case because in some of their countries of origin official politics allow a different form and different structures for the relationship between state and religion. However we judge those various forms and structures, it is quite obvious that we on the other hand have to try asking how our new regulations and rights of citizenship and the claims to institutionalise Islam – be it on the public law level of corporation or within a system of "laïcité", just to name the German and the French/Turkish structure – have the capacity to deal with such questions of religious freedom on the collective level of religious communities.


We have to consider the interaction between the country of origin and the new country of immigration, since often it is the country of origin, which still shapes the religion. And in those cases where the new country of immigration and its laws and constitution as well as politics and culture, create new forms of performing the religion brought from the country of origin, we see discussions among followers of, for example, Turkish Islam in its different schools and different forms as they genuinely appear in the country of immigration.

Since those discussions can only take place in an atmosphere of mutual trust, we also have to ask, what politics and legislation can do to enable the growth of a contextual (Turkish) Islam (in Germany).

Again, as in all intercultural and interreligious dialogues, for such a contextual Islam and projects leading to its implementation, we need representatives from as many Muslim groups as possible in the country in question. Also, we need observers of this country's situation from the various countries of origin, and some experts on the situation of the countries of origin. We should, to exemplarily sum it up, for the above given example help to initiate an inner Islamic (inner Turkish) dialogue within our countries of immigration.

Only then can we start to discuss in detail projects such as religious education or intercultural learning, questions of head-scarf or special diet, up to the questions of how and if our civil rights can partly be taken care of by inner religious bodies of right (marriage etc) and where such an exchange is not possible (criminal law for example).

Be it as it may, in any of the above mentioned



cases and ways of interreligious and intercultural dialogue the starting point for practically building up a society following and practising the ideals of intercultural and interreligious existence and in doing so overcoming step by step all forms of religious discrimination and discrimination rooting in interreligious misunderstandings, we have to provide for and learn a personal encounter of people of different living faiths and cultures. Then in the end we might be surprised to what extent, a fruitful and creative, interreligious and intercultural dialogue, can be a bridge to overcome other forms of discrimination.

Sybille Fritsch-Oppermann

2. RACIAL AND ETHNIC DISCRIMINATION

Discrimination has been defined as “unequal treatment of equals”. Racist and ethnic discrimination is, therefore, unequal treatment on the grounds of race or ethnicity. Each of the terms that have been used is less obvious than it may seem. There may be some value in looking at these terms in more detail:

a. Unequal

It is not to be considered a “neutral” term in this context. It means a treatment “less favourable than the treatment of other persons or groups in the same or comparable situations”.

Discrimination is a comparison: it cannot be defined disregarding concrete situations.

b. Treatment

It refers to action, not to opinions or speech, and to an action aimed at persons, not at abstractions.

Discrimination is a type of behaviour / prejudices are attitudes.

c. Equals

Again, the term is neither neutral nor universally accepted. In the context of discrimination it's about fundamental equality of persons, regardless of their different characteristics, situations, origin, beliefs and orientations.

Discrimination is the denial of the fact that all human beings are equal in rights and dignity.

d. Racist

Although normally – both in international law and in common speech – the term used is “racial” discrimination, it is absolutely incorrect and implicitly accepts a notion (the existence of different human races) which is scientifically false.

The human race is one race. Discrimination on the ground of “races” is virtually impossible, though concretely existing in the acts of racists (persons that, despite scientific evidence, believe in racial differentiation).

Human races do not exist; racism does. We should call it by its name.

e. Ethnic

Ethnicity is not scientifically false. Differences exist, and a part of them come from genetic inheritance (the characteristics - transmitted by the par-

ents - that an individual is born with; among them the colour of the skin, the eyes or the hair, physical type, facial features). Though every human being is unique and isn't identical to any other one, there are, really, common characteristics related to common ethnic origins. In a broader sense, personality traits, too, can be partly determined by the environment – that can have an ethnic connotation – and cultural identity has something to do with ethnic groups as well.

