Introduction

We live in an age of diversity. Relatively porous borders and inexpensive international transportation have promoted ethnic mixing on every continent. Post-World War II migration has unfurled to the tremendous benefit of hundreds of millions of people. It has generated economic prosperity, provided new cultural repertoires, and enhanced understanding of different values and worldviews. Diversity is celebrated in the media, in schools and universities, and in the workplace as the essence of the contemporary world.

At the same time as diversity brings indisputable advantages, however, it also generates challenges. Fears related to economic well-being, social status, or national identity can make people suspicious of difference and can heighten tension across what anthropologist Clifford Geertz (1973) refers to as primordial lines – those of race, ethnicity, language, region, and religion.[1] In particular, racism in its many guises has singled out individuals and groups for differential treatment. It has inspired quotidian injustices, structural disadvantages, and passionate hatreds. In its extreme forms, racism has resulted in violence, murder, and genocide. Coping with racism is therefore a crucial challenge for enlightened societies that seek to reap the rewards of diversity while minimizing its dangers.

Throughout most of the second half of the twentieth century, people concerned with race and racism have focused primarily on places like the Jim Crow United States or apartheid South Africa, and on the civil rights and anticolonial movements that have fought racial domination around

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[1] Geertz (1973: 261–3) identifies the following primordial attachments: assumed blood ties, race, language, region, religion, and custom.

TABLE 1. *Foreign Population in Selected European Countries (Absolute and Percent of Total Population)*

	1960		1976		1990		1998	
	Absolute	%	Absolute	%	Absolute	%	Absolute	%
France	–	4.7	3,442	6.6	3,608	6.4	3,697	6.3
Germany	686	1.2	3,948	6.4	5,242	8.2	7,320	8.9
Great Britain	–	–	1,542	2.9	1,875	3.3	2,208	3.8
Netherlands	118	1.0	351	2.6	692	4.6	662	4.2

Sources: Soysal (1994: 23) for 1960, 1976, and 1990; SOPEMI (2000) for 1998 foreign population, except France; INSEE (1999) for 1998 French foreign population (http://www.recensement.insee.fr/); United Nations (1998) for 1998 total populations.

the world.[2] Almost one hundred years ago W. E. B. Du Bois famously proclaimed that "the problem of the twentieth century is the problem of the color line," defined as "the relation of the darker to the lighter races of men in Asia and Africa, in America and in the islands of the sea" (Du Bois 1989 [1903]: 10). As perceptive as Du Bois and other scholars have been, they have typically overlooked one troubled region now faced with similar tensions – Western Europe.

In recent decades, European countries have been forced to confront racism, largely due to the influx of millions of "nonwhite" immigrants since World War II.[3] Of course, in comparison to the United States, South Africa, or Brazil, Europe does not appear to be highly ethnically diverse. Nonetheless, it is incorrect to perceive Britain, France, Germany, the Netherlands, and most other West European countries as racially homogeneous. Over the past half-century, the percentage of ethnic minorities in these states has climbed significantly, as Table 1 suggests. Foreigners comprise between 3 and 10 percent of many European countries, and although not all of those foreigners are nonwhite, many nonwhites are not captured in statistics on foreigners because they are full citizens of these states. It is difficult to trace precisely the color line across the European continent, but as Tables 1 and 3 illustrate for Britain and France, ethnic minorities make up considerable percentages of national

[2] For one of the best of the recent comparative books in this vein, see Marx (1998). For a clarion call for decolonization, see Fanon (1966 [1961]).

[3] It is difficult to find neutral, accurate terms to describe populations in a book on this topic. With full knowledge of the drawbacks of terms such as nonwhite and ethnic minority, I use them here – synonymously and usually without quotation marks – for the sake of simplicity and because they convey to most readers a common-sense understanding of the population to which I refer.

TABLE 2. *Population in Britain by Ethnic Group, 1991 (Absolute and Percent of Total Population)*

	Absolute	%
Black	890,700	1.6
Chinese and others	644,700	1.2
South Asian	1,497,600	2.7
Total ethnic minorities	3,015,100	5.5

Source: NEMDA Key data on minority and ethnic groups in Great Britain (http://www.warwick.ac.uk/~errac/keyinf.htm).

TABLE 3. *French Residents Born outside of France by Region, 1999 (Absolute and Percent of Total Population)*

	Absolute	%
Born in the EU	1,839,606	3.1
Born outside the EU	4,028,636	6.9
Total born outside France	5,868,242	10.0

Source: INSEE (1999) (http://www.recensement.insee.fr/).

populations. Moreover, because of their concentration in metropolitan areas, they have become an extremely visible and integral part of life in most major European cities.

European countries were not always quick to recognize or to embrace their multiculturalism. By the last two decades of the twentieth century, however, the issues associated with diversity began to rise to the fore of political agendas across the continent. Most frequently, this manifested itself as a concern about immigration and immigrant integration. Because much of the present ethnic diversity in Europe owes its origin to large-scale postwar immigration, the topic of racism must in part be seen as linked to issues of immigrant integration. Consequently, any exploration of race in Europe must orient itself within (and draw inspiration from) the field of integration studies, defined broadly to include scholarship on issues of civil, social, and political rights; citizenship acquisition; and overviews of policies toward immigrants in one or more countries.

Numerous works have demonstrated that countries faced with similar challenges of integration are capable of dramatically different responses, a conclusion that also holds for the domain of race policies examined in this book. Cross-national divergence in the sphere of European immigration policies was highlighted as early as the late 1970s by Gary Freeman,

who noted the more economic approach of the French as contrasted with the more racial approach of the British (1979: 309). Rogers Brubaker's (1992) landmark study of the distinction between Germany's ethnic and France's civic conceptions of citizenship helped to draw renewed attention to integration policies across European countries in the 1990s. More recent research has underlined the different national approaches to incorporation (Soysal 1994), citizenship (Thomas 1998), identity negotiation (Kastoryano 1996), managing immigrant political activity (Ireland 1994, Soysal 1994), and integration broadly defined (Favell 1998, Joppke 1999, Lapeyronnie 1993, Schnapper 1992, Todd 1994).[4] To the extent that works on integration of immigrants have treated issues of race and racism, however, they have done so only partially. The way a country fights racism is typically analyzed in passing, with much more attention devoted to the rights accorded to immigrants or to the nation's citizenship policies.

One major goal of this book is to turn the spotlight of inquiry squarely on race policies. Race policies are those that seek to manage the issues that arise from racial and ethnic diversity, the most prominent of which is racism itself. Although concerns about race and racism cannot be wholly divorced from issues of immigrant integration (as is often done in North America), they must be seen as semi-autonomous, because race policies are not simply targeted at immigrants. Moreover, as growing percentages of ethnic minorities within Europe become citizens through birth or naturalization, race and racism will stake out increasing independence from concerns about immigration and integration. In short, sorting through the complex relationship between immigration, integration, and race in Europe does indeed demonstrate that there are interactions between the spheres, but it also draws attention to the importance of race policies as objects of inquiry in their own right.

[4] Equally important as background for this study and for my thinking are works that investigate immigration policies per se, highlighting similarities and differences across European countries (Guiraudon 2000, Hollifield 1992, Money 1999), cross-national studies of race relations that compare a European country to the United States (Glazer and Young 1983, Katznelson 1976, Lamont 2000, Lieberman 2001), and individual country studies of integration in Britain and France (Feldblum 1999, Hansen 2000, Hargreaves 1995, Layton-Henry 1992, Modood and Berthoud 1997, Paul 1997, Silverman 1992, Tribalat 1995, Weil 1991). In addition to the book-length treatments, there have been a number of shorter explorations of comparative aspects of integration that also serve as orientation points for this study (Crowley 1993, Lloyd 1991, Weil and Crowley 1994, Weir 1995).

Even a cursory glance reveals that racism is a critical issue in Europe, deserving of much more attention than it has traditionally garnered. Fourteen percent of respondents in a 2000 European Union (EU) survey were categorized by their opinions as openly intolerant because they "display strong negative attitudes towards minority groups. They feel disturbed by people from different minority groups and see minorities as having no positive effects on the enrichment of society" (SORA 2001: 24). Extrapolating from this information implies that there are tens of millions of EU citizens that feel this way. Beyond the hard core of intolerant Europeans lies a soft core of residents who are skeptical of the value of ethnic pluralism. When asked if their country's diversity in terms of race, religion, and culture added to its strengths, 37 percent of respondents tended to disagree (SORA 2001: 45). Although it would be wrong to conclude from this data that racism is rampant in Europe, it is clear that there are many millions of people in the EU who are openly dubious about diversity, and among them, potentially millions who are actively racist in one form or another.

Such racism manifests itself in myriad ways. Far right political parties have elbowed their way to notoriety in a number of countries in recent decades, capitalizing on anti-immigrant sentiment and feelings of economic and personal insecurity to capture millions of votes in local and national elections.[5] France's National Front (FN) leader Jean-Marie Le Pen has drawn both fire and publicity for statements about the gas chambers of the Holocaust being a mere "detail of history" and for his open declaration about the "inequality of the races."[6] Jörg Haider's Freedom Party won 27 percent of the vote in the 1999 Austrian elections, catapulting his party into a share of power and instigating a European Union crisis as Austria's EU counterparts ostracized a government it suspected of taking a turn toward fascism.[7]

The statements of politicians and the support of their voters are not the only troubling turns of events. The quotidian injustices of discrimination and the effects of racial harassment and violence are also widely felt. Local antidiscrimination bureaus in the Netherlands have registered

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[5] For accounts of the success of far right parties in Europe see especially Kitschelt (1995), Betz (1994) and the contributions in Betz and Immerfall (1998) and Schain, Zolberg, and Hossay (in press).

[6] *Le Monde*, September 15, 1987; *Le Monde*, September 2, 1996.

[7] *International Herald Tribune*, June 23, 2000.

an average of 3,000 complaints per year over the past few years,[8] and a hotline set up by the French government to assist victims of discrimination was overwhelmed by 13,933 phone calls in its first five months (Commission Nationale Consultative des Droits de l'Homme 2001: 131). The British police recorded 47,814 racial incidents in 1999/2000,[9] of which 21,750 were categorized as "racially aggravated offences," such as assault, criminal damage, harassment and wounding.[10] In Germany, the Federal Criminal Office reported 10,037 proven or suspected right wing crimes in 1999, a figure that rose almost 40 percent in 2000.[11] A particularly brutal instance of racially motivated violence occurred on June 11, 2000 in Dessau, Germany. Three skinheads attacked Alberto Adriano, a black immigrant married to a German woman and father to their child, Gabriel. They threw him down, kicked him in the head until they dislodged an eye, and then trampled his body, leaving him dead. In a final act of contempt, they stripped him of his pants and hung them from a bush.[12]

Given such a grim accounting, it is surprising that racism has been so little noticed for so long. As the following chapters of this book demonstrate, states began paying attention to this issue in the 1960s and 1970s.[13] Yet it has really been only in the past decade that the problems of diversity associated with race have generated substantial government and scholarly interest across the continent. These issues have steadily climbed up the political agenda in a number of countries since the 1990s and remain salient today. In addition to state-sponsored efforts, the European Union has begun to address racism at the multi-national level. 1997 was an

[8] U.S. Department of State, Bureau of Democracy, Human Rights, and Labor, Releases, Human Rights Report, 2000, Europe and the New Independent States, Country Report, The Netherlands. Available at http://www.state.gov/g/drl/rls/hrrpt/2000/eur/index.cfm?docid=872.

[9] Defined as "any incident which is perceived to be racist by the victim or any other person."

[10] Statistics on Race and the Criminal Justice System (2000: 49, 52), available at http://www.homeoffice.gov.uk/rds/pdfs/s95race00.pdf.

[11] U.S. Department of State, Bureau of Democracy, Human Rights, and Labor, Releases, Human Rights Report, 2000, Europe and the New Independent States, Country Report, Germany. Available at http://www.state.gov/g/drl/rls/hrrpt/2000/eur/index.cfm?docid=765.

[12] *The New York Times*, August 21, 2000.

[13] During those decades, the United Nations also became active in the field. In 1965 it passed the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and it designated 1971 as the International Year for Action to Combat Racism and Racial Discrimination. For an introduction to the UN's antiracism efforts, see Banton (1996).

especially pivotal year, as it saw the establishment of the European Moni-
toring Center on Racism and Xenophobia and the passage of a provision
into the Treaty of Amsterdam that permitted the EU to combat discrimi-
nation based on racial or ethnic origin – all this in the officially designated
European Year Against Racism. As racism becomes the subject of polit-
ical scrutiny and action, it is necessary to understand how the issue rose
to prominence and what tools have been used to manage this particular
challenge.

This book seeks to illuminate European race policies by undertaking
a detailed case study of their development in Britain and France. Before
retracing the history of policymaking in these countries, it is important
to define race policies precisely, and to explain why Britain and France
are fruitful locations for an examination of this topic. Race policies are
policies aimed at managing the challenges of racism and race relations in
diverse societies.[14] Promoting intergroup harmony and vitiating racism
can be done in a wide variety of ways. Grass-roots initiatives by civil
society groups, conscious efforts by private industries to achieve racial
equality, the teaching tolerance in schools, and of international gatherings
of experts can all make progress toward these goals. National policies and
laws designed to fight racism and to influence interactions across racial
or ethnic boundaries, however, are among the most important tools a
society has at its disposal. These race policies respond to actual episodes
of racism, particularly those that shock us as a nation or terrorize their
victims. They set a public tone for what will or will not be tolerated,
sending signals to potential perpetrators as well as to society as a whole.
Race policies are certainly not the only forces affecting racism or race
relations. However, a close examination of national race policies offers
crucial insights into these pressing concerns.

Britain and France are particularly important countries to consider in
the European context. Among European nations, they have been at the
forefront of the field of race policies, having developed their laws and
administrative structures in the 1960s and 1970s. Each country's elite
proudly asserts that its system is the most advanced available; and each
country stands out as a potential exemplar for other continental nations
and for the European Union as a whole. Yet the two states diverge sub-
stantially in the types of institutions they have established. While France
maintains a strict color-blind code, Britain has accepted a number of

[14] By race relations, I refer to the interactions of people across boundaries commonly
thought of as racial or ethnic.

race-conscious policies. Whereas France has traditionally preferred to use the criminal law to fight racism, Britain relies heavily on the civil law for punishing discrimination. Britain has erected a quasigovernmental organization to encourage good race relations, in contrast to the pride of place granted to non-governmental associations in France's antiracist structures.

Why these differences? Factors that at first blush might seem to account for such policy divergence do not offer satisfactory explanations. Britain and France share more similarities than differences in their economies and democratic political systems; both were leading colonial powers and experienced decolonization at approximately the same time; and both received large and comparable quantities of ethnic minority immigrants in the decades following World War II (see Hansen 2000, Rose 1969, Weil 1995).[15] Moreover, Britain and France – in contrast to other large European countries such as Germany – have turned their minority populations into citizens at a relatively rapid rate (Brubaker 1992; Hansen 2000).[16] Although Britain's percentage of ethnic minority citizens is greater than France's, this has by no means dictated the different outcomes in the two countries. Britain and France are not perfectly parallel societies; nevertheless, it is difficult to find two countries that share more in common along so many critical dimensions. Policy variation in light of such economic and demographic similarities demands further inquiry.

The goal of this book is to describe, analyze, and explain the differences between the British "race relations" model and the French "antiracism"

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[15] By 1966, England and Wales combined were estimated to have just over 900,000 "coloured" residents (Rose 1969: Appendix table III.v.). In 1968, the French census enumerated just under 700,000 foreign residents of African or Asian origin (Weil 1995: Appendix VI), a count that did not include ethnic minority citizens (for which France keeps no statistics).

[16] As of the 1991 census, 1.42 of the 3.02 million total ethnic minority population in Britain were native born and therefore UK citizens (Salt 1996: 132). Combined New Commonwealth and non-European alien naturalization in the UK averaged 56,400 per year between 1983 and 1994 inclusive (Hansen 1997: 341). Foreign nationals of African or Asian origin in France totaled 2,069,890 in 1990. Nationality acquisitions in France averaged 50,242 per year from 1980–9 and rose to a 1990–3 average of 70,487 per year. These figures include acquisitions of nationality from all immigrant groups, of which Africans and Asians together comprised 57.4 percent in 1990 (Weil 1995: Appendices VI and VII). In contrast, annual acquisitions of citizenship for the combined group of Turks, Yugoslavs, Italians, Greeks, and Spanish (the core immigrant groups) in Germany from 1981–8 averaged 4,500 (Brubaker 1992: 83).

approach. Doing so illuminates not only the cases at hand, but also proves relevant at a broader geographic level. Both in Europe and North America, scholars, activists and policymakers are searching for solutions to problems of racism. Britain and France have over three decades of experience with their antidiscrimination institutions. Examining and understanding how these policies came into being, how and why they differ, and what effects they have had in their settings will hopefully enrich intellectual and policy debates in all advanced industrialized countries struggling with this challenge of diversity.

Race Relations Versus Antiracism: The British and French Approaches Compared

What are the principal differences between the British race relations approach and the French antiracism model? British and French race policies diverge along a variety of major and minor dimensions.[17] While many of the smaller differences are revealed in the following chapters, this project focuses its attention on the most significant differences between the two nations. In order to identify the critical policies, I look to the passage of legislation that has defined race policies in each country. British race relations legislation, established through three major rounds in 1965, 1968, and 1976, has formed the core of Britain's race institutions, setting out most of the general rules and founding many of the official organizations devoted to race issues. France passed its cornerstone antiracism law in 1972, and then passed two subsequent laws in 1978 and 1990 that reinforce its institutions.[18]

Before looking to race policy differences, it is helpful to distinguish among access, expressive, and physical racism. Access racism involves discrimination in employment, housing, and provision of goods and services; expressive racism is manifested through inflammatory statements or written expressions made against individuals or groups; and physical racism relates to attacks against persons or destruction of property

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[17] See also Lloyd (1991), Crowley (1993).

[18] Each country has other sources of race policies, such as those that emanate from the cabinet or bureaucracies. These policies will be described in passing, although no attempt is made to cover them exhaustively since the primary race institutions in each country have their origins in the passage of antiracist legislation. Each country is also in the process of adding new elements to its race structures. Because these are ongoing developments, they cannot be analyzed as exhaustively as previous laws. They are, however, treated in the concluding chapter.

motivated by racial hatred.[19] At first blush, policies in Britain and France appear to be quite similar, as each country has outlawed essentially the same gamut of racist crimes, penalizing especially access and expressive racism, while resisting new laws to counter physical racism. Moreover, in contrast to the United States, each country has rejected "hard" affirmative action.[20] But these surface similarities mask important differences between the countries. Five central factors distinguish the two countries:

1. The legal procedures used to punish certain types of racist infractions
2. The actors responsible for spearheading the fight against discrimination
3. The existence (or absence) of punishment for denying the Holocaust
4. The existence (or absence) of penalties depriving convicted racists of their civil rights
5. The existence (or absence) of race-conscious policies covering indirect discrimination, positive action, and ethnic monitoring.

Access racism is punished in a significantly different manner on either side of the English Channel. Britain uses the civil law to penalize acts of discrimination in employment, housing, and provision of goods and services. French laws have favored the punishment of these kinds of racist acts by the criminal law.[21] The use of criminal versus civil law has significant implications. In 1991, for example, British civil procedures led to 1,471 cases of employment-related discrimination. By contrast, in 1991 employment-related convictions in France totaled four (Banton 1994: 485). These figures reflect the fact that getting convictions for access racism is extremely difficult when using criminal standards of proof (Costa-Lascoux 1994: 26, Vourc'h, de Rudder, and Tripier 1996: 159).[22]

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[19] This typology is intended to facilitate discussion. It is akin to the distinction between discrimination, hate speech, and hate crimes, although it differs from this distinction based upon how Britain and France categorize certain offenses.

[20] Hard affirmative action involves hiring goals required of government contractors, accepted by consent decrees or ordered by courts, and often involves a deliberate adjustment of standards in employment and education (Teles 1998: 1004).

[21] In the past few years, France has turned its attention to the potential for punishing access racism through the civil law, a move discussed in the concluding chapter.

[22] These figures are not perfectly comparable, however, since not all British cases resulted in convictions and since the number of French convictions is higher than officially enumerated, given that, as Costa-Lascoux (1994: 376) notes, the statistics only contain the primary offense for which the guilty party was convicted. Nevertheless, the cross-national differences in cases brought to court and convictions obtained remains substantial.