This paper provides an overview of the socio-political context of racism in the European Union, particularly as developments have happened via the European Union integration process. This material has been developed as part of the MA Comparative European Social Studies (MACESS) programme, a joint programme run by the Hogeschool Maastricht and the University of North London in cooperation with an extended network of 28 universities and colleges all over Europe. As a senior lecturer in social work at the University of North London I was instrumental in developing the module ‘Social exclusion and marginalisation in Europe’. This module was incorporated into the MACESS programme, as an optional module for students and has proved very popular. The modules key aim has been to provide an opportunity to examine issues of racism, social exclusion and discrimination within a European context; to begin to address a vacuum in theory and practice in European social work regarding these issues, and to develop a more common European approach.

As a guest lecturer on the module for 5 years, I was responsible for the teaching on racism in Europe and for looking at anti-oppressive practice within a European context. In terms of developing policy and practice in this area I remain committed to opening up a debate about how these issues can be further developed. To this effect I have just finished participating in a Leonardo programme as the lead academic. This programme called ‘Developing a Common European Framework for Anti-Racist and Anti-Oppressive Practice in the Social Professions’ provides a range of material that can only continue to facilitate a debate about developing a more inclusive social work practice towards minorities and disadvantaged groups.

European racism: an overview

In 1995, European Union heads of government were warned of a ‘rising tide of racism’ in Europe, which could not be effectively stemmed without vigorous action at community level. This was spelled out in a major report by a committee of experts, the Kahn Commission on Racism and Xenophobia appointed after the Corfu summit in June 1994 by the Council of Ministers. They concluded that comprehensive legislative measures were needed to back up measures in member states and that there needed to be common legislation to stop discrimination in employment and to make incitement to racial hatred an explicit criminal offence. The report highlighted the spread of racist material and fascist inspired computer games amongst children and called for third country nationals resident in member states for at least five years to have the same rights and freedom of movement as citizens.

An amendment to the Treaty of Rome was seen as vital to make explicit provision for community competence in terms of race issues. The report stressed it could not be emphasised too strongly the dangers which the current rise in xenophobic and racist sentiments and behaviour represents for the stability of the Union (Carvel, 1995). The report’s conclusions about the rise in racism were not new and echo what a numbers of other reports have concluded about a major increase in racism and racist activity in Europe in the eighties and nineties (Scoreboard, 1990-1996; Ford Report, 1991; IRR, 1991; Read & Simpson, 1991; Back & Nayak, 1993; Fekete & Webber, 1994; Ocloo, 1994; Subhan, 1995; European Commission, 1998; Hargreaves & Leaman, 1995). Six years later it is vital to look at what has been done to combat this rising tide of racism and to look at what lessons can be learned about the process of change.

If one looks at the situation regarding racism and its impact on Black and minority ethnic communities, there is an abundance of evidence that suggests that much more needs to be done, and that in some instances the situation is getting worse. Over the last six years, we have witnessed a situation in which fascist parties across Europe have continued to capture significant sections of the national and local vote. In France, Le Pen’s Front Nationale took 30 per cent of the vote in some areas and 15 per cent on a national level in June 1998 (Observer, 1998). In Germany in May 1998, the far right had their biggest success since World War Two.
gaining 16 seats in the State Assembly of Saxony Anhalt in former communist East Germany. This electoral success reinforced the conclusions of a report by Berndt Wagner (Traynor, 1998) an East Berlin criminologist and social worker who has talked of a crisis in the context of colossal social problems, stemming from the reunification of Germany, after decades of isolation. The main conclusions of the report were that up to a third of East German youth were now prone to right wing neo-Nazi thinking, with many older people also susceptible to these sorts of views. The report also claimed that large parts of the region were becoming virtual no-go areas for foreigners and German outsiders as violence, intimidation and clandestine propaganda rapidly increased (Traynor, 1998). Racist and fascist activity has also been on the increase in many other European countries such as Belgium, Denmark, Sweden and the Czech Republic to name a few, with the election of Jorg Haider’s Freedom Party setting a particularly worrying precedent with its capture of 27.2% of the vote in the Austrian elections in 1999. The move by the Conservative party to bring the Freedom Party into a coalition government provoked hostile and widespread international condemnation. Belgium’s anti-immigration party (Vlaamse Volk) also emerged as the biggest political force in the country’s second city in October 2000. The party increased its share of the vote in the local elections in Antwerp from 28% of the vote in 1994, to 33% of the vote in 2000 (Osborn, 2000).

