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REPORT

drawn up on behalf of the Committee of Inquiry into the
Rise of Fascism and Racism in Europe

on the findings of the Committee of Inquiry

Rapporteur : Mr D. EVRIGENIS



By letter of 12 September 1984, Mr Rudi ARNDT, chairman of the Socialist Group of the European Parliament, requested the President of the European Parliament to set up a Committee of Inquiry into the Rise of Fascism and Racism in Europe under Rule 95 of the Rules of Procedure. Following the President's positive decision on the request for admissibility of 28 September 1984, the European Parliament ratified the membership of the Committee of Inquiry and its terms of reference on 24 October 1984 and the committee met for the first time on 25 October 1984.

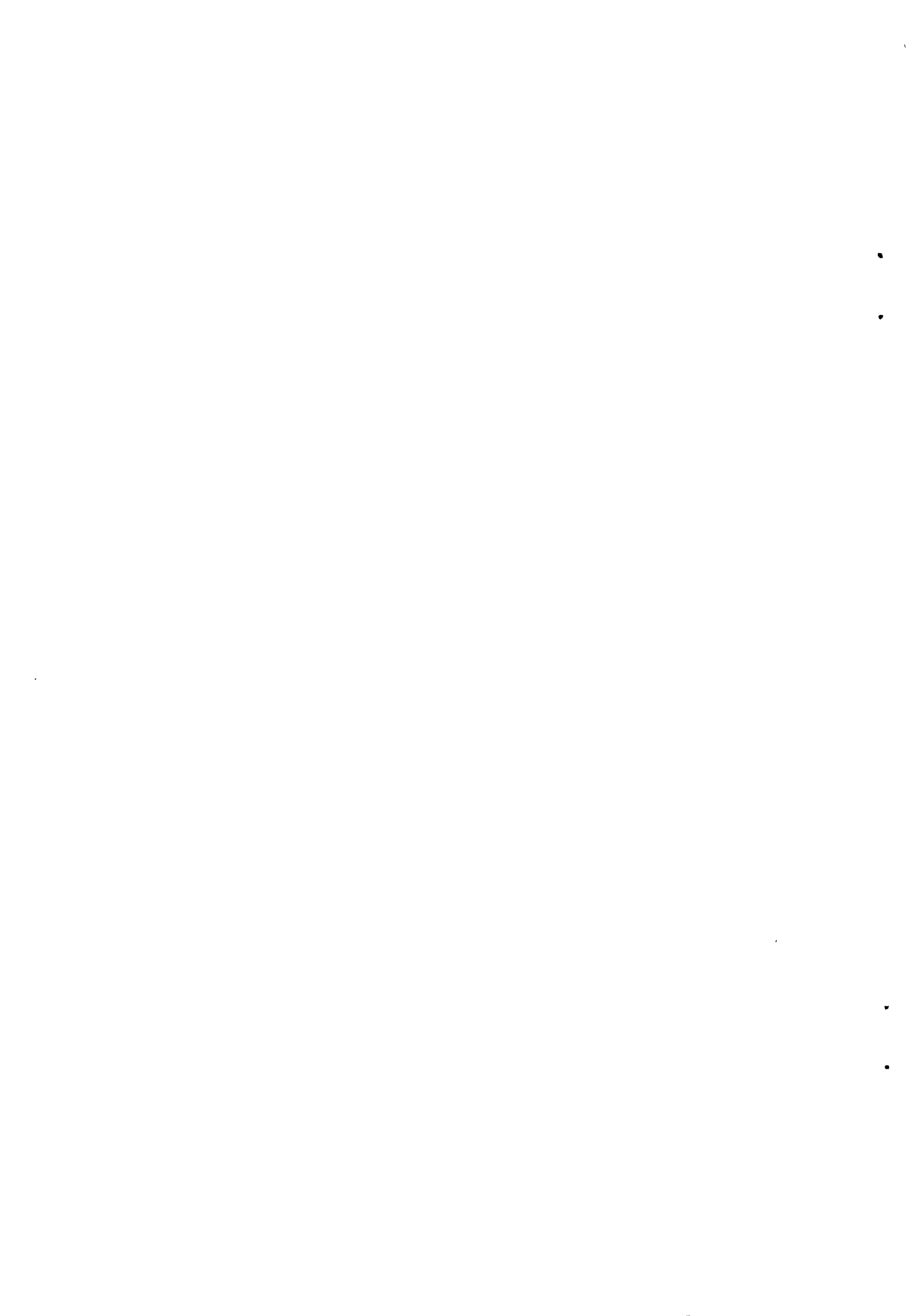
At its meeting of 28-29 November 1984 the Committee of Inquiry appointed Mr EVRIGENIS rapporteur.

The committee considered the plan of the draft report, preliminary outline at its meeting of 22-23 January 1985; it held three public hearings on 30-31 January 1985, 25-26 February 1985 and 18-20 March 1985; it met on three occasions on 25-26 April 1985; 13-14 May 1985, 17-18 June 1985 to hear further contributions from various experts; it met subsequently on 25-26 September 1985 and 18-19 November 1985 to discuss the draft report.

At its meeting of 18 and 19 November 1985 the committee adopted the report in a roll-call vote by 13 votes in favour, with one abstention.

The following took part in the vote : Mr FORD, chairman; Mr PRAG and Mr CHAMBEIRON, vice-chairmen; Mr EVRIGENIS, rapporteur; Mrs d'ANCONA, Mr CASSIDY (deputizing for Mr Prout), Mrs FONTAINE, Mr HABSBURG, Mrs LARIVE-GROENENDAAL, Mr van der LEK, Mr ROTHLEY, Mr SELVA and Mrs VAN HEMELDONCK.

The report was tabled on 22 November 1985.



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1. GENERAL CONSIDERATIONS

1.1 BACKGROUND

1.1.1 The Establishment of the Committee

1. By letter of 12 September 1984, Mr Rudi ARNDT, Chairman of the Socialist Group of the European Parliament, informed the President of the European Parliament that more than 109 Members had signed the proposal to establish a Committee of Inquiry to examine the Rise of Fascism and Racism in Europe. The President agreed to implement the proposal as soon as possible pursuant to Rule 95 of the Rules of Procedure. The letter was accompanied by the request, signed by 113 Members, specifying the terms of reference (see 1.1.3. below).
2. This request and the letter were discussed by the Bureau of the European Parliament at its meeting of 28 September 1984. After a wide-ranging exchange of views on the compatibility of the request with Rule 95(1.) of the Rules of Procedure, the President took the decision, in accordance with the interpretation given by the Committee on the Rules of Procedure to Rule 95(1.), that the request met the criteria laid down in the Rules of Procedure and that it was therefore admissible. The Bureau decided that the composition of the Committee of Inquiry should not exceed fifteen Members, that the final report should be submitted to the House by 30 June 1985 ⁽¹⁾, and asked the political groups to submit proposals for the allocation of seats and to forward the list of Members to serve on the Committee in time for the Bureau meeting on 9 October 1984.
3. The matter was raised again at the Bureau meeting of 9 October and subsequently at its meeting of 23 October at which the names of Members for the Committee of Inquiry had been submitted. The President announced in plenary on Wednesday, 24 October 1984 that the Bureau, in accordance with Rule 95(2.), had received proposals concerning the membership of the Committee of Inquiry into the Rise of Fascism and Racism in the Community and elsewhere in Europe. The list of candidates was included in Annex I to the minutes ⁽²⁾. The President announced that if no objections were raised to this list before the approval of the minutes, the appointments would be considered ratified. No objections were so raised and the minutes were adopted on Thursday 25 October 1984. The constituent meeting of the Committee then took place on Thursday, 25 October 1984.
4. Rule 92 of the Rules of Procedure requires that nominations for committee membership ensure fair representation of Member States and of party views. The political groups followed this rule in making proposals to the enlarged Bureau, which were subsequently approved by Parliament.
5. Four members were nominated from the Socialist Group (130 Members from all EC Member States but Ireland); four from the Group of the European People's Party (Christian-Democratic Group) with 110 Members from parties in all EC Member States but the UK); two member from the European Democratic Group (with 50 MEPs from the UK and Danish Conservative parties); one member from the Communist and Allies Group (representing the 43 members from parties in Italy, France, Greece and Denmark); one member from the Liberal and Democratic Group (31 members from parties in all EC Member States, except Germany and the UK); one from the Group of the European Democratic Alliance (29 members from

parties in France, Ireland and Scotland); one from the Rainbow Group: Federation of the Green-Alternative European Link, Agalev-Ecolo, the Danish People's Movement against Membership of the EC and the European Free Alliance of the EP (bringing together 19 members from parties in Germany, Denmark, Belgium and the Netherlands); and one from the Group of the European Right (16 members from the French National Front, the Italian MSI-DN, and the Greek EPEN). One observer from the non-attached members was also nominated.

6. The following Members were appointed to the Committee:

Mr Glyn FORD (elected Chairman), Mr Derek PRAG (elected First Vice-Chairman), Mr Robert CHAMBEIRON (elected Second Vice-Chairman), Mrs ANGLADE, Mrs CHARZAT, Mr DUCARME, Mr EVRIGENIS, Mrs FONTAINE, Mr HABSBURG, Mr van der LEK, Mr d'ORMESSON, Mr PROUT, Mr ROTHLEY, Mr SELVA, Mrs VAN HEMELDONCK. Mrs CHARZAT was replaced by Mrs FUILLET by letter of 25 April 1985.

Substitutes: Mrs d'ANCONA, Mr AVGERINOS, Mr CASINI, Mr de CAMARET, Mr CROUX, Mrs DURY, Mr GAWRONSKI, Mr MALAUD, Mr NEWTON DUNN, Mr PENDERS, Mr PRICE, Mr ROSSETTI, Mr SCHWALBA-HOTH, Mr STAUFFENBERG, Mr ZAGARI.

Observer: Mr ULBURGHS.

1.1.2 Legal bases and interpretation of the mandate of the Committee of Inquiry

7. A number of Members held reservations on the conformity in substance of the act setting up the Committee with Rule 95(1.) of the Rules of Procedure, in view of the scale and nature of the inquiry. These reservations were expressed at the meeting of 28-29 November 1984 (PE 94.269/rev., p. 4).
8. Mr LE PEN, Chairman of the Group of the European Right, wrote to the President of the European Parliament on 27 December 1984 questioning the procedural interpretation of Article 95 under which the Committee was established and asking that the Committee of Inquiry's work be suspended forthwith, that the Rules and Petitions Committee be seized of the matter, and in the absence of either of these, suggesting that application might be made to the European Court of Justice for a ruling that no Committee of Inquiry can be set up, whose aims do not clearly form part of the activities of the three European Communities (3).
9. Mr LE PEN wrote to Mr FORD on 16 January 1985 in a similar vein, informing Mr FORD that the Group of the European Right would contest by all means the validity of this Committee, would no longer attend the Committee, would deny the Committee any authority or standing, and would retain the right of taking any defamatory or prevaricatory allegation to court. Mr FORD wrote to the President on 18 January 1985 asking his advice on the letter. By letter of 22 January the President explained that he had to oversee the execution of the decision of the Bureau and the Parliament which had fixed the composition of the Committee of Inquiry under Article 95 of the Rules of Procedure. The Committee, he underlined, had to submit its report in the time set.
10. On 1 April 1985 an application was lodged at the Registry of the Court of Justice of the European Communities in Luxembourg by the Group of the European Right, represented by its Chairman, Mr LE PEN. The applicant sought an order setting aside the decision of the European Parliament and its President on the grounds that:

- the committee was not a committee of inquiry;
- the subject matter of the inquiry did not fall within the sphere of activities of the Communities;
- the aim of the action constituted a discrimination against a political group of MEPs.

11. The European Parliament applied to the Court for a decision on a preliminary objection on 2 May 1985. The applicant lodged his submissions on these arguments on 4 June 1985.

1.1.3 Terms of Reference

12. The terms of reference of the Committee of Inquiry were those submitted by the 113 signatories. No changes were made to them by the President or the Bureau of the European Parliament in the discussion of the Committee of Inquiry's establishment. The Committee of Inquiry was requested to report urgently on:

1. the growth and size of fascist, racist and related groups within Europe, both inside and outside the Community;
2. the inter-connection and links between these groups;
3. the relationship between their activities and racism in Member States;
4. the relationship between the growth of fascism and racism and the worsening economic and social conditions, for example, poverty, unemployment, etc.;
5. an examination of the machinery already used by Member States' Governments to respond to these organizations;
6. ways of combating them.

At meetings on 28-29 November and 17-18 December the Committee considered and finally adopted a three-page interpretative list of points for consideration by the experts, (PE 94.424/fin.), based on these terms of reference (see Annex 2).

1.1.4 Working Procedures and Methods

13. Given the brief time available and the limited budget, the Committee decided to gather its information:

- through ordinary public meetings in Brussels;
- through public hearings in Brussels;
- through encouraging written submissions;
- and, if possible, through visits to particular areas.

14. The Committee met in public nine times between 1 November 1984 and 30 June 1985 at the European Parliament, 97-113 rue Belliard, Brussels. These meetings included exchanges of views with various representatives of Community organizations including the Commissioner responsible for Social Affairs, Mr Ivor Richard, on 18 December 1984, a representative of the Council of Ministers in April 1985 and representatives of the appropriate services of the Commission in December 1984 and April 1985.