We must recognise differences. What prejudice does is pretend or assume that each and every individual of a certain ethnic group shares a set of negative characteristics arbitrarily attributed to that group. Ethnicity exists and is a resource to be proud of. Defining it as the sharing of an inferiority is prejudice.

Trying to summarise we can say that

- **Prejudice** is an *attitude* about another person or group of people based on stereotypes. That is, as M. J. Collier stated, “sets of beliefs about characteristics attributed to members of a certain group overgeneralizations and oversimplifications”.
- **Discrimination** is an action or behaviour based on prejudice.
- **Racism** is prejudice and/or discrimination based on doctrines of race differentiation or distortion of recognition of ethnicity.

Furthermore, a discriminatory use can be made of the concept of cultural diversity. Though it's different from ethnic discrimination, it can be (and it is, actually) asserted that a culture is “superior” to others and that this superiority is rooted in ethnic characteristics. In the case of Islamophobia (fear and hate towards Islamic people), for example, it can be difficult to understand if consequent discriminatory behaviour is based on religion, culture or ethnicity. “Islamic” is often confused by non-Islamic persons, and particularly by racists, with “Arabian”, and “Islamic culture” with Islamic religion. This is a matter of ignorance, certainly, but a strategy for discrimination as well.

Racist and ethnic discrimination often come in disguise: as cultural differentialism or religious identity.

In many cases all these prejudices are joined together; and others can be added. An older, Islamic black woman may be discriminated against at the same time, on the grounds of ethnic origin, religion, age and possibly also, nationality.

Racist and ethnic discrimination are not “exclusive”: a combination of multiple stereotypes and prejudices is a “normal” situation in daily life.

Luciano Scagliotti, CIE

Multiple discrimination

Unfortunately, victims of discrimination often experience different forms of discrimination. A combination of discrimination based on gender, age, disability, ethnicity, religion, sexual orientation, economic status or social origin, descent, and other grounds gives rise to a number of intersections such as gender, race and poverty; age, gender and religion; race, nationality and age. Combating multiple discrimination requires specific policies, competencies and approach, and often crosses the traditional barriers of legal and academic specialisations. To protect a black women from gender and ethnic discrimination is of limited value if, for example, she goes on being socially excluded because of her age. On the other hand it can be difficult to use legal protection against discrimination if the concerned person or solidarity NGOs do not have the skills and tools, as well as the awareness, to identify not only what kind of discrimination a victim is suffering from but also, if and at what extent he/she is exposed to discrimination or exclusion on other grounds. This could result in an apparent success and an actual failure, or even in providing alibis to discriminating actors.

The so-called “horizontal approach” in EU anti-discrimination action (that is: the contemporary consideration of different grounds of discrimination) can be a tool to see not only similarities and exchange experiences, but also to learn and use the concept of multiple discrimination and intersectionality.

3. AGE DISCRIMINATION

Age discrimination is at the root of many of the challenges faced by older people.

The term “Age discrimination” describes different treatment and different attitudes towards citizens solely on grounds of their age. Denial of equal opportunities and equal access for older people, is the result of age discrimination.

Age discrimination is based on ageism, a set of usually negative assumptions about older people and ageing, which is widespread and widely believed to be true. To a large extent, these beliefs justify discriminatory actions. Older people are commonly viewed as disabled, dependent and troublesome, and these views pervade the whole of society. Older people are often viewed as hard to train, set in their ways and unwilling to embrace modern thinking and modern technology. In some ways this becomes self-fulfilling as older people are denied the chance to update their skills and gain access to new technology. At the same time, there are plenty of older people who have progressive political views about issues of equality and discrimination.