In places like Russia the Anti-Fascist Centre and the Helsinki based Human Rights Watch in 1998 pointed to a number of worrying incidents of racism. The former pointed to growing attacks on foreigners, blacks and Asians and the latter highlighted a dossier of accounts exposing beatings and torture of black citizens by the Moscow police. In Britain, racial violence exploded - literally - onto the agenda in April 1999, with the planting of a number of nail bombs deliberately targeting Black and gay communities. This left more than a hundred people injured and three dead. In the same year the press reported a 75% increase in incidents of racial violence (Guardian, 1999), and we saw the long awaited publication of the Stephen Lawrence Inquiry report by Lord MacPherson The inquiry was set up by the Labour Government to investigate the racial murder of a young black man, Stephen Lawrence. The report fiercely criticised inept handling by the police of the Lawrence murder inquiry and placed firmly onto the policy agenda the presence of institutionalised racism in the police and other bodies and the need for comprehensive action to combat this.

What is evident when one looks at this pattern of racist and fascist activity across Europe, is that the prime targets of abuse and violence are Black and minority ethnic communities. In this context it would be all too easy and simplistic just to focus on the activities of the far right. However, in order to understand the context of racism and why certain groups have been affected, one needs to examine the institutional context and the integration process that has taken place within the European Union over the last fifty years. This has clearly played a prominent role in shaping, reinforcing and entrenching the position of Black and minority ethnic communities within the Union and determining their position as second-class citizens.

The integration process

To understand this situation in more detail, one has to go back to the inception of the Common Market in 1957. In this context we see a twin track process of closer cooperation developing between European countries, whilst on the other hand we see a process of external migration into a number of European countries by migrants from European colonies or ex colonies. These migrants were encouraged to come to the ‘motherland’ to work as cheap labour. But Black and minority ethnic migrants had also fought from the colonies in two European wars and played a strategic role in Europe’s postwar reconstruction. The creation of a common market was an attempt by European states to promote better peace and cooperation amongst themselves and to increase prosperity for the people living within those states. This latter point has long been expressed as a goal throughout the developing stages of European integration. However, a key question that must be asked is what people are we talking about when it comes to accessing the much lauded benefits of closer union? This is pertinent given the systematic divide that has occurred materially and in terms of rights, between migrants of European origin and those of third country origin over the last fifty years.

On the 1st of January 1972, two pieces of legislation came into effect that provide a benchmark for the treatment of different categories of people in the EC over the subsequent 25 years. Firstly we see the accession to the Treaty of Rome which gave over 200 million EC nationals and their
relatives an absolute right to enter and work in different countries of the EC. At around the same time the 1971 British Immigration Act consolidated immigration laws and practices designed to prevent the entry of black Commonwealth migrants and even some non-white British nationals and their families into Britain. The difference in the treatment of, and attitudes towards, these two sets of migrants has been strikingly obvious since 1973. Black migrants have seen their rights of settlement and citizenship and to family reunion removed. Asylum seekers and refugees have also experienced increasingly restrictive laws designed to prevent them entering member states and this pattern has been repeated across Western European countries. (JCWI, 1989:1)

In 1987 the member states of the EEC signed the Single European Act, which amended the Treaty of Rome, and which provided the legislative fuel to bring into existence the Single European Market (SEM) by the 31st December 1992. Article 8a of the SEA laid down the broad foundations of the market by stating that the Internal Market shall comprise an area without internal frontiers in which the free movement of goods, persons, services and capital are ensured in accordance with the provisions of this Treaty. The SEM is important in that it took the integration process much further in terms of the predominantly economic, but also social functions of the member states.

Despite potential concerns about this further stage of integration for some countries, the media in Britain generally hailed the advent of the SEM as presenting a unique opportunity for economic growth, European trade, more jobs, free movement and greater prosperity. But a number of Black UK organisations were also asking what these changes would mean for Black communities in Europe. The Standing Conference on Racism in Europe (SCORE) set up in 1990 to campaign for greater racial equality in Europe questioned whether the new Europe would effectively be a Fortress Europe. One which would mean: more immigration control; barriers put up to prevent refugees and asylum seekers coming into the community; racism in jobs, housing and public and private provision with no common legal protection against racial discrimination; problems for Black communities in exercising freedom of movement and an increase in xenophobia and fascist activity. SCORE argued at the time that even they failed to anticipate the cynical playing of the race card by mainstream politicians in European countries, targeting Black and refugee communities for government economic failures in the forthcoming years.

The SEA effectively entrenched the idea and practice of a second class citizenship for Black people in Europe, by creating two distinct classes of people. European Community Nationals who as citizens of a member state would now be entitled to a wider form of European citizenship. This would enable them to have not only the right to live and work in any other EC state, but to full social, political and welfare rights within those countries. However those people deemed to be non European Community Nationals, not formally citizens of a member state, were given no rights outside of their domestic situation, for example rights to freedom of movement, employment, education, housing, welfare and rights to family reunion. The vast majority of non EU nationals in Europe are from Black and minority ethnic communities. For Black citizens however, writers such as Sivanandan of the Institute of Race Relations noted in the early nineties that citizenship would not give them equal rights or protect them from racial discrimination. That citizenship may open Europe’s borders to black people and allow them free movement, but racism cannot tell one black from another, a citizen from an immigrant, an immigrant from a refugee and classes all third country people as immigrants and refugees as terrorists and drug dealers. In other words Black citizens regardless of their status would not be equal under the law because racism would mean they effectively carried their passports on their faces.