15. The Committee decided at its earliest meetings that it would hold three public hearings in Brussels with experts on matters relevant to its terms of reference. These public hearings were held on 30-31 January, 25-26 February and 18-20 March 1985 and allowed Members to talk with twenty-three eminent experts on matters of concern to the Committee's terms of reference. The hearings were well-attended by members of the general public.
16. The Committee spoke with representatives of the European Trade Union Confederation and 'SOS Racisme' on 25-26 April 1985. At the meeting on 13-14 May the Committee spoke with a number of representatives of organizations from the Brussels and Limburg areas concerning political refugees and migrant workers. It also talked with Mr Aldo ANIASI, Vice-President of the Italian Chamber of Deputies.
17. The Committee approached a number of other experts for written submissions, and encouraged its Members to submit informal reports to the rapporteur to help him in the preparation of his report. Written submissions were made by certain of the experts who were invited to attend the hearings and further evidence was provided by individuals and organizations without specific invitation. Opinion poll and survey research data was sought from organizations across Europe, and from Eurobarometer.
18. Various international organizations were contacted, and a number of non-governmental organizations, who had become aware of the Committee's work contacted the Committee.
19. The large amount of material gathered was made available to the rapporteur of the Committee. Committee members were able to consult it.

1.1.5 Documentation

20. The services of the European Parliament provided initial documentation on the major themes of the Committee of Inquiry's work which were circulated to all Members in the early meetings (4). Documentation from national parliaments was requested. Extensive documentation was forwarded from, in particular, the United Nations and its Centre for Human Rights and the Committee for the Elimination of All Forms of Racial Discrimination, the Council of Europe, its Parliamentary Assembly, the Committee of Ministers, the European Commission and Court of Human Rights, and the International Labour Office. The Institute of Jewish Affairs, London, opened its voluminous archives to the Committee.

1.1.6 Written Evidence

21. Many organizations and individuals submitted written evidence to the Committee of Inquiry. A list of those who did is annexed in part 3.B.

1.1.7 Hearings and public meetings

22. The Committee of Inquiry held three public hearings and heard:

(a) At the first hearing on 30-31 January 1985

Mrs Marie-José CHOMBART DE LAUWE, Centre nationale de la recherche scientifique (CNRS), Paris, France;
 Mrs Brigitte GALANDA, Dokumentationsarchiv des osterreichischen Widerstandes, Vienna, Austria;

Mrs Joke KNIESMEYER, Anne Frank Stichting, Amsterdam, Netherlands;
Prof. Bhikhu PAREKH, University of Hull, United Kingdom;
Mr Jean-Francois REVEL, journalist, Paris, France;
Prof. Dr. Erwin K. SCHEUCH, University of Cologne, Germany.

(b) At the second hearing on 25-26 February 1985

Mrs Ann DUMMETT, Director, Runnymede Trust, London, United Kingdom;
Mrs Philomena ESSED, Author 'Alledaags Racisme', Amsterdam, Netherlands;
Professor Raoul GIRARDET, Institut d'Etudes Politiques, Paris, France;
Professor Franz GRESS, Frankfurt University, Germany;
Mr Mervyn KOHLER, Help the Aged, London, United Kingdom;
Professor Olivier PASSELECQ, Institut d'Etudes Politiques, Paris, France;
Mrs George PAU-LANGEVIN, Mouvement contre le racisme et pour l'amitié
entre les peuples (MRAP), Paris, France;
Mr Simon WIESENTHAL, Director, Jüdisches Dokumentationszentrum, Vienna,
Austria.

(c) At the third hearing on 18-20 March 1985

Mr André GLUCKSMAN, author, Paris, France;
Prof. Ernest MANDEL, Université Libre de Bruxelles, Belgium;
Dr. Gunter MULLER, Bundestag, Bonn, Germany;
Mr Michael MAY, Assistant Director, Institute of Jewish Affairs, London,
United Kingdom;
Prof. Marco REVELLI, Turin University, Turin, Italy;
Prof. Stephen ROSE, Professor of Biology, Open University,
Milton Keynes, United Kingdom;
Mr Martin SAVITT, Board of Deputies of British Jews and World Jewish
Congress-Europe, London, United Kingdom;
Prof. Mikhail VOSLENSKY, Forschungsinstitut für Sowjetische Gegenwart,
Munich, Germany.
Mr Oscar Luigi SCALFARO, Minister of the Interior of the Republic of
Italy, agreed to participate as an expert in this hearing.

(d) At the public meeting of 28-29 November 1984, the Committee heard:

Mr George William O'BRIEN, Commission official;
Mrs Daniela NAPOLI, Commission official.

(e) At the public meeting of 17-18 December 1984, the Committee heard:

Mr Ivor RICHARD, Commissioner responsible for Social Affairs, Commission
of the EC, Brussels;

(f) At the public meeting of 25-26 April 1985, the Committee heard:

Mr Paolo ADOURNO and Mr Peter COLDRICK, European Trade Union
Confederation, Brussels, Belgium;
Mr Harlem DESIR, SOS-Racisme, Paris, France;
Mrs Daniela NAPOLI, Commission official;
Mr W. NICOLL, Director-General in the Secretariat of the Council of
Ministers;
Mr Yannick SAMSUN, SOS-Racisme, Belgium.

At the public meeting of 13-14 May 1985, the Committee heard:

Mr Aldo ANIASI, Vice-President of the Chamber of Deputies of Italy.
Mr Bruno ANGELO and Mrs Marie-Claire ROSIERS, Provinciale Dienst voor
Onthaal van Gastarbeiders (Limburg), Belgium;
Mr Jef CLEEMPUT, Caritas Catholica, Brussels, Belgium;
Mr Bruno DUCOLI, Centre Socio-Culturel des Immigrés de Bruxelles,
Belgium;
Mr Gaetan de MOFFARTS, Vlaamse Overleg Comite over Migratie (VOCOM),
Brussels, Belgium;
Prof. André NAYER, Université libre de Bruxelles, representing the
Mouvement contre le racisme, l'antisémitisme et la xénophobie (MRAX),
Brussels, Belgium;
Mr Jacques ZWICK, Ligue des Familles, Brussels, Belgium

1.1.8 Visits

23. The European Parliament's budgetary situation was such that the Committee was unable to visit places outside the three places of work of the European Community. Members of the Socialist Group in the Committee organized conferences in London and Manchester, which Members of certain other groups attended. A number of organizations and groups representing minorities attended these meetings and some of them made submissions. Reports on the conferences and the submissions were forwarded to the rapporteur (see list Annex 3).

1.2 ACKNOWLEDGEMENTS

24. The rapporteur wishes to thank all those who have contributed to the accomplishment of this task : the experts and the representatives of institutions and organizations who have testified before the Committee; the organizations and institutions who have provided ample documentation, and especially the Institute of Jewish Affairs of London, for putting at the Committee's disposal its archives and library which represent a unique source of material for this type of research; the members of the Secretariat of the Committee and the technical advisers who spared no effort to ensure the successful completion of the task; and last but not least, his colleagues in the Committee for their contribution to the discussions.

1.3 IMPORTANCE OF THE INQUIRY. THE COMMUNITY CONCERN

25. It would be hard to exaggerate the importance of this inquiry. Let us examine in turn each of the concepts constituting its subject.
- (a) In the pages which follow we shall be considering the concept of fascism but it can be said already at this point that the very title of our inquiry immediately brings to mind the reality of the totalitarian policy which dominated in Europe before and during the last war. That being the outstanding feature of the concept, it is only natural that a democratic Europe, manifest in the Community and its parliamentary institution, should be particularly concerned over any possibility of the re-emergence of fascist trends. It happens that the inquiry has been concluded in the year of the fortieth anniversary of that terrible and destructive event. This fact, beside its cautionary symbolism, has imbued our Committee's work with a special sense of historic responsibility. It has approached its task as the performance of the democratic duties of spreading knowledge and maintaining vigilance.⁽⁵⁾

- (b) Europe will never forget the bloodshed and humiliation that were the expression of racism under the totalitarian regimes. And it is significant that Europe is now building its future on the basis of reconciliation and cooperation among its constituent nations. The Community approach means, by definition, the renouncement of nationalist rivalries. Even more obviously, it means the rejection of all racist tendencies within the European context. But, having thrown its doors wide open after the war to newcomers of a variety of ethnic origins who came here, individually or in groups, either to join in the work of reconstruction and development or seeking in its lands refuge, freedom and justice, Europe today presents a much enriched ethnic and cultural picture. In a world tending increasingly towards a global village, the pluralism so characteristic of the community of European nations is gradually acquiring a new meaning. Like all great changes in history, this transformation is not without its problems and painful shocks. When the stresses of an economic and social crisis accompany the friction that inevitably results from the shaking down together of people differing in their ethnic origins, culture and religious beliefs which may, indeed, by their content, tradition or particular political orientation be directly opposed, there is always a danger that a climate of intolerance or xenophobia may arise and occasionally prove alarming in its manifestations. Conscious of its responsibility, Europe must face this challenge frankly and clear-sightedly, with the kind of political integrity and moral courage which have marked the best hours of its history. The European synthesis which is now underway can only be achieved in accordance with the principles of which historical Europe, now partially united within the Community, has always regarded itself as the inspirer, creator and guardian. The European Parliament, representing directly the political forces and trends in Europe today, must, in this field also, assume fully its responsibilities in the areas of information, discussion and action. It is in this spirit that our inquiry has been undertaken.

1.4 SCOPE OF THE SUBJECT AND LIMITS OF THE INQUIRY

26. (a) In view of the foregoing it will be seen that one of the difficulties inherent in the inquiry, and hence in the drafting of the present report, has been the scope of its subject. Its two conceptual poles - fascism and racism - are terms which it is not easy to define or circumscribe. Side by side with a multitude of various scientific definitions: political, historical, sociological, psychological or anthropological, there are often very different meanings given to them in the various political jargons, frequently coloured by implicit political inspirations. Thus the definitions derived from an analysis of political and social conditions and very often semantically warped by the propagandist nature of their use. Avoidance of the pitfalls inherent in the partisan manipulation of these terms has been one of the chief preoccupations of the rapporteur.
- (b) Another difficulty, this one arising from the terms of the brief given to our Committee, resides in the interdependence between fascism and racism suggested by its wording. While such an interdependence is borne out to the extent shown in subsequent sections of the report, it is nevertheless true that if fascism were to be examined in its racist aspect and above all if racism were to

be analysed as an integral part, or a by-product, of certain types of organized fascism, this would limit the scope of the inquiry and arbitrarily restrict the matter to be discussed. It became apparent to the committee in the course of its work that its terms of reference needed to be broadened and relaxed if the true dimensions of the phenomena concerned were to be assessed and their causes evaluated in an objective manner. Thus, for example, it would not have been possible to bring out the widespread nature of xenophobic attitudes - which is one of the more important conclusions of the inquiry - had the Committee adhered closely to the preconceptions suggested by the terms of reference. Similarly, had a fragmentary or dogmatic view of the subject been adopted, artificial and politically unjustifiable barriers would have arisen in the way of formulating a set of recommendations for possible action at Community, national and international level.

- (c) Like all other political and social phenomena, fascism and racism are part of that multi-dimensional structure that constitutes society. It would be mistaken, in a parliamentary inquiry to try and isolate them for examination in artificially aseptic conditions appropriate to laboratory research. It must always be remembered that we are dealing with human conduct and social behaviour which are part of the past and the present and which can only be perceived, conceived and assessed by reference to, and as part of, that history. Evidently, it was not the Committee's nor, more particularly, the rapporteur's task to try to write the political history of Europe. Knowing full well that it would be neither realistic nor appropriate to aim for an exhaustive study, either in terms of fact-finding or theoretical analysis, the rapporteur contented himself with an honest attempt to take into account, wherever possible, the historical and political context of the phenomena under consideration. He is all too conscious of the limitations of his achievement.
- (d) Not the least of the difficulties was the question of the spatial extent of the inquiry. An attempt to describe and assess the situation in all the European countries was a task beyond our means. As a result there are variations of quantity and quality from country to country as regards the description of facts (Chapter 2) and of the mechanisms at work (Chapter 3). Some countries do not appear in this survey, while others have been treated in particular detail thanks to the availability of relevant information. These differences are due not only to the inquiry's excessive geographical breadth, but also to a number of other factors which the reader will find in the foreword to Chapter 2 of the report (see paragraph 48 below).
- (e) In accordance with the Rules of Procedure (see 2), the inquiry had to be completed in a relatively short time. The time available to the rapporteur, in particular, for preparing his draft report after the close of the inquiry stage was very limited compared with the enormous mass of information to be taken into account. This is one factor, among several, which undoubtedly will have affected adversely the quality of the present document.

(f) The rapporteur also wishes to put the following on record: having to analyse, for the purposes of the report, phenomena which lie at the very base of present-day political and social conditions, the rapporteur was of necessity obliged to make reference to bodies, organizations and occasionally individuals active in national or European politics. While such references must inevitably, if only by implication, constitute some kind of political appreciation for the purposes of the inquiry, it should be clearly understood that the mention of a person or a body does not in itself constitute an appraisal or a judgement in their respect. Some readers may find these references too explicit, others, the contrary. The balance required by the duty of objectivity has not been easy to achieve and the rapporteur is well aware of this. He has, at any rate, tried at all times to ensure that the report should not fall into an accusatory mode which may be appropriate in contexts other than that of the findings of a Committee of Inquiry.

(g) Finally, a word of explanation is due on the overall tenor of the report. As the rapporteur has been stressing since the first meeting of the Committee, a subject of such vast temporal and spatial dimensions which is also, to a large extent, theoretical and, by its nature, likely to be politically controversial, cannot be easily fitted into the terms of reference of a Committee of Inquiry as defined in Rule 95 of the Rules of Procedure. Our Committee's experience should serve in the future towards establishing an interpretation of this provision which will be closer both to its wording and its aim and make it more suitable as one of the means of investigation available to the European Parliament. Some comments on the system of committees of inquiry will be forwarded to the President of the European Parliament in the light of the experiences of our Committee (see PE 101.760).

Be that as it may, once it was set up, our Committee had to make the best of its task. The report completing its inquiries reflects, its author trusts, the aim of objectivity in the collection and assessment of information but also a desire to reach conclusions which, avoiding blandly inoffensive generalities, might nevertheless command a very broad consensus both within the Committee and in Parliament as a whole. This applies particularly to that part of the report which deals with recommendations for possible action at Community, national or international level. It would be a source of particular satisfaction to the rapporteur if this work could demonstrate the existence of an area of understanding lying beyond the political divisions which are natural and legitimate in a democratic Europe.

1.5 DEFINITIONS

1.5.1. Fascism : Definitions

27. The invited experts and the authors of written submissions have provided the Committee with a large variety of definitions and paths to pursue. Some experts identified fascism with the ruling themes of movements of the extreme right : virulent nationalism, outright rejection of democracy and of the traditional political forces and trade unionism, xenophobia, racial superiority arbitrarily defined, anti-egalitarianism, the cult of the leader, falsification of history, the glorification of certain dictatorships, these were the characteristics mentioned most often, and particularly by Mrs Galanda and Mrs Chombard de Lauwe.

28. There was widespread insistence that the phenomena under consideration must be placed in a historical perspective, some experts, even maintaining that the term 'fascism' should be confined to the movements active in inter-war Europe under that name (Mr Girardet, Mr Passelecq and Mr Gress). Another definition relied on the method of access to power and would, according to Mr Mandel, justify the drawing of analogies between different historical periods. Yet a third method of demarcation contemplated the objectives of fascism. Mr Savitt and Mr Revel considered that any organization aiming to subvert the democratic order should be labelled fascist. In the same spirit, Mr Voslensky warned against the over-refining of definitions since that carries the danger of camouflaging the perverse and noxious nature of anti-democratic organizations and systems. He, together with Mr Glucksman, therefore preferred to deal with the concept of totalitarianism rather than of fascism, along the lines laid down by Hannah Arendt and her successors.
29. Research in history and political science displays a variety of interests and approaches as great as that with which the Committee found itself confronted. Nevertheless, from studies of authoritarian regimes in Western and Central Europe in the 1930s an 'idealized' model does emerge. According to J. Linz, fascism historically combines hyper-nationalism, anti-parliamentarism, anti-liberalism, anti-communism, populism, elements of capitalism and the aim of social integration to be effected through the single party, with representation of the corporatist type. It is characterized by a distinctive style and rhetoric (appealing to the emotions, evoking myths, glorifying action), activist cadres (recruited principally from the most alienated or the most upwardly or downwardly mobile social strata), and the resort to violence combined with participation in the electoral process (6). Another author, adopting a more theoretical approach, has categorized as many as nine different definitions. Thus fascism can be contemplated as one of the following: a dictatorial and coercive agent of bourgeois capitalism; the product of moral and cultural break-down; the result of psycho-social neurosis; the outcome of the rise of previously unorganized masses; the result of the historic process of economic growth; a typical manifestation of 20th century totalitarianism; resistance to 'modernization'; the expression of a specific radicalism of the middle classes; a conceptual hoax - there being no such thing as 'fascism in general' because of profound differences between the various movements bearing that name. This same author goes on to distinguish various versions of fascism: the prototypal Italian fascism, with its derivations in France, Great Britain, Belgium, the Netherlands, Hungary, Austria, Rumania and even Brazil; the national socialism of Germany, with its derivations in Scandinavia, Belgium and Hungary; the strongly Catholic Spanish phalangism; the Rumanian Legion and the Iron Guard, with mystical, semi-religious overtones; the Szalasi movement in Hungary; the abortive movements which tried to establish themselves in Eastern Europe by authoritarian or bureaucratic means (7).
30. In addition to the aspects already mentioned, the Committee also discussed four more specific questions during the course of its work with a view to obtaining an operational definition of the phenomena being studied: Who are the principal victims of fascist doctrines and movements? Is there any organic link between fascism and certain economic phenomena? What importance should be attached to the attitudes and doctrines of 'leader worship'? What are the similarities and differences between nazism and fascism?

31. Historically, fascist and nazi movements have chosen particular targets: Jews (see also paragraphs 26 and 34), gypsies, and also (as was pointed out in a document by Mr van der Lek and Mrs d'Ancona, members of the Committee⁽⁸⁾) homosexuals and individuals often considered to be on the fringe of society, weak or 'deviant'. Professor Rose and Mrs Essed have also drawn attention to the devaluation of women, whose social role is reduced simply to their 'reproductive functions'. These social categories are always a particular object of animosity to contemporary fascist groups, as are foreign workers and refugees, traditional trade union and political movements and organizations whose purpose is to support the most deprived and neglected members of society. It is nonetheless the case that the most extremist of these groups are themselves largely composed of those on the fringes of society. In short, whatever the particular fixations of one group or another, an essential component of fascism is discrimination between individuals and the denial of equal basic rights to all.
32. The question of the relationship between fascism and economic structures was also raised in the course of the Committee's work. This question is by nature more related to the analysis of causes and will therefore be dealt with subsequently (paragraphs 218-220). But it is also relevant here if one argues, in line with certain theories, that the conceptual basis of fascism lies in its relationship with the economy. This is the theory put forward by Professor Mandel, who sees the advent of nazism as the result of the strategy adopted by German industries to maximise their profits and prevent the establishment of the type of State the trade unions were striving for⁽⁹⁾. This theory was discussed on several occasions by the Committee during the course of its work. It has appeared, in various forms, in the works of many writers⁽¹⁰⁾, dating back as far as 1935-1936⁽¹¹⁾. We find it difficult to accept it as part of a working definition for several reasons:
- (a) The analysis of the facts on which this hypothesis is based is still largely open to dispute. Increasing importance is now attached to the contribution of small businessmen and the middle classes to the advent of nazism rather than to any decisive influence on the part of big business⁽¹²⁾.
 - (b) An 'economic' explanation of fascism would have to account for the differences in the levels of development of the countries which succumb to its influence. Only 24% of the working population in Italy were employed in industry in 1921, as compared with 42% in Germany in 1925⁽¹³⁾.
 - (c) It would also have to account for the diversity and incompatibility of the economic policies of the different examples of fascism: the autarkical objectives of Germany as compared with Italy's willingness to use foreign markets; the difference in emphasis on either agricultural development or the role of the bureaucracy; differences in planning methods and corporatist representation; contrasting war economies; etc.
 - (d) Last, and most important, it is difficult to situate this theory in the economic and social context of today.

The rapporteur considers that the economic foundations and consequences of fascism are uncertain and do not constitute linear phenomena. While he does not wish to make any judgment on the validity of economic explanations of fascism, he cannot accept them as part of a working definition of the phenomena under consideration.

33. Should leader worship be included as a generic factor in the definition of fascism? Yes, in the case of fascism in the historical context, but not if one is talking about the present-day movements grouped under this name. In actual fact - and this is one of the features of our inquiry which will at least appear to be confirmed in the sections dealing with the national situations - we have detected only the faintest echo of leader worship in the groups studied. This is doubtless to be explained by the difference in social context in the 'thirties and today. In the former, leader worship was a temptation even for democratic movements. Nowadays even the majority of extreme-right groups are more likely to show an aggressively libertarian attitude, which partly explains the numerous internal schisms which develop. Does this mean that all kinds of 'group pathology' have disappeared? Certainly not. But what is sought from the group now, instead of the reassurance obtained from size and a personality cult, is a kind of mutual emotional support.
34. The question of similarities and differences between nazism and fascism was also discussed in our Committee. Some speakers have stressed the importance of the Mussolini factor in the rise to power and the establishment of the Hitler regime, as well as the existence of some ideological sources and totalitarian longings common to both. Others, including Mr Wiesenthal, have underlined the difference in scale, especially as regards political assassinations, or, again, have pointed to the anti-semitic aspect of nazism as distinguishing the two regimes⁽¹⁴⁾. For the purposes of the present report, which is concerned with contemporary manifestations of the phenomenon in question, it has to be said that the ideological confusion characteristic of most extremist groups makes differentiation extremely difficult. Nevertheless, the evil fascination which nazism continues to exert with its symbolic paraphernalia calculated to excite paroxysms of violence, together with the dispersion of former nazis in many parts of the world, combine to impart to 'neo-nazism' a particular character as well as ensuring its much broader geographical spread. It should also be noted that nazi inspiration, disguised more or less in the form of references to the SA and to 'Strasserism'⁽¹⁵⁾ lies at the heart of the specific thinking of the extreme right, an ideology which is equally condemnatory of the United States and the Soviet Union, is at the same time anti-communist, anti-atlanticist and anti-zionist. 'Strasserism' often serves to justify acts of terrorism, responsibility for which is difficult to determine precisely.
35. Faced with such a variety of definitions, it was evidently not the Committee's task to solve theoretical problems and decide the finer points which properly belong to the domain of political science. Since the Committee's brief speaks of 'fascism', this must be understood as a generic term incorporating a number of interchangeable expressions used in this context, such as 'the extremism or the nationalism of the Right', 'neo-nazism' or 'neo-fascism'. The term 'fascism' must also be stripped of certain connotations conferred on it by its use as 'the idea of struggle', (Kampfbegriff) in the parlance of some sections of the Left. In view of the foregoing, your rapporteur considers that for the working purposes of this inquiry, the fundamental characteristic of

fascism is a nationalistic attitude essentially hostile to the principles of democracy, to the rule of law and to the fundamental rights and freedoms as well as the irrational exaltation of a particular community, in relation to which people outside it are systematically excluded and discriminated against. This attitude permeates the ideology, the thinking, the activity and the aims of its adherents⁽¹⁶⁾. It is this definition that will be the working hypothesis on which the content of this report is based.

1.5.2 Racism : Definitions

36. Unlike 'fascism', the term 'racism' has been defined in fairly similar ways by international organizations, in particular the UN and UNESCO. On four different occasions UNESCO asked experts to analyse the concepts of race and racial prejudice. The experts concluded that :

'Neither in the field of hereditary potentialities concerning the overall intelligence and the capacity for cultural development, nor in that of physical traits, is there any justification for the concept of 'inferior' and 'superior' races.'⁽¹⁷⁾

Consequently :

'racist theories can in no way pretend to have any scientific foundation.'

According to UNESCO, racism consists of 'antisocial beliefs and acts which are based on the fallacy that discriminatory intergroup relations are justifiable on biological grounds'⁽¹⁸⁾.

37. In the same way, the social aim of racism is 'to make existing differences appear inviolable as a means of permanently maintaining current relations between groups.'
38. On the basis of the above, the UNESCO General Conference of 27 November 1978 adopted the Declaration on 'Race and Racial Prejudice.' In Article 2 of the Declaration the principles of racism are thus described and evaluated:
- 'Any theory which involves the claim that racial or ethnic groups are inherently superior or inferior, thus implying that some would be entitled to dominate or eliminate others, presumed to be inferior, or which bases value judgments on racial differentiation, has no scientific foundation and is contrary to the moral and ethical principles of humanity.
- Racism includes racist ideologies, prejudiced attitudes, discriminatory behaviour, structural arrangements and institutionalized practices resulting in racial inequality as well as the fallacious notion that discriminatory relations between groups are morally and scientifically justifiable;...'
39. It should finally be added that Article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination for the purposes of the Convention adds to discrimination on the grounds of race or colour, discrimination on the grounds of 'birth', 'national origins' and 'ethnic origins'.

40. To these our experts added some further considerations: Mrs Essed and Mrs Kniesmeyer underlined the importance and the widespread nature of day-to-day manifestations of racism, of xenophobia and of more or less overt discriminatory attitudes. Professor Rose described the claims of 'scientific' racism and the false conclusions it draws from the results of biological, ethnological or psychological research. Professor Girardet spoke of the strong and continuing tradition of 'social Darwinism'. Mr Wiesenthal, Mr Savitt and Mr May described some of the forms taken by anti-semitism today. Many speakers referred to examples of national legislations having a racially discriminatory effect. Overall, racism has been described and perceived in three distinct though complementary manners: as a universal and spontaneous reaction of mistrust or hostility towards foreign groups; as a cultural phenomenon, the specific manifestations of which are determined by prejudices and habits of thought inherited from the past; and, finally, as the justification for aggressive or dominant behaviour. In addition, Professor Parekh stressed the importance which institutionalized forms of discrimination could have, even if they could not be described as 'State racism' in the strongest sense.

41. Among further considerations, the question of 'scientific' racism was raised several times, in particular by Professor Rose. The use of language and certain of the techniques of science to 'prove' that certain people or groups of people are innately superior to others is scientifically and epistemologically fraudulent for several reasons:

- because it is often based simply on manipulation of the facts as selected, presented or even invented⁽¹⁹⁾;
- because it is based on a precondition: the arbitrary definition of the 'superiority' being considered (cf the case of intelligence tests)⁽²⁰⁾;
- because human development merges and qualitatively transforms the inextricable social and biological factors. In the words of Pascal: 'What is this nature which is prone to be effaced? habit is a second nature, which destroys the first. But what is nature? why is habit not natural? I very much fear that this nature is itself but a first habit, just as habit is a second nature⁽²¹⁾.'

Apart from its conceptual and practical fraudulence, 'scientific' racism shows a reductive determinism in implying that the fate of each individual, being the result of irresistible mechanisms, is already sealed. Albert Jacquard observes: 'the important thing is to build. The person that I shall be is not present in my genes (...), the statue of Moses was not in the block of marble which Michelangelo one day brought into his workshop⁽²²⁾.'

42. It has been observed, moreover, that the manner in which racism operates in Europe has been determined in more than one way by its colonial past. Colonization strongly influenced European perceptions of the world outside, the processes of discovery and contacts through which it occurred inevitably affecting the images and ideas conveyed. Our attitudes are still predominantly Euro-centric notwithstanding the vicissitudes of history. Secondly, in several instances decolonization created conflictual relations, traces of which can still be found. Lastly, migrational trends have been closely bound up with relations with the former colonies and for this reason the colonial past as too, indeed, the existence of certain special bilateral links inside and outside European territory have determined the structure of ethnic relations in Europe today.

43. Our experts have generally pointed to intolerance and discriminatory attitudes which usually precede or accompany any explicit display of racism. Intolerance and discrimination are the distinct characteristic of a 'closed society', i.e. a society which turns in on itself and in principle rejects individuals, values and modes of behaviour originating in different environments, or which manifests towards such individuals and their culture, contempt for both their background and their personal dignity. This is a factor which must be kept in sight in any analysis that seeks to achieve understanding of the real situation in present-day European society. Adoption of a too narrow definition of racism brings with it the danger of arbitrarily restricting the case material for an analysis of inter-community relations. A reverse danger of reducing the sharpness of the picture would evidently arise if a too broad definition of racism were adopted. If the term is applied too indiscriminately, it would both weaken the cause we seek to defend and undermine the value of our analysis. The honouring and observance of its own traditions and the assertion of its natural and legitimate rights are not sufficient grounds for the suspicion of racism, racial discrimination, xenophobia to attach to any social group⁽²³⁾.
44. Bearing in mind the facts and situations referred to during the Committee's proceedings, yet not wishing to depart too markedly from the definition accepted by the international bodies, your rapporteur will consider as racism the following types of phenomena from this point of view :
- the ideologies thus designated in the proceedings of the UN and UNESCO referred to above ⁽²⁴⁾;
 - racist regimes, exemplified most abominably by the Nazi regime, but also by the apartheid system in South Africa, where the resulting suffering and bloodshed have again recently been condemned by the entire international community, as well as racial persecution on a mass scale by certain regimes in Africa and Asia;
 - groups and organizations which spread the doctrines or champion the regimes referred to above or adopt their ideology;
 - institutionalized racial discrimination, direct or indirect, explicit or implicit, traces of which may be found in the European countries;
 - day-to-day cases of discrimination on racial, ethnic or religious grounds (expression of prejudiced opinions, discriminatory conduct or, in its most serious form, racial violence) whether or not these are within the law.

1.6 THE LINK BETWEEN FASCISM AND RACISM

45. It cannot be denied that, historically, the vast majority of fascist movements, whatever their specific traits, have been characterized by racism and, more particularly, by anti-semitism. But the link is not an organic one: it was after the victory of nazism in Germany that fascism and anti-semitism tended to merge everywhere in Europe - an identification which at first was overlooked by many fascist parties, including the Italians. At the same time there were, at the end of the 19th century in Germany, Austria and the Balkans, anti-semitic parties which were not fascist. In that period in France a large part of the political spectrum was marked by anti-semitism (an anti-semitism more

likely to be associated with the anti-capitalism of the reactionary or working classes than with any religious motivation)⁽²⁵⁾. Thus, racism, and especially anti-semitism, extends far beyond historical fascism, while the latter by no means always comprises racism in its original constituents.

46. However, to a large extent, these two historical tendencies tend to overlap. Almost all the extremist movements of the Right today contain a racist element and explicitly racist ideologies invariably tend towards authoritarianism.
47. Some further points should be noted:
 - (a) Regimes which practise racism as a state policy are likely to slide into authoritarian forms of government. One example of this can be seen in the measures adopted by the government of South Africa and condemned by the whole international community⁽²⁶⁾.
 - (b) In terms of social systems, the totalitarian regimes have a strong tendency to offer scapegoats to artificially aroused public condemnation: racism, the exclusion of certain groups, can thus fulfil a stabilizing function for the regime. Such 'functional' racism promoted by totalitarian regimes can perform many functions: it can be used to exploit the traditional animosities of a people; it can provide a model of 'abnormality' and thus legitimation for its opposite, presented as a 'normal'; it can be used as an instrument of government by exploiting the fear of being made an 'example'.
 - (c) At the level of the individual, racist attitudes are very likely to be closely associated with authoritarian and non-democratic tendencies. It is not possible to be a 'true racist' and be at the same time a true democrat.
 - (d) But it would be wrong to believe that the association of racist and extremist tendencies is an inflexible rule subject to no exceptions or nuances. The political reality is much more complex than that. Less extreme forms of racist attitudes or racially-conditioned behaviour need not entail authoritarian tendencies. They may occur within political organizations or social strata which could not be accused of fascism or even authoritarianism. It would be even more mistaken to attribute the widespread xenophobia revealed by public opinion polls in European countries with a high proportion of immigrants to any underlying anti-democratic attitudes or lack of attachment to the democratic and liberal order. Nevertheless, the persistence and gradual acceptance of broadly xenophobic attitudes seriously threaten to undermine loyalty to the democratic culture of European societies and may even result in its being openly challenged.

2. THE SITUATION AND ITS CAUSES

2.1 FOREWORD

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account we have been able to draw up of the situation and its causes we should like to inform the reader of the conditions in which the material contained in this part of the report was collected and processed.

- (a) Information on fascism and racism in present-day European society constitutes an enormous mass of data of every kind, difficult to apprehend and handle. It would have been unrealistic to try and list exhaustively the groups and organizations of this kind, describe their origins and history and place them in the context of national and European politics. To take but one example, the annual national report on extremism and espionage which is published in the Federal Republic of Germany under the title of Verfassungsschutzbericht devotes several dozen pages to the activities of the extreme right in that country⁽²⁷⁾. On the other hand, much of the information required is not easily obtainable and in some cases quite inaccessible because systematic documentation is not produced. The Committee, its secretariat and the rapporteur have spared no effort in gathering all the data of the existence of which they were informed, but in its working up and presentation it proved necessary to make a selection in the end. The rapporteur has done his best to present a picture which, while it is summary and necessarily incomplete, does not, he trusts, distort the facts.
- (b) The position is similar as regards the literature on the subject, which is vast, multi-lingual and constantly growing. In addition, in the daily and periodical press there are regular columns devoted to extremism and particularly racism and xenophobia. We have done our utmost to do justice to this wealth of information.
- (c) The Committee did not dispose of sufficient resources to accomplish its task (see para. 25 above). It was not able to work 'on the ground', i.e. to seek out first-hand information directly at the source. In this respect a committee of inquiry of the European Parliament has far fewer institutional powers and much reduced possibilities of action compared with a corresponding committee of a national parliament.

49. It cannot summon witnesses to testify before it; it cannot demand access to documents or other evidence.
50. These matters will no doubt have to be reviewed in the context of re-inforcement of Parliament's institutional powers. At present a committee of inquiry of the European Parliament has no powers to call for evidence it might wish to examine, it can merely ask for it⁽²⁸⁾.
51. It should also be remembered that to a large extent the Committee could not seek information directly at its sources because of the very nature of these. Clearly, neither the Committee nor the rapporteur could communicate directly with persons supposed to belong to fascist or racist bodies.

2.2. THE EUROPEAN COMMUNITY

2.2.1 Federal Republic of Germany

52. German society, as we know, has been profoundly marked by the experience of national socialism. Vestiges of the movement have managed to survive the efforts made as soon as war was over to de-nazify the new German

state and make it into a liberal parliamentary democracy founded on the primacy of the law and respect for fundamental rights. Throughout the existence of the Federal Republic of Germany, from its foundation until the present day, there is evidence of a current of right-wing extremism, characterized in general terms by the following:

- (a) At the ideological level: by the rejection of the principles of parliamentary representative democracy, by an intransigent nationalism which exalts the interests of the 'national community' ('Volksgemeinschaft') and is hostile to the idea of reconciliation of nations; by racist and particularly anti-semitic tendencies; by contempt for fundamental rights and freedoms; and by consistent efforts to rehabilitate the Nazi regime.
- (b) At the organizational level: by the establishment of large numbers of militant groups; by the commission of acts of violence; by the creation of paramilitary bodies; by the distribution of extremist, racist and xenophobic publications; and, in the case of some of these bodies, by the creation of mass organizations, with participation in the electoral process.

53. Within the confines of this report it would not be possible to give a historical review of the attempts which have been made in the Federal Republic of Germany to give political expression to right-wing tendencies. The rapporteur can only refer the reader to the wealth of literature existing on this subject⁽²⁹⁾ as well as to the oral and written submissions made to the Committee⁽³⁰⁾. Our aim will be to present a brief overall view of the situation, mainly on the basis of the two latest 'Reports on the Protection of the Constitution' ((Verfassungsschutzberichte, VS-Berichte), 1983 and 1984⁽³¹⁾), the recent publications by F. Gress and H.-G. Jaschke⁽³²⁾ and P. Dudek and H.-G. Jaschke⁽³³⁾ and the written and oral submissions by the experts invited by the Committee⁽³⁴⁾.

54. Groups and organizations of the extreme right
Census for 1981 to 1984⁽³⁵⁾:

Type of organization	1981 Organizations/ Members		1982 Organizations/ Members		1983 Organizations/ Members		1984 Organizations/ Members	
Neo-nazi organizations	18	1 250	21	1 050	16	1 130	34	1 150
National-democratic organizations	7	7 350	7	6 500	9	6 700	7	6 700
National-liberal organizations	4	10 400	3	10 400	3	11 400	3	12 400
Others	44	3 300	43	2 800	41	2 600	45	3 200
TOTAL	73	22 300	74	20 750	68	21 830	89	23 450

55. Publishing and distribution enterprises of the extreme right not affiliated to any organization

	1981	1982	1983	1984
Book-publishers	15	14	11	10
Publishers of journals and monographs	27	19	17	20
Distributors	17	17	17	17
TOTAL	59	50	45	47

56. Periodicals of the extreme right

In 1984 87 periodicals appeared (in 1983: 82, in 1982: 89) with a total annual printing number of 8 457 000 copies (in 1983: 8 028 000)⁽³⁶⁾.

57. Neo-nazi organizations

- (i) According to the VSBericht for 1984 the increase in the number of neo-nazi organizations, from 16 to 31 between 1983 and 1984, is explained by the banning in 1983 of the ANS/NA (Aktionsfront Nationaler Sozialisten/Aktivisten, the National-Socialist/National Activist Front)⁽³⁷⁾. Many members of that organization, which was headed by Michael Kuhnen, formed new bodies whose membership varies between 5 and 25. The organization which was dissolved had 270 members grouped in local 'comrades' associations ('Kamaradschaften') which later became 'reading circles' ('Leserkreise') for the purpose of maintaining activity among the members of the banned organization and of preaching its message. In 1985 Michael Kuhnen and his associate Heinz Marx were sentenced to imprisonment (3 years and 4 months and 2 years and 6 months respectively) and deprived of their civic rights (for 5 and 3 years respectively)⁽³⁸⁾.
- (ii) The FAP (Freiheitliche Deutsche Arbeiterpartei, the German Liberal Workers' Party)⁽³⁹⁾ has been used as the cover organization for the activities of the ANS/NA after the latter was banned. In 1983 it put up candidates in the regional elections in Baden-Wurtemberg and in communal elections in that Land and in North-Rhine-Westphalia, without any appreciable success. The North-Rhine Westphalia section has set up a 'committee for the preparation of festivities on the occasion of Adolf Hitler's centenary' (KAH) in 1989.
- (iii) Members of the now-banned ANS/NA cooperate closely with the HNG (Hilfsorganisation fur nationale politische Gefangene und deren Angehorige e.V, the Organization for help to national political prisoners and their families (registered))⁽⁴⁰⁾. This cooperation gave rise to a judicial investigation against some members of the Bureau of this organization which, under cover of social work, carries out indoctrination. The HNG cooperates with sister organizations in France, Belgium and the United States of America⁽⁴¹⁾.

- (iv) The NSDAP-AO (Nationalsozialistische Deutsche Arbeiterpartei - Auslands- und Aufbauorganisation, The German National-Socialist Workers' Party - Foreign and Development Section)⁽⁴²⁾ runs a distribution network for neo-nazi propaganda material which is sent out from the well-known centre in Lincoln, Nebraska in the United States, headed by Gary Rex Lauck. Some of the NSDAP/AO local organizations, for instance that in Reutlingen, have been very active in distributing propaganda material, including stickers bearing the swastika and neo-nazi slogans.
- (v) Among other neo-nazi organizations, mention should be made of the NF (Nationalistische Front, Nationalist Front), the BBI (Burger-und Bauerinitiative, Citizens' and Peasants' Initiative, directed by Th. Christophersen who in 1983 was expelled from Belgium, arrested at the German frontier and on 14 August 1984 received a suspended sentence of eight months imprisonment for insulting the state and the honour of deceased persons) and the DBI (Deutsche Burgerinitiative, led at first by M. Reuder and, after his imprisonment for 13 years for his membership in the terrorist organization 'Deutsche Aktionsgruppen', by his wife G. Roeder)⁽⁴³⁾. The NPD (Nationaldemokratische Partei Deutschlands, the National Democratic Party of Germany) and its affiliated organizations.
58. Founded in 1964, this organization is the direct successor of the DRP (Deutsche Reichspartei), the German Party of the Reich⁽⁴⁴⁾. Though only marginally, it still figures on the German political arena and fights elections from time to time. Its political message centres on the following themes: consistent defamation of democratic political parties and leaders, xenophobia, nationalistic self-reliance, strong hostility towards the European Community⁽⁴⁵⁾.
59. At the last federal parliamentary elections (1983) the NPD obtained 91,095 (0.23%) votes (in 1980: 68,096 = 0.18%). After a violently anti-Community campaign it was unexpectedly successful in the 1984 European elections, obtaining 198,633 (0.8%) votes. This was not enough to give the party a member in the European Parliament but, having crossed the 0.5% threshold it was entitled to have its electoral expenses reimbursed from public funds⁽⁴⁶⁾. This trend was confirmed in the elections to the Saar Landtag on 10 March 1985 when the NPD obtained 0.7% of the vote. In 1984 the effective membership of the NPD was 6 100 (a slight increase on the 6 000 of 1983).
60. There are two organizations affiliated to the NPD: the JN (Junge Nationaldemokraten, Young National Democrats, membership in 1984: 550, in 1983: 500) and the NHB (Nationaldemokratischer Hochschulbund, the National-Democratic University Association) with a very small membership.
61. To evaluate the present position of the NPD, it is necessary to look back over its progress in past years: at the federal parliamentary elections of 1969 it failed to reach the 5% threshold (necessary for a party to be represented in the Bundestag), obtaining only 4.3% of the vote. Its membership in 1965 was 13 700 (in 1966: 25 000, in 1969: 28 000, in 1982: 5 900)⁽⁴⁷⁾. Membership of the JN was 1 100 in 1970 (in 1976: 1 800, in 1980: 1 000).

62. It is significant that Dudek and Jaschke in the title of their chapter on the NPD speak of its 'rise and fall'⁽⁴⁸⁾, but the most recent election results point to a consolidation, not to say enlargement, of its electoral support compared with what was, admittedly, the low point in its fortunes.

The 'national-liberal' Right

63. Among right-wing extremist groups designated as 'national-liberal', the VSBerichte quotes the organizations and activities masterminded by the Munich publisher Dr Gerhard Frey. These comprise a parent organization known as the DVU (Deutsche Volkunion, the Union of the German people) which numbers, according to its spokesmen, 14 000 members⁽⁴⁹⁾ and is at the centre of a number of satellite 'action communities' (Aktionsgemeinschaften)⁽⁵⁰⁾. In November 1984 the sixth of these 'communities' was created under the name of 'Schutzbund für Leben und Umwelt' (Association for the protection of life and the environment). According to its statute its objectives are: opposition to the misuse of abortion, vigorous protection of the environment and the protection of the citizen against criminal activities. Membership of one of the 'action communities' automatically confers membership of the DVU⁽⁵¹⁾.
64. The activities of this conglomerate are visible mostly in its exploits in the press. Dr Frey, who is the owner of the firm Druckschriften- und Zeitungsverlag, GmbH (DSZ-Verlag, Printing and Press Publishing House, a limited company) publishes, among others, two weeklies, the Deutsche National-Zeitung (DNZ, 'The German National News', circulation: 100 000)⁽⁵²⁾ and the Deutscher Anzeiger (DA, 'The German Advertising Journal', similar circulation). Dr Frey's wife, who owns the publishing house Freiheitlicher Zeitungsverlag, GmbH (FZ-Verlag, The Liberal Press Publishers, a limited company) puts on sale, along with her publications, gold and silver commemorative medals including two (1981, 1984), dedicated to Rudolf Hess. In recent years Dr Frey has set up and awarded various prizes. Among the winners are the 'revisionist' historian David Irving⁽⁵³⁾ and the family of Luis Amplatz, a native of South Tyrol who was sentenced in Italy to a long term of imprisonment for bomb attacks and was murdered in 1964 in mysterious circumstances⁽⁵⁴⁾. Dr Frey's newspapers are constantly appealing to their readers to contribute generously to the struggle for the 'cause of the Right'. Dr Frey's salesmanship⁽⁵⁵⁾ has been the subject of comment in other extreme-right circles⁽⁵⁶⁾.
65. The recurring themes in the newspapers referred to above are the rehabilitation of the Third Reich⁽⁵⁷⁾, xenophobia and anti-semitism under the guise of anti-zionism⁽⁵⁸⁾.

Other extreme-right groupings

66. On the 45 'other' groupings shown in the table above (para. 43), the following data are provided by the VSBericht for 1984: total membership approximately 3 200 (in 1983: 2 600). They include 12 (in 1983: 10, in 1982: 11) youth and student organizations with a membership of about 1 200 (in 1983: 1 000). While the leadership is provided by committed right-wing extremists, among rank and file members there are many young people attracted by the comradeship or the spirit of adventure, by their love of nature or keenness on sport⁽⁵⁹⁾. Since 1982 these groups have also tried to infiltrate certain socially emarginated groups of young people (skinheads, riotous football fans) by adopting their lifestyle and sub-culture⁽⁶⁰⁾. The most important of such

groups seems to be the Wiking Jugend whose neo-nazi tendencies were clearly revealed in 1984 when it welcomed in its ranks many members of the recently banned ANS/NA⁽⁶¹⁾. There are also a number of 'cultural groups'⁽⁶²⁾.

67. Publishing houses

The number of extreme-right wing press publishing houses which are not dependent on organizations or parties rose in 1984 from 17 to 20. The main publications of these enterprises are the Deutsche Wochenzeitung (DWZ, 'The German Weekly', circulation: 15 000), the monthly Neues Europa ('New Europe', circulation: 10 000), the Deutsche Monatshefte ('German Monthly Review', circulation: 6 000) and the fortnightly Mensch und Mass ('Man and Measure', circulation: over 1 000). A distribution network offers to the public, as well as books and other printed matter, records, cassettes and films of speeches and events of the Nazi period⁽⁶³⁾.

International links

68. The German groups cooperate with organizations abroad, notably in France, Belgium, Austria, Switzerland, the United Kingdom, Ireland, Spain and the United States⁽⁶⁴⁾. The recent electoral successes of the National Front in France were greeted by the German extreme right as foreshadowing an imminent change on the European political scene. The chairman of the National Front has dismissed the possibility of cooperation with rightist extremists in the Federal Republic of Germany⁽⁶⁵⁾. The paramilitary organization Wehrsportgruppe Hoffmann (WGH, the Hoffmann Defence Sports Group), banned in 1980, had cooperated with the PLO and Al Fatah. The group's leader K.-H. Hoffmann is currently facing charges of complicity in the murder of the Jewish publisher S. Lewin and his companion, F. Poschke, who were killed in 1980 in Erlangen allegedly by former WGH member W. Behrends who died in 1981 in Lebanon in obscure circumstances⁽⁶⁶⁾.

Acts of violence

69. Right-wing extremists are known or thought to have committed 11 terrorist acts in 1984 (in 1983: 11). In the same year 1 137 breaches of the law were attributed to the extreme right (in 1983: 2 169, in 1982: 2 475). Quantities of arms and ammunition have been discovered in circumstances implicating militants of the extreme right⁽⁶⁷⁾. Acts of violence have also been committed by foreign extremist groups⁽⁶⁸⁾.

Veteran organizations

70. Reunions of Waffen-SS veterans are held regularly in the Federal Republic, either openly or under other names⁽⁶⁹⁾. According to information supplied by Mr Schwalba-Hoth, a member of the Committee of Inquiry, tax relief facilities available to charities are being exploited by certain veteran groups. Motions calling on the FRG Government to ban such meetings have been tabled by Members of the European Parliament⁽⁷⁰⁾.

General remarks

71. A long-term retrospective analysis of the situation in the Federal Republic of Germany indicates an undoubted decrease in the extreme right's human resources. Falling from 76 000 in 1954, the membership stabilized at around 20 000 in the mid-sixties⁽⁷¹⁾ and the economic and social crisis of subsequent years does not seem to have affected this downward trend. The extreme right's ventures into the electoral field show a record of diminishing success. Within the movement there is considerable mobility⁽⁷²⁾, as seen in many supporters' membership in several organizations and, above all, in the frequent changing of the groups' political labels due to both personal and ideological quarrels, but also to tactical readjustments to the changing political environment and to institutional pressures exercised through the banning of some organizations and judicial penalties imposed on some of their leaders. One can also observe a certain amount of radicalization⁽⁷³⁾ in the style and methods of action: a return to a 'German socialism' of the Strasser type⁽⁷⁴⁾, as well as more regular and more organized recourse to verbal and physical violence and to terrorism, which often seeks allies abroad, not necessarily proclaiming the same ideology.
72. While political observers largely accept the above facts, there is no unanimity as to the political importance of the rightist phenomenon. Some consider that, despite the modest statistics, the extreme right still represents a threat to German democracy⁽⁷⁵⁾. Others, on the contrary, believe that the danger is exaggerated⁽⁷⁶⁾ and that the broad democratic masses of the electorate are well protected against extremist leanings that take their inspiration from a repugnant and painful past, by an efficient institutional structure and an alert civic conscience. The question was again hotly debated recently when a survey conducted by SINUS⁽⁷⁷⁾ suggested that there were by no means negligible sections of the population which appeared to be aware of and open, or even sympathetic, to the ideas of the extreme right⁽⁷⁸⁾. Admittedly, some aspects of the premises of this inquiry and therefore many of its findings have been hotly disputed⁽⁷⁹⁾. But even if their importance is reduced, these findings give food for thought.
73. At any rate, as long as right-wing extremism remains part of Germany's politics, even if a minor part, as indeed is the case in other European countries, its historical roots justify the special attention it attracts and explain, to some extent, the tendency to exaggerate its importance. Nevertheless the rapporteur can only endorse the conclusion of Dudek and Jaschke that 'in the middle term organized German right-wing extremism has no chances in electoral politics' and that 'it is not and never has been a problem as regards political power but only an anti-democratic ferment in the political culture, the effects of which cannot be discerned from election results alone'⁽⁸⁰⁾. There remains, of course, the question of defining what attitude is to be adopted towards this phenomenon.
74. Side by side with racist indoctrination and racial violence practised by the extreme-right groups a wave of xenophobia has been sweeping the Federal Republic of Germany: this is directed mainly against immigrant workers and more particularly against Turks - the most numerous group⁽⁸¹⁾ not forgetting immigrants from Asian and other countries. Professor Scheuch⁽⁸²⁾ thinks this is not so much a racial conflict as the result of a cultural confrontation and of the difficulties in

assimilation experienced by certain categories of immigrants and more particularly those under the influence of Islamic fundamentalism. It is, however, a situation which can lead to increased support for parties and organizations propounding social intolerance.

2.2.2 Belgium

75. While of marginal political importance, right-wing extremism in Belgium nevertheless has a multiplicity of groups, circles and publications. In Wallonia, its main historical antecedents are the Action française and Léon Degrelle's Rexism (continued after the war by the Mouvement Social Belge) which have since been rejuvenated by the theories of the French New Right. The groups which are active in Wallonia include: Nouvel Ordre Européen, Nouvelle Sparte, Delta, Euro Droite, REX, Grece, Front National, Forces Nouvelles, Zwarte Order - Ordre Noir (Z00N), Consortium Européen, "3A" Diffusion, Front de la jeunesse and Westland New Post (WNP). During the last decade the most active and violent of these was the Front de la Jeunesse, which was finally disbanded in May 1981 as a paramilitary organization. Thereafter some of its members helped to found 'Westland New Post'. The activities of this group, its claims to be a secret organization, its possible collusion with some career soldiers, drew attention to it; it is not known whether it still exists⁽⁸³⁾.
76. In Flanders some Flemish-speaking nationalist movements have espoused extreme right-wing ideas. They include: Were Di, Delta, and De Vlaamse Militanten Orde (VMO) - Odal. The last mentioned is the most important. The Odal Group emerged after the VMO had been condemned on 25 May 1983 as a private militia. VMO-Odal is the most active and violent group in post-war neo-nazi circles⁽⁸⁴⁾. Until June 1985 it was led by Bert Eriksson; at present it is led by Jef Eggermont. Under Eriksson's leadership the VMO organized camps where the participants, in uniform, trained in the use of arms. The Odal group is at present closely linked to the Vlaams Blok. They act as a 'crowd control' service for this political party and provide helpers to put up anti-immigration posters. The propaganda of these groups is disseminated by such periodicals as Alarm, Delta-Pers, Storm, Rebel, Dietsland-Europe, Berkenkruis, Taboe, Bormsberichten, Revolte, Viking, Branding, Signaal, l'Accent, Nieuwe Gudrun and Une Belgique à neuf⁽⁸⁵⁾.
77. Some extremist groups do not shrink from violence; such activity attracted public attention with the murder, in a Brussels suburb, of a Moroccan killed by a 21-year old militant of the Front de la Jeunesse who shortly before had been taking part in his organization's shooting practice. In consequence, the Front de la Jeunesse was banned on 14 May 1981 as a paramilitary organization. In January 1981 107 VMO militants appeared before the Tribunal of Antwerp for breach of the law of 24 July 1934 on private militias. However in 1982 a Belgian court of appeal lifted the ban on the VMO which has since allied itself with the Vlaams Blok. This latter comprises a number of various tendencies which are often in internal conflict.
78. The question of immigrants in Belgium, and more particularly in Brussels, was debated at length in the Committee. The growth of xenophobic attitudes in daily contact is particularly irksome⁽⁸⁶⁾, but the Committee gave special attention to Brussels because it is a good example of the difficulties encountered by immigrants in many Community cities⁽⁸⁷⁾.

79. First of all, as Mr Gaetan de Moffarts of the Vlaams Overleg Comité over Migratie (VOCOM) and Mr André Nayer of the Mouvement contre Le Racisme, l'Antisémitisme et la Xénophobie (MRAX) have pointed out, there are specific problems in regard to conditions of reception and residence permits. These conditions were the subject of a general law adopted unanimously with one abstention on 15 December 1980 in the Parliament. Another law, the 'Moreaux Law', on racism and xenophobia, was adopted on 30 July 1981 and is designed to curb certain actions of a racist or xenophobic nature. On 28 June 1984, on the initiative of Mr Jean Gol, the Minister of Justice, a law concerning some aspects of the status of foreigners and laying down rules of Belgian nationality was adopted. This law (which elsewhere renders the rules governing Belgian nationality more flexible) restricts the numbers of relatives allowed to join an immigrant household in Belgium and give those Communes which so wish the chance, on certain conditions, to refuse foreigners the right to register there. Six Brussels communes have asked to be able to use this provision and are now able to do so. Since that date a 'Commission d'Etudes de l'Immigration' has been set up.
80. Many problems also concern relations with the administrations: language difficulties, delays in issuing residents permits, the large number of documents required and the exorbitant taxes on documents issued by the administration (the taxes can be as much as FB 5 000)⁽⁸⁸⁾.
81. The question of social benefits to which immigrants are not entitled, and in particular legal aid, was also discussed. Mr Jef Cleemput, representing Caritas Catholoca pointed out that eligibility for the minimum subsistence allowance is acquired only after 5 years' residence in Belgium or as a political refugee (but the Organic Law of 8 July 1976 does guarantee the right to assistance).
82. Another serious problem is that of lodging. Immigrant families are not accepted in the private sector and are accommodated only with difficulty in social housing (because of the fear of creating ghettos, of the fear that immigrants are unreliable rent payers, the unsuitability of such accommodation for the immigrant family structure). Among male immigrant workers, 70% are unskilled. Of the 52 000 unemployed in Brussels, 12 800 are foreigners. The representatives of the Confédération Européenne des Syndicats have also drawn the Committee's attention to the dangerous and arduous nature of the tasks usually assigned to foreign workers.
83. The important question of education will be dealt with below. The representative of the Ligue des Familles raised the point that immigrants have the right to family counselling, sexual education and family planning.
84. The case of Brussels will thus have enabled the Committee to appreciate not only the reality of xenophobic attitudes but also, and above all, the objective constraints which determine the immigrant condition. The testimony of the experts has shown the extent of the difficulties facing immigrants, the complexity of the problems of education and integration, but also, as the case of Limbourg has proved, the fact that a voluntary long-term policy is able to produce results.

2.2.3 Denmark

85. There is very little right-wing extremism in Denmark. A Danish nazi party does exist, but it is quite insignificant. It is headed by Paul Heinrich Riis-Knudsen who is also secretary-general of the World Union of National Socialists. His appointment to a university post aroused numerous protests.
86. There has, on the other hand, been an increase in xenophobia. It seems to have been mainly provoked by the recent liberalization of entry conditions for political refugees which resulted in the arrival of some 5 000 of these, mostly Iranians, in one year (in the preceding 25 years Denmark had only received 18 000 political refugees and only a part of these remained in the country). The fact that these refugees are grouped in accommodation centres located in small towns has given rise to social tensions. On 26 and 27 July 1985 in Kalundborg, some 200 youngsters swarmed on an Iranian centre and fighting broke out first with its residents and then with the police.
87. Mogens Glistrup, the founder of a populist party which in fact does not seem to follow him entirely on this matter, gave expression to some underlying xenophobic feelings which provoked controversy in the entire country⁽⁸⁹⁾.
88. Finally, the attacks perpetrated in Copenhagen at the end of July against a synagogue and the offices of an airline have aroused a real concern in Denmark which has so far had no experience of terrorism. This disquiet has been fed by fresh anti-semitic attacks in September, all the more so since it is not known who was responsible for them and they could as well be of national as of international origin.

2.2.4 France

89. The extreme right in France is a particularly well-established tradition, though the tendencies within it are for the most part in conflict and despite the fact that the disgrace of the Vichy régime has been a lasting and insurmountable taboo (although Vichy neither consisted exclusively of the extreme right nor represented its totality).

There is little agreement on the specificity of French fascism. While it is true that Georges Valois had set up his 'Faisceaux' as early as 1925, neither Action Française nor the Croix-de-Feu and most of the 'ligues' are to be identified with Mussolini's fascism. Some historians therefore deny the existence of a specifically French fascism⁽⁹⁰⁾ while others maintain that despite the weakness of its political expression, a deep-rooted and permanent fascist ideology persists in France⁽⁹¹⁾.

90. As Mrs Chombart de Lauwe pointed out, two phenomena were to be observed after the end of the second world war: the emergence of a populist current with an anti-parliamentarian ideology which was to find organized expression in 1956 in the Poujadist movement, and a violent activism which was to be crystallized around the Organization of the Secret Army (OAS) after the failure of the Algiers putsch. To this latter current belongs the Occident (dissolved in 1968), the Ordre Nouveau (set up in 1969), student movements like the Groupe Union Défense (GUD), or the FANE, a neo-nazi organization led by

Marc Frederiksen⁽⁹²⁾. The violent nature of these groups is real enough but their impact should not be over-estimated. A report of the French Senate states: 'Since the end of the OAS extreme right-wing terrorism in France has been very insignificant (...) its two principal targets are: the North Africans, and more particularly Algerians, and France's Jewish community'⁽⁹³⁾

91. From the same report we have, for the spring of 1984, the following figures:

Summary of terrorist actions in France since 1975*																					
	International terrorism				Home-rule movements				Racism				Extreme Right				Extreme Left				Total Attacks
	Attacks against		Victims		Attacks against		Victims		Attacks against		Victims		Attacks against		Victims		Attacks against		Victims		
	Total	P (1)	D (2)	I (3)	Total	P (1)	D (2)	I (3)	Total	P (1)	D (2)	I (3)	Total	P (1)	D (2)	I (3)	Total	P (1)	D (2)	I (3)	
1975	51	5	1	3	264	18	3	25	—	—	—	—	7	1	0	5	6	2	1	2	354
1976	63	4	2	2	305	18	1	2	—	—	—	—	9	5	0	6	14	1	—	5	419
1977	23	6	4	3	284	12	—	1	—	—	—	—	38	3	2	14	72	4	1	2	442
1978	15	8	11	3	437	21	2	6	13	0	0	0	12	3	1	8	74	1	—	3	584
1979	20	6	5	35	383	21	4	3	25	5	0	23	13	9	1	0	131	1	—	1	614
1980	23	3	3	50	469	38	6	30	38	16	4	14	36	9	1	18	111	1	—	—	744
1981	45	6	5	23	259	26	2	17	26	7	1	4	30	8	0	6	94	5	1	24	506
1982	31	10	19	190	797	27	6	19	45	10	—	17	12	7	—	12	105	3	—	1	1047
1983	0	7	13	103	736	30	15	39	36	9	1	8	12	3	0	4	45	1	1	1	879
1984 to 23 J	1	2	3	2	132	7	6	8	1	—	—	4	—	—	—	—	5	—	—	—	148
TOTAL	272	57	70	414	4066	218	45	150	184	47	6	70	169	48	5	73	657	19	4	39	5737

(1) P = Persons (2) D = Dead (3) I = Injured
 * Source: Rapport du Senat sur le terrorisme, Imprimerie du Senat, 1984, Annex No.6, p.217

92. Recent violence of the extremist right seems to have reached its peak in 1980: in that year over 60 'actions' were claimed by groups such as FANE, OCCIDENT Chrétien, Commandos Delta, Front de la Jeunesse, Honneur de la Police, Groupe d'intervention Nationaliste, Commando Mario Tuti, etc. These included damage to property and assaults on persons and attacks on stores and bookshops⁽⁹⁴⁾. As regards specifically anti-semitic outrages, LICRA for 1980 listed 235 incidents and attacks, of which 75 were particularly serious (the corresponding figures for 1975 are 53 and 17). Mr Revel has, however, observed that at that time there was a tendency to ascribe to the extreme right outrages of which Palestinian extremists were subsequently suspected. At any rate since that time organized forms of extreme-right violence seem to be waning.

93. The 'New Right' is of a different nature. It came into its own after 1968 and aimed to distance itself from the activist methods of the traditional extreme-right. The New Right wants to be regarded essentially as a cultural and ideological movement along the lines of 'European nationalism'. As Professor Girardet has noted, it came into its own after 1968 and, even in its delinquent forms, it formed part of the great anti-consumerist and romantic movement of that period. Mr Revel came to the same conclusions from his reading of articles in Eléments on the subjects of money, democracy or East-West relations.

Among movements representing this ideology, that referred to most often in our Committee's work was undoubtedly the Groupement de Recherche et d'Etude pour la Civilisation Européenne (GRECE). In 1969 it established the review Nouvelle Ecole, the main driving force behind which is Alain de Benoist. GRECE also publishes the magazine Elements. Copernic is the movement's publishing house. The contents of the New Right's publications centre on evocations of the Indo-European race, of paganism, of the natural laws of nominalism, of the misdeeds of humanist universalism. The Nouvelle Ecole review appears dedicated to resurrecting and developing an entire political mythology, offering a vision of the world tending towards the totalitarian. Its pages are crammed with photographs and reproductions provided with elaborate captions. There is much emphasis on the creation of cult figures: collective heroes (the Vikings, the Indo-Europeans and 'pagans' in general), prophetic writers (Mishima, Montherlant), artists (Wagner above all), thinkers (Sorel, Heisenberg, Van der Bruck, Gobineau, Pareto) or even ... gods (Apollo, typically). There is constant reference to the sciences. Many commentators have condemned the movement's misrepresentation of the results of genetics, anthropology, micro- and astro-physics⁽⁹⁵⁾. A majority of the extreme right feels at home with this ideology.

94. The Committee discussed on several occasions the nature of Mr J.M. LE PEN's Front National and its rise. The election of 10 of the movement's candidates to the European Parliament (on 16 June 1984 it obtained 10.95% of the vote) obviously caused a considerable stir. The rapporteur would like here to quote the opinion of Mr Glucksman who said that those who talked so much about Mr Le Pen were perhaps showing that they had nothing else to say. Some of our experts, Mrs Chombart de Lauwe in particular, were much preoccupied by the question of the origins of the Front National, which was set up in 1972 by Mr Le Pen, Pierre Bousquet of the Militant⁽⁹⁶⁾, Alain Robert of the Ordre Nouveau, Francois Brigneau, former OAS member and chief editor of Minute, Roger Holeindre, secretary-general of the Mouvement nationaliste du progrès, and Francois Duprat, joint organizer with Alain Renault of the Cahiers Européens, who was killed on 18 March 1978 by a bomb placed in his car. Mr May referred also to the daily Présent whose founder, Mr Romain Marie, is an MEP. Présent frequently attacks Mrs Simone Veil and Mr Robert Badinter who in its issue of 23 June 1983 is described as 'a bohemian with blood-stained lips'⁽⁹⁷⁾. Several of our experts therefore see in the Front National an attempt to bring together different nationalist extreme-right movements.

Other experts have pointed out that the main issue was where to place the Front National within the spectrum of French political ideologies: Professors Revel, Girardet and Passelecq have warned against facile analogies with the 1930s, the two latter considering the Front National to be the heir of the ideals of Charles Maurras and the legitimist right crossed with elements of Poujadism. Mr Le Pen personally evidently conforms to the description since he insists that he is part of a 'long chain'⁽⁹⁸⁾, a typically maurrasian expression. His oft-repeated statement: 'I prefer my daughters to my cousins, my cousins to my neighbours and my neighbours to strangers'⁽⁹⁹⁾ fits the definition. On the other hand, he exploits primitive xenophobic feelings when, for example, commenting on Bernard Stasi's book L'immigration, une chance pour la France, he says: 'Bernard Stasi is a Frenchman of recent date'⁽¹⁰⁰⁾.

95. As Mrs Chombart de Lauwe has pointed out, the existence of links among extremist groups is obvious from a mere glance at publications such as Notre Europe (organ of the FANE) which regularly reports the activities of foreign neo-nazi groups. (FANE, incidentally, had counted among its ranks the neo-nazi Michael Kuhnen who has recently been sentenced by a court⁽¹⁰¹⁾). For all that, it would be wrong to represent France as the centre of some 'black international'. The recent arrest, for burglary, of Michel Faci, former secretary-general of FANE and, presumably, one of the main intermediaries in the neo-nazi groups' international contacts, illustrates the 'cottage industry' nature of the movement⁽¹⁰²⁾.
96. The question which seemed much more important to most of our experts and members of the Committee, was that of a possible growth of xenophobic feeling in France. It should be noted, first of all, that French political history records innumerable movements of the strictly nationalist kind which, incidentally, traditionally transcend party politics⁽¹⁰³⁾.
97. Nevertheless, xenophobia exhibits ebbs and flows which cannot all be put down to political tradition. Several invited experts, and particularly Mrs Chombart de Lauwe, have spoken of 'cycles'. Their amplitude, in the short term at least, seems to be rather small. Faced with the statement 'there are too many immigrant workers', 54.6% of Frenchmen expressed agreement in 1977, 56.9% in 1978, 58.5% in 1981, 60% in 1982, 50.6% in 1983 and 57.9% in 1984⁽¹⁰⁴⁾. However haphazard may be the results of surveys conducted by means of direct questions on a subject such as this, the emerging trend seems to indicate a slight increase in xenophobic feeling.
98. The awareness of xenophobia is now greater than before, especially amongst those who are its victims: according to an MRAP poll of March 1984, 45% of immigrants think that racism is on the increase today; the same percentage of respondents consider that the French are on the whole 'rather racist'; 30% claim to have been verbally abused in public places, 6% to have been pushed about and 7% to have been physically attacked. Xenophobic behaviour, however, is only of very minor importance amongst the disadvantages of which immigrants complain: housing conditions (53%) and working conditions (44%) affect them much more. Lastly, 66% of those questioned said that they were quite satisfied or very satisfied with living in France and 52% wanted to remain in the country⁽¹⁰⁵⁾. Apart from the usual reservations on the accuracy of such surveys, it can legitimately be asked whether the picture has not changed in the last 18 months when the number of violent incidents seems to have increased. They have, of course, always been quite frequent. The public was shocked in October 1982 by the killing of a young Arab, Abdemmbi Guemiah in a Nanterre transit centre, at the hands of a fellow resident from a nearby hut. There was a widespread outcry at the truly senseless murder of two Turks by a 22-year old unemployed youth in Chateaubriant in Loire Atlantique in November 1984. The proliferation of such cases inspired the organization, successively, of the March of the 'Beurs' (second-generation immigrant youth), of Operation 'Convergences' and of 'SOS-Racism' with its famous slogan 'Touche pas à mon pote' ('Don't touch my mate'). Unfortunately, this did not diminish the number of incidents. There were several in March and April 1985: on 6 March, three high-school students, one of them armed with a shot pistol, attacked two young Maghrebians at Neuville-sur-Saone, 15 kilometres from Lyon⁽¹⁰⁶⁾. On the same day, at Vaux-en-Velin, a college

student, Bardek Barka, died in circumstances which have never been cleared up. On 23 March in Menton, a 28-year-old Moroccan was killed and a young man from Martinique was wounded by two Frenchmen 'who didn't like Arabs'. There are also reports of racist vandalism which seems to come in waves. The most recent crime was the murder of a 23-year-old Algerian on 28 September in Lyon by members of a private vigilante group which openly derives its support from racist feelings⁽¹⁰⁷⁾.

99. It is as if a taboo had been lifted, says Mr Theo Klein, chairman of the Conseil représentatif des institutions juives de France (CRIF): 'I do not think that people who had no such feelings before, are now becoming anti-semitic, but today some feelings come to the surface more easily. Once attitudes of discrimination, contempt or even hate come to be adopted towards one section of the population, other sections are threatened. In this respect there is solidarity between us Jews and the Arab immigrants⁽¹⁰⁸⁾. We shall be examining below the causes of the lifting of the 'taboo': here we shall only mention the generation effect (40 years have passed since the fall of the various fascisms) and changed social attitudes to violence. Even the parliamentary political parties have sometimes fallen prey to the temptation of oversimplification⁽¹⁰⁹⁾.

100. It would be to misconceive the nature of xenophobia if we failed to point out that it is directed in the first place against the Maghreb workers. This is all the more worrying because the proportion of immigrants of Arab origin is constantly rising both within the immigrant population and in the population of France as a whole⁽¹¹⁰⁾.

	1954	1982
Foreign natives of the continent of		
- Asia	2.5	8.0
- Africa	13.5	43.5
- Europe	84.0	48.5
in the total population	4.1	6.8

101. In popular perception, little distinction is made between the 1.5 million immigrants from the Maghreb, the families of Algerians granted French nationality under the Evian agreements⁽⁹⁷⁾ and the second generation, the children of the Maghreb immigrants who are French by birth. Altogether, the Maghreb community in France is estimated at nearly 3 million people. It is this community which is the main target of xenophobia and racism, owing to the conjunction of a number of factors: the arrival of the second generation on the labour market just as jobs were becoming scarce (whereas the earlier immigrant waves were coming into the country at a time of labour scarcity); the fact that their acculturation coincided with a period of crisis in the educational system; the accumulated misunderstandings dating back to the Algerian war; a distorted and unfavourable view of Islam in public perception. The problems which the Maghreb community encounters are not of a generalized and abstract kind, but are in every case related to the specific conditions of a particular urban community with its own traditions of immigration, its industrial structure, its power structure and association network, its town-planning peculiarities, its specific social, religious and political patterns. André Diligent, the mayor of Roubaix and a former Member of the European Parliament, has kindly submitted to the Committee a document summarizing the specific problems arising in his town.

102. 'Any particular immigrant wave has 'made it' when it has managed to produce within itself an élite and a middle class, in other words when its members and their descendants come to be represented throughout the social structure of the town (...). Each newly arrived immigrant has to contend with a preconceived social 'image' which is not a flattering one (...). Thus the Belgians were labelled 'butter pots', disliked and despised, because, as a popular song had it, they didn't want to spend their money in France and even brought their butter with them, because they were supposed to be dirty and even smelly and so on. Thus also the 'wops', the 'pollaks' (all supposed to be dirty and drunken), the 'dagos', the 'wogs' etc. This xenophobia precedes each new wave of assimilation: are we to call it racism? At all events, this rejection of the stranger's native identity is undoubtedly generated by an acute but repressed awareness of one's own difference of birth'(112). This analysis seems to apply not only to Roubaix but for the whole of France when it is remembered that one Frenchman out of three is the descendant of immigrants who came to the country within the last hundred years. On this interpretation, then, we are simply witnessing a crisis of assimilation which must reach a peak before it is extinguished. Already the success of initiatives like SOS-Racism, the integration it has been able to achieve around new interests (music and adventure), the rise of second-generation 'Beur' writers and film-makers, all seem to point to a new cultural synthesis now taking place. There remains the question of the religious distinctness of the new immigrants (Islam). It was tackled by several members of the Committee and some of the invited experts, but it has also been analysed by writers as diverse as Bernard Stasi, Alain Griotteray and Eric Roussel although they do not all arrive at the same conclusions(113).
103. The 'specificity of Islam' has been hotly debated in France and deserves some consideration in these pages. Those who are concerned about the supposedly 'unbridgeable chasm' between Islam and our own societies would do well to ponder the following lines by that great expert, Michael Barry: 'Appearances to the contrary, Islam is not an exotic culture and it is not even a religion of the East - the true East of India and China. It has the same two roots as medieval Christianity: semitic Scriptures and Greek philosophy. It developed in the former southern provinces of the Roman Empire. Its theology is constructed according to Aristotelian logic. Its mystique is a continuation of the neo-platonic speculations of Byzantium. (...) Greek philosophy cannot even be considered as a 'borrowing' by Muslim thinking, it is rather its antecedent: in the times of Alexander the centres of Hellenic thought moved to Antioch and Alexandria whose inhabitants were converted to Islam a few centuries later and began to speak Arabic instead of Greek. (...) We in the West should never forget the Greek element in Islam so that we can relate it to our own culture. That is not to deny its incontestable originality, but, on the contrary, it helps to put it in perspective and to appreciate its importance'(114). It would indeed be a major benefit for our own societies if out of the encounter with Islamic culture there arose a new awareness of our own roots!
104. The same author also notes, however: 'But when we emphasize the Hellenic associations of Muslim thought we also recognize the pathetic fruitlessness of the struggle of Islamic fundamentalism to tear itself away from the West and try to ignore the inescapable fact that it is part of that same West'(115). He goes on to say that, given the

similarity of the cultures arising from religions which go back to Abraham, Ayatollah Khomeyni's role is similar to that of Savonarola⁽¹¹⁶⁾. In this connection it would be absurd to deny the effect of the ideology spread by teachers who come from the immigrants' countries of origin. Mr Zwick, of the Ligue des Familles in Brussels, spoke to the Committee of the importance of cooperation with immigrant community leaders and religious heads and of the difficulties which arose when some of these denied such cooperation⁽¹¹⁷⁾. But this should in no way be an excuse - if anything, the contrary - for the perpetuation of mutual ignorance and misunderstanding. It is mutual ignorance between different cultures that inevitably leads to conflict between them.

2.2.5 Greece

105. It will be readily appreciated that the recent history of Greece, marked as it was by two dictatorships (that of 4 August, 1936-1941 and the military régime of 21 April, 1967-1974), a civil war (1947-1949) and their long-lasting and damaging effects, has been the subject of many but often contradictory political analyses. It can nevertheless be stated that right-wing extremism, and much less fascism or nazism, have never taken root in the country's politics. It is, in fact, significant that Greece which at that time was ruled by a nationalist dictatorship not devoid of a certain amount of symbolism of a fascist type, was, alone among the countries of Europe, exposed in 1940 and 1941 to aggression from both fascist Italy and nazi Germany. The war and the resistance movement to which it gave rise served to consolidate the democratic and liberal traditions of the Greek people and to confirm its fundamentally hostile attitude towards the totalitarian doctrines and practices of inter-war Europe⁽¹¹⁸⁾.
106. The above, however, does not make Greece an exception to the rule which applies to all European democracies, that there is always a small minority vulnerable to extremist political indoctrination. As elsewhere, therefore, so in Greece there are a number of groupings on the extreme right of varying and fluctuating importance⁽¹¹⁹⁾. They have for the most part very limited membership and profess an uncompromising nationalism which is at the same time anti-communist, anti-capitalist and anti-liberal with overtones of nostalgia for former dictatorships. References to nazism or fascism appear occasionally in their ideologies which sometimes display racist aspects, primarily in the form of glorification of the superiority of the 'Hellenic race' but sometimes also in the shape of aggressive anti-semitism.

Two organizations are most typical of this tendency:

- (a) the K4A (the Party of 4 August) whose name refers to the dictatorship of 4 August 1936. Founded in 1965 and refounded in 1974, this party bases its programme on principles drawn from the doctrine of national socialism⁽¹²⁰⁾. Its role on the political stage has been insignificant and at present its activities seem to be in abeyance. Some of its young members have reorganized themselves in the FEP (Fititiki Ethniki Protoporeia, Students National Vanguard) which has been active in the universities since 1984.

(b) the ENEK (United Nationalist Movement) established in 1979 which proclaims the primacy of the nation, the creation of a civilization based on the concept of race, the value of strength and of a 'heroic' view of life and denounces the corruption of the established political system. ENEK took part in the European elections in 1984 and for the country overall obtained 0.09% of the vote. It did not put up candidates in the national elections of 1985.

107. Currently the most important movement of the nationalist orientation is the EPEN (National Political Union) which is represented in the European Parliament by one member (Mr Ch. Dimitriadis) who has joined the Group of the European Right. It was set up at the beginning of 1984 and according to its programme it wants to clean up the parliamentary system, to establish an economy based on private initiative and a balanced social policy and is opposed to totalitarianism. At the same time, however, it makes no secret of its ideological and political links with the military dictatorship of 1967-1974 and its priority aims are the rehabilitation of that régime and the freeing of its protagonists who are currently serving long prison sentences. The movement's leaders advertise their special relationship with the former dictator G. Papadopoulos whose secretly recorded message was played at the meeting of the party's founding members⁽¹²¹⁾. In the 1984 European elections EPEN obtained 2.29% of the vote. Because it is represented in the European Parliament it enjoys a certain amount of publicity which, however, has not sufficed to consolidate its electoral performance: in the national elections of 1985 it only obtained 0.59% of the votes cast which was not enough to give it representation in the national parliament.

108. The activities of the movements of the extreme right are currently represented primarily by the publication of books and periodicals. No information is available on the circulation of these publications but in any event it must be very small.

Some of these movements and some individuals notorious for their militancy on the extreme right have been implicated in a number of violent acts, for instance bomb attacks on book shops, especially those selling political literature of the left. But the great majority of terrorist acts committed in Greece since 1975, including a number of murders, have been claimed by, or attributed to, leftist terrorist organizations.

109. No permanent cooperation seems to exist between Greek extreme-right groupings and similar organizations abroad. Immediately after the fall of the military dictatorship in 1974 some contacts between Greek militants and the Italian Ordine Nuovo were reported⁽¹²²⁾ but there is nothing to indicate that such links have subsequently been maintained.

110. As far as race relations are concerned, the small number of immigrants presents no challenge to individual and social attitudes. A large colony of African students frequenting Greek higher educational establishments has long existed and has been harmoniously absorbed both into university life and into Greek society in general. The native population's attitude towards ethnic or religious minorities is tolerant and xenophilic and generally free of racial prejudice. It can also be said that the large Jewish community - established in the country since times immemorial but to a large extent exterminated in Nazi concentration camps⁽¹²³⁾ - has generally not suffered from anti-semitic attitudes⁽¹²⁴⁾.

2.2.6 Ireland

111. No mention was made before the Committee of the existence of extreme-right movements in Ireland⁽¹²⁵⁾. Because, historically, Ireland has been a country of emigration, attitudes towards foreigners are not comparable with those in other North European countries. Besides, out of the 232 400 foreigners living in Ireland in 1981, 187 000 came from the United Kingdom (at the same time 470 000 Irish citizens were living in the United Kingdom)⁽¹²⁶⁾.
112. However, according to an opinion poll of February 1981, 24% of the Irish considered that people of a different race or colour should live in separate districts and 12% admitted that they were racially prejudiced (as against 30% of British respondents, according to a survey published three years earlier⁽¹²⁷⁾).
113. Finally, it should be noted that Ireland is the only Community country which has not ratified the Convention on the Elimination of All Forms of Racial Discrimination⁽¹²⁸⁾.

2.2.7 Italy

114. Italian right-wing extremism bears the imprint of the Mussolini régime and its ideology - the archetype of fascism. The Law No. 645 of 20 June 1952, 'implementing provisions of the VIIth transitional and final provision (first paragraph of the Constitution)' forbids the reconstitution under any form whatsoever of the disbanded Fascist Party. The Movimento Sociale Italiano (MSI), established in 1946, looks back to the former régime. Mr Giorgio Almirante who has headed the MSI since its foundation was Minister of Justice of the Salò Republic. According to Professor Revelli, one of the experts invited by the Committee, the MSI is an 'anti-system' party, with a violently anti-egalitarian, hierarchic, elitist ideology which is fundamentally opposed to the Italian constitutional model. The MSI is represented both in the Italian Parliament and in the European Parliament, for which it obtained 6.5% of the vote in 1984 (5.4% in 1979) and where it has five members. The movement has its youth organization (Fronte della Gioventù). A number of small fascist and extremist groups have been set up by militants who broke with the MSI.
115. Both Mr Aniasi, Vice-President of the Italian Chamber of Deputies, and Professor Revelli have pointed to the persistence in some sections of Italian post-war society of a conspiratorial tradition: there was an attempted 'coup' in 1964 in which General Giovanni de Lorenzo was involved, another one headed by Valerio Borghese in 1970, yet another in January 1974, and there was the affair in October 1974 in which General Miceli, head of the secret service (SID) was implicated⁽¹²⁹⁾. This tradition goes a long way to explain the phenomenon of the 'P2' lodge which was discussed on several occasions in the Committee. It turns out (as the parliamentary committee of inquiry chaired by the Christian-Democratic deputy Tina Anselmi established) that Licio Gelli, the grand-master of the lodge, was involved in the 1970 plot referred to above. While it is generally agreed that there was collusion between 'Propaganda Due' and right-wing subversives, as the minister, Mr Scalfaro stated before the Committee, the rule of law demands that proper procedures be followed before the establishment of incontrovertible facts could give rise to legal process.

116. Indeed, all our experts were concerned about the difficulty of bringing matters to the stage of legal proceedings; they referred to the five most notorious outrages widely attributed to extreme-right wing terrorists: the attack at Piazza Fontana in Milan on 12 December 1969 (17 killed, 88 injured), that at Piazza della Loggia in Brescia on 28 May 1974 (8 killed, 94 injured); the attack on the 'Stalicus' train on the Bologna-Florence line on 2 August 1974 (12 killed, 104 injured), the attack on the Bologna railway station on 2 August 1980 (85 killed, 200 injured) and the attack on the Naples-Milan express on 23 December 1984 (15 killed and 100 injured). Whereas Professor Revel had warned the Committee against hasty attribution of responsibility for terrorist attacks (as in the case of those in the rue des Rosiers and in the rue Copernic or of the arms theft in Foix in November 1981 in France), there seems to be little doubt that the above outrages and very many others were the work of 'black' terrorists. This was stated, in the case of the Italian train tragedy, by the Anselmi committee. The desire to emulate the exploits of the Red Brigades which had such wide publicity and a strategy of creating a state of tension in the country which has been pursued since about 1974⁽¹³⁰⁾ have resulted in a wave of indiscriminate and particularly murderous terrorist acts. In addition, assassinations of members of the judiciary (for instance the judges Occorsio and Amato), of policemen (for instance Ranco Straullu and Ciriaco di Roma) and of militants regarded as potential traitors (for example Ermanno Buzzi and Luca Perucci) have further increased the difficulty of the investigations. Moreover, the outcome of judicial proceedings do not always match the seriousness of the charges. The proceedings in respect of the attack at Piazza Fontana in Milan, which ended in the trial before the Bari Court of Appeal, failed to identify the criminals. While Professor Revelli was concerned about the shortcomings and the possible criminal involvement of the state security apparatus, Mr Scalfaro tried to present the question in the larger context of the difficulties of extradition, of the due process which must be observed in all legal action and of the interrelations between various terrorist movements. Nevertheless, as a citizen, he said, he was troubled to find that two security chiefs were members of the P2 lodge.
117. Several movements came in for particularly frequent mention in the oral and written evidence submitted to the Committee: the Ordine Nuovo set up in 1956 by a splinter group of the MSI takes its inspiration from the theories of Julius Evola, one of the gurus of the Italian extreme right. There is a record of international contacts with France, Germany, Belgium, as well as with Greece, Spain and Portugal before the restoration of democracy in these countries. Disbanded in 1974 by the Tribunal of Rome⁽¹³¹⁾, the Ordine Nuovo went underground. Responsibility for the attacks on the 'Italicus' train and in Brescia is attributed to the Ordine Nero, a group within this movement. Earlier, in 1960 Stefano Delle Chiaie had established the Avanguardia Nazionale, subsequently dissolved in 1976, which was involved in the assassination of Vittorio Occorsio (10 July 1976). Delle Chiaie is said to have been seen in Spain, where he ran a restaurant 'El Apuntamiento' - haven for like-minded people - Portugal, Argentina, Chile, Paraguay and Bolivia and his name has been associated with traffic in heroin and with Klaus Barbie's work in Bolivia. Delle Chiaie's international contacts, including those with Guérin-Serac, a veteran of the French Secret Army Organizatin (OAS) and the right-wing propaganda organization Aginterpress, led them to be dubbed the Black Orchestra⁽¹³²⁾. Terza Posizione and the Nuclei Armati Rivoluzionari (NAR) which appeared about 1976-1977 seemed to represent a new development in the ideology and strategy of terrorism, comprising an anti-American and anti-zionist aspect. The NAR were implicated in the Bologna attack of August 1980. Most of their members, including the leader, Giusva Fioravanti, are now in prison⁽¹³³⁾.

118. Professor Revelli spoke of the dynamic rise of a 'New Right', which is essentially opposed to the 'mercenary society' and in its radically anti-egalitarian ideology claims to draw on the sciences of social biology, genetics and ecology. This resurgence of 'scientific' racism dovetails with the Italian traditional 'European nationalism' which assigns to 'Roman' Europe a superiority over all the other historic configurations. According to Mr Scalfaro, whatever the phraseology and the masks assumed, it is the resurgence of every form of violence that should concern us most. It is a violence directed against human rights, as they are enshrined in the Italian Constitution and as they are understood in all our countries. The ease with which 'black' and 'red' terrorism, organized crime, drug traffickers and common criminals can cooperate, and the extent of that cooperation call for a special vigilance. The ease of that cooperation is illustrated by the variety of international contacts established by the Italian extreme right. Reference has already been made to the Greece of the Colonels, the Latin-American dictatorships, the narcotics networks. To this should be added the controversy opened by the failed attempt on the Pope's life, the reported presence of Italian terrorists in Madrid and in Barcelona, to which Mr Aniasi referred⁽¹³⁴⁾, and the question, raised by Mr Scalfaro, of Italy's special place at the centre of the Mediterranean area together with the role played by the government of Libya⁽¹³⁵⁾.
119. In July 1985 public opinion was shocked by the racist murder of a schoolboy whose mother was a Somali, which was committed by two fellow-pupils. Notwithstanding this recent isolated event, Italy is certainly one of the countries of Europe with the lowest number of racist incidents⁽¹³⁶⁾.

2.2.8 Luxembourg

120. No reference was made to Luxembourg in the Committee. It should however be noted that in November 1984 death threats marked with the swastika were sent to newspapers and to politicians, including the chairman of the Luxembourg Communist Party, Mr René Urbany⁽¹³⁷⁾. The sect Nouvelle Acropole has recently made its appearance in Luxembourg, organizing talks and meetings. (On the ideology of this organization, see para. 162 below and the relevant footnote (138)). In April 1985 Luxembourg's Chamber of Deputies adopted a resolution on the prevention of all forms of racism and xenophobia and on promoting the integration of immigrants, who form a greater proportion of the population than in the other Community countries, into Luxembourg society.

2.2.9 The Netherlands

121. A number of more or less overtly pro-nazi or racist organizations have appeared since the war on the Netherlands political scene. The following survey, inevitably brief and no doubt incomplete, lists the most important developments in this area⁽¹³⁹⁾.
122. Among the first attempts to give an organized political form to such nazi sympathies as survived the war and the occupation must be counted the establishment in 1953 of the NESB (Nationaal Europese Sociale Beweging, the National European Social Movement) which was banned in 1955 when it announced that it intended to take part in the general elections. The central theme of its campaign was opposition to the influx of Indonesians, the majority of whom were veterans of the Dutch army, the NESB representing their presence as a threat to the 'European national community'⁽¹⁴⁰⁾.

123. Former NESB members went on in 1956 to join the NOU (Nederlandse Oppositie Unie, the Dutch Opposition Union) which had participated in the general elections of 1956 under the slogan of a 'racially pure' Europe. The disclosure that its leader, Paul van Tienen had been a former SS man seems to have sealed the fate of the organization. It collected only about 20 000 votes, insufficient to obtain a parliamentary seat, and eventually disappeared from the political scene⁽¹⁴¹⁾.
124. In 1958 former NUO activists set up the Boerenpartij (the Peasants' Party) which, campaigning on more or less poujadist lines, principally against immigration and the tax system, managed to acquire public support and win 7 mandates to a 150-seat parliament⁽¹⁴²⁾. In the 1970s the Boerenpartij gradually lost electoral support and has virtually disappeared from the political arena.
125. Another openly pro-nazi group was set up in 1975 under the name of Nederlandse Volksunie (NVU, Union of the Dutch People). Ideologically controlled by enthusiasts of the Hitler régime it extolled that régime's ideas and political solutions and questioned the truth of the extermination of millions of Jews in concentration camps. Its membership has remained extremely small, 150 at most according to an estimate, and it does not seem to have gained any significant following⁽¹⁴³⁾.
126. It was this failure, according to Mrs Kniesmeyer⁽¹⁴⁴⁾, which led to the creation of yet another party, the Centrum Partij with the participation of some former NVU members. In this party's programme pride of place was given to the question of immigration which was now presented in new terms. According to the programme, the Netherlands should not become a host country and it should encourage the voluntary departure of immigrants. Although its membership is barely over 1 000, the Centrum Partij by using arguments which in the current situation do not fall on deaf ears - proclaiming for instance, that the presence of half a million immigrants aggravates the unemployment problem, contributes to a higher crime rate, endangers the 'national ecological system' and threatens to 'libanize' Dutch society - it has been able to achieve a certain measure of electoral support, especially amongst the urban working classes and has managed to obtain a seat in parliament⁽¹⁴⁵⁾.
127. According to Mrs Kniesmeyer, however, it would be wrong to attribute this party's influence solely to the popularity of its views on immigration among some sectors of the electorate. A considerable number of its members and supporters seem to be exercising a protest vote, though it is not clear in what sense and for what purpose.
- Lastly, in 1984 a number of activists and rank-and-file members left this party to form yet another grouping, the Centrum Democraten which seems to propound similar views in the matter of immigration⁽¹⁴⁶⁾.
128. Despite the electoral insignificance of these groups which embody pro-nazi or racist trends in their programmes, their political impact on Dutch public opinion may be relatively more extensive. Mr Van Donselaar, Mr Smeets and Mr Van Weezel⁽¹⁴⁷⁾ referred to a survey carried out in 1981-1982 among secondary school pupils which deserves consideration: 1.5% of the students questioned said they were prepared to vote for a pro-racist party, 8% expressed sympathy for the extreme right and 35% declared they were in favour of an unmistakably authoritarian ideology.

129. As might be expected, contacts between Dutch right-wing extremists and similar groups abroad are long-established and numerous. Naturally, they are strongest with German and Flemish organizations. It does not seem, however, that these links amount to organized political cooperation⁽¹⁴⁸⁾. Notably, reference was made before the Committee to a meeting held ten years ago between the Nederlands Volksunie and the MSI which ended with an agreement to differ when the Dutch side raised the question of repatriating Italian immigrants⁽¹⁴⁹⁾.
130. Indirect evidence for xenophobia might be sought in such favourable response as the theories of racist political organizations found in Dutch society. That, however, would be to ignore the fact that much wider social strata, which would not openly subscribe to these theories, with their associated message of extremism or authoritarianism, nevertheless in their daily behaviour slide into attitudes of intolerance or occasionally even hostility towards ethnic minorities and especially the Blacks. 'Everyday racism' (allegedly racisme as Mrs Essed aptly describes it⁽¹⁵⁰⁾) seems to be much more widespread, being the expression of a particular social situation. It can be discerned - though with difficulty because of its latent and less aggressive nature - in almost every aspect of inter-personal and social relations. To combat this type of behavioural xenophobia a strategy is needed both at the institutional level and in terms of a change in the ideological climate⁽¹⁵¹⁾.

2.1.10 United Kingdom

131. A number of factors particular to the UK help to determine the fascist and racist phenomena in the country: colonial links have encouraged sizeable immigration to the UK, continuing during and after the change from Empire to Commonwealth. These links have influenced public perceptions of various ethnic minorities living in the country. The UK's electoral system gives extremist groups little chance of being represented, and increases thereby the radical character of their extremism, already exacerbated by the marginality of their views given the vigour and continuity of British democracy. The early industrial revolution and the traditions it brought to several regions of the country helped to shape an urban society which is sometimes vulnerable, especially in times of crisis, to the diffusion of violent behaviour initiated by small minorities in these areas.
132. While the situation in Northern Ireland presents aspects which might appear relevant to this report, it has not been addressed here. This is for two reasons: first, the conflict has many features unconnected with the subject of our report. Second, the Northern Ireland problem was examined in great detail in the HAAGERUP Report (Doc. 1-1526/83) adopted by the last parliament on 19 March 1984, by an overwhelming majority⁽¹⁵²⁾.
133. The large size and the diversity of ethnic minorities in the UK are due not only to the country's links with its former colonies, but also to the, by European standards, relatively liberal immigration policies pursued by succeeding Conservative and Labour Governments and the originally wide definition of citizenship of the UK. Because of these factors, the UK has defined its race relations policy, expressed mainly in successive Race Relations Acts⁽¹⁵³⁾. The means of monitoring race relations are extensive and open to public scrutiny and the democratic institutions seem more ready to raise and discuss such matters than in many other European countries. Further the UK had a generous tradition of granting asylum to the victims of political persecution, derived from a practice that applied on a relatively large scale during the 1930's.

Extremist groups

134. Historically the extremism of the right has been associated more with immigration matters than socio-economic changes, such as in unemployment. Taylor dates the birth of the extreme right in Britain to 1902 when the British Brothers League (BBL) was formed⁽¹⁵⁴⁾. In its first years the BBL acted as a pressure group for the reduction or stopping of immigration from Eastern Europe. Its support was centred in East London. The 1904 Aliens Act⁽¹⁵⁵⁾, which restricted somewhat access of political refugees to Britain removed part of the BBL's rationale and it then became more marginal, nationalistic, anti-semitic and conspiratorial until finally being organized as a paramilitary racial/nationalist movement. It failed to survive the First World War⁽¹⁵⁶⁾.
135. Since then, the extreme right in Britain has been notable for its considerable diversity, the internecine arguments within it, the small size of its following and its lack of electoral or popular support. Even at its height, under the charismatic leadership of Sir Oswald Mosley in the 1930s, the British Union of Fascists (BUF) probably had no more than 40 000 members⁽¹⁵⁷⁾ and its electoral results after the passage of the Public Order Act in 1936 showed no more than 20% support in local elections in parts of its East London stronghold and much lower elsewhere⁽¹⁵⁸⁾. Other fascist organizations were also formed before the Second World War, but their activities were curtailed when many of their leaders were interned in 1940. Surprisingly, the reestablishment of extreme right groups followed closely the War's end. Many separate organizations sprang up, with few members and little support, coalescing and splintering.
136. One issue that inspired their activities during the 1950s, and allowed them to exploit the traditional British islander's insularity, was increasing immigration, particularly of Asians and West Indians from the 'New Commonwealth'. Things came to a head at the Nottingham and