Age discrimination is apparent in many areas of society: in employment, access to income, access to health and other services, access to Information Technologies, access to education and access to participation in policy making and civil dialogue. It exists in all EU Member States in various forms and is often not recognized as such. For example:

Age discrimination in employment affects workers from the age of 40 upwards and contributes to low participation rates of those aged 50-64: less than half are employed or registered as looking for employment (this issue is recognised by the Lisbon strategy). It becomes apparent in:

- Early loss of employment
- Discrimination in recruitment policies
- Lack of active labour market policies to reintegrate older workers
- In company training: older workers are underrepresented in training schemes

Age can play a role in access to health care and services. In some countries age limits are employed to compensate for shortages in the health sector.

In many Member States increases in pensions are failing to keep pace with increases in wages. As a result, the purchasing power of older people is diminishing

Age is also important in relation to education and training programmes. These are usually aimed at facilitating paid employment, and therefore not rel-

evant or accessible to many older and retired people. Older workers often have limited or no access to these schemes because it is believed that they do not merit the investment.

Even so called “life long learning” initiatives do not always address the educational needs of older workers or retired older people, contrary to what the term implies.

Demographic developments however, will lead to an economic need for individuals to extend their working life, which implies an increasing need for the updating of skills of older workers. In Western Europe, birth rates are slowing down while people are living longer. This means the proportion of people aged over 60 in the population will increase. There are concerns among many governments, that the costs of funding social pension schemes will be prohibitive. It is clear that keeping people in work longer, keeps them economically more active and less dependent. Many of those who are unemployed and aged over 50 do want to work and do want to remain economically active.

At the same time, we hear employers complaining of skills shortages, and a workforce that is insufficiently trained. Why then, throw a large number of people on the unemployment scrap heap because of their age? Clearly, large numbers of these people have skills that are in demand and also large numbers are willing and able to undergo retraining to enable them to continue to be economically active. More flexible working and increasing the availability of part time working for older people can meet the needs of employers and older people. In our lobbying, it is important to make these points and make the case for ending ageism and discarding long held stereotypes.

Access to educational programmes for older retired people is also crucial, in order to contribute to the personal development of the growing number of active, healthy older people.

The issue of representativeness is often considered within community groups, particularly with reference to the representation of ethnic minorities. (i.e. does the make up of our group reflect the make up of the community we have come together to represent?) It would help the cause of combating ageism if the same approach would be used for elderly.

Christine Marking, AGE



4. SOCIAL CONSTRUCTION OF DISCRIMINATION

European Unification is one of the key factors that has greatly influenced the restructuring of southern European societies, along with globalisation of the economy and technological advances.

The southern countries, which once exported migrant workers to the industrialized north, have suddenly, in the last decade, become recipients of great numbers of migrants from countries that are undergoing political and / or financial instability.

Migration in many regions of the south is a new, challenging phenomenon. It needs to be understood in its complexity, both by the host society and by the migrants themselves, so that the latter are able to participate in the development of the society they have moved to live in and to negotiate their status and their rights.

Immigrants and minority populations in the south of the E.U. have a lower level of participation in policy making than minorities in the northern countries which are hosting second and third generation immigrants. This may be because of either an inadequate legislative framework or because of weaker social network support. In every part of the E.U. migrant and minority groups are often put in a defensive position that leads to discrimination against them, because of simplistic and dangerous descriptions of their presence as a "problem". In fact, they are the victims of exploitation, often within the illicit economy, partly due to the inefficiencies of underdeveloped social support systems and other inherent weaknesses, which are more prevalent in the poorer economies of the South.

Immigrants are often accused of contributing to rising unemployment and causing increased public spending on health and social support schemes. Relevant research however, proves this to be a misconception. On the contrary the youthful immigrant population contributes to weaken social insurance pension schemes, often more than other groups within the population, without equal benefits.

One of the great problems that impede progress towards equal treatment is that leading legislators regulate migration issues under the pressure of "public opinion". That "public opinion" of course, is often formed under the very misconceptions outlined above. This prevents legislators from framing regulations and guidance in accordance with the proper standards of international human rights agreements. Legislation too often fails to provide the sort of rights that immigrants would enjoy, had their true contribution to the host society been valued.

Migrant organizations and human rights organizations should advance the argument that their inclusion in civil dialogue to combat discrimination is essential if such dialogue is to be effective and convincing.


The direct participation of representatives from target groups of racism is important for one more reason: in Greece, for example, one of the problems is that the word "racism" remains a taboo expression. It is not acknowledged, even by those who might be systematically and actively exploiting people, or degrading and threatening the dignity of migrants and minorities. This situation arises from the belief that ancient Greek civilisation honoured the foreigner, therefore it is the "other" that provokes negative feelings and actions. On the other hand, while not acknowledging racism, newspapers will use the term "xenophobia", admitting a fact, but using a term which is more neutral and which shifts the burden to the "other", who is causing the fear. As a result, migrant and minority populations are often presented as a threat to social security and to supposed mono-cultural populations. Active participation of migrants and minority representatives in social dialogue creates new positive images and role models to help overcome prejudice.

The challenges mentioned above are particularly strong in agricultural areas, where people less travelled, even consider the citizens of the neighbouring regions as "strangers". Many of these agricultural areas, which were deserted in the past due to waves of migration out of the country or to the large cities, have benefited from the influx of migrants. In most cases migrants had a positive influence in the development of the area. Migration helped retain the local youth from leaving by bringing in cheap labour. Unfortunately, this contribution has not been acknowledged, as it should have, thus helping to combat racism and xenophobia in these areas.

Members of organizations, which work against racism, need to advance the arguments, which highlight the strong points of a multicultural society so as to combat prejudices, preconceptions and fears.

Minority and migrant communities are often the victims of unjust treatment and police brutality. This is because they are suspected of harbouring criminal tendencies or of engaging in crime because of their economic and social exclusion. When issues of crime, security and community safety are discussed, migrant and minority representatives and NGOs working against racism should try to ensure that they are included in the discussions. We should achieve a social justice system in which migrants and minorities are subjects and not objects in these discussions, and we should not allow silence to play a self-incriminatory role.

The presence of migrant and minority representatives in the media is very important in order to influence public discussion. These representatives must be encouraged, well briefed, and prepared to face



extremism, simplifications, empiricism, and change of focus from those who interview them, or from other participants in the discussions.

Also, migrant and minority representatives need to ensure that those who are opposed to them, do not succeed in sowing division among them, but find increased strength from coming together to fight against racism.

Some important issues that we should bear in mind are the following:

1. Existing research substantiates many positive aspects of migration. This information can be used to overrule arguments and misconceptions in the scientific and public arena, e.g. the fact that migrants have contributed greatly not only to the survival, but also to the development of European economies, in several ways, in the light of the globalisation challenges.
2. European policy towards migration is changing. There are two tendencies which seem contradictory:
 - a) The harsher policies for the admission of new migrants and especially asylum seekers, who are often characterized as “illegal” migrants and are subjected to rules such as “the safe country” crossing. (The safe countries implied are usually the poorer countries of the periphery and the south).
 - b) Recognition of the necessity for increasing the numbers of migrants admitted for demographic and development reasons. Also the need to grant more rights to long-term migrants.

The legal developments concerning equality of rights, as well as the way in which legislation is enacted, contributes to the improvement of democracy in the host countries and gives a chance to assess not only of the shortcomings, but also of the advances achieved.

Migrant and minority populations in northern and central Europe have achieved a greater participatory role in influencing policy because of the existence and activism of previous generations. Also, in many northern European cities, multiculturalism is celebrated and is seen as an asset in education and culture. On the contrary, in many areas of the south this is not the case at all, because 95% of the migrants e.g. in Greece, are not only first generation, but also have less than 10 years presence, and only a few years’ participation in NGOs. Therefore, it is important to organize and to fund exchanges of experience through seminars, conferences, workshops and cooperation opportunities, in order to counteract the lack of participatory experience and knowledge of successful techniques.

Niki Roubani, ENOW