This racialised inequality between citizens and non-citizens, came to be particularly evident in the political controversy generated over entitlement to free movement in the European Union. The development of the Single European Market (SEM) was seen as the most important achievement in the creation of the Union. It was seen as signalling an invaluable opportunity for business and commerce to develop on a pan-community basis, with workers and business people having the right to travel and settle freely in European member states. The European commission set out its views in terms of Article 8A of the SEA in May 1992. It argued that the phrase ‘freedom of movement of persons’ in Article 8A, referred to all persons whether or not they were economically active and irrespective of their nationality. This was seen to apply to so called non EU nationals. The Internal Market, it was stated cannot operate under
conditions equivalent to those in a National market if hindered by controls at internal frontiers. This view was in strong contrast to the position taken by most of the member states who were extremely anxious to make sure that free movement rights only applied to citizens and that the movements of third country nations were kept firmly under control. These concerns over the movement of third country nationals were very much evident in the Treaty on European Union (TEU), the Maastricht Treaty.

The Maastricht Treaty was aimed at speeding up the impetus for political union following the SEM and was clearly a compromise between those countries wanting closer integration and those who did not. What it did was to create a European Union based partly on a process of intergovernmental co-operation. This meant that all issues to do with immigration and asylum matters were dealt with under the third pillar of the Union; Home Affairs and Justice, on an inter-governmental basis, outside of the remit of the main institutions of the EU. Matters of common interest included: asylum policy, rules on crossing the external borders of EC countries, immigration policy, including policies regarding third country nationals already residing in member states of the EC, combating drug addiction and international fraud, judicial cooperation in both civil and criminal matters, customs cooperation and police cooperation to prevent and combat terrorism, drug trafficking and other forms of international crime. A number of specialist groups were set up to promote this work on an inter-governmental basis.

The two main groups set up and operating behind closed doors were the TREVI and Schengen groups. TREVI an acronym for Terrorism, Radicalism, Extremism and International Violence, had a particular remit to look at areas such as the so-called threat of illegal immigration, bogus asylum seekers, drug trafficking and terrorism. The Schengen Group, set up as part of a pilot scheme to remove internal border controls, also had a similar remit, looking at joint policing and security arrangements concerning external borders and harmonising policies on asylum and visas. These groups were heavily criticised by Black activists and civil rights groups for the way they took decisions, their lack of democratic accountability and the way that they linked criminal activities to immigration and issues concerning Black communities. For example the Schengen Information System (SIS) an EU wide computerised data bank, aimed to carry all sorts of data on so called undesirables, including tens of thousands of Black and migrant people, which might recommend expulsion or denial of entry. Data could be accessed by any country’s police force or intelligence service, without public scrutiny or monitoring. During the 1990s a number of hardline measures were taken regarding immigration and asylum in all EU states, designed to control, deter and repatriate individuals often from Black communities. These measures were largely coordinated on a secret, intergovernmental basis. Measures to combat racism and promote civil rights, however, were distinctly lacking.

The Amsterdam Treaty signed in 1997 provided some opportunity for dealing with race discrimination and moved policies governing visas, immigration, asylum and other policies related to free movement from the third pillar to the first pillar of the TEU. A new article 13 in the Treaty states:

“without prejudice to the other provisions of this Treaty and within the limits of the powers conferred by it upon the Community, the Council acting unanimously on a proposal from the Commission and after consulting the European Parliament, may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age, or sexual orientation”.

The weakness is in the word ‘may’, which means that the Community is not obliged to act against racial discrimination. Having said this, in October 1999 the Commission published a draft directive on race discrimination in employment, a draft directive on race discrimination in education, provision of goods and services and culture and a proposed action programme to support best practice in anti-discrimination. As the consultation process proceeds regarding implementation of the directives, it remains to be seen whether or not EU member states adopt the minimalist approach required under Article 13, or whether they seize the opportunity to push back the boundaries in terms of social policy and legislation in this area. Given the history of member states when it comes to challenging racism, there is certainly no guarantee that the sorts of radical measures that are needed to combat racism and empower Black communities, will be automatically forthcoming.

What is clear is that the history of racism in Europe is a long and complex one, a history in which the evils of discrimination have continued to rear their
head in a number of different ways. It is clear that European governments must take a large part of the responsibility for the way they have been part of structuring state and institutionalised racism and frequently playing the ‘race card’ at their convenience. Given the continued prevalence of structural and entrenched racism both at a local, national and European level and the threat of the far right, the necessity to combat ‘this rising tide’ remains as pressing as the warning given by the Kahn Commission in 1995.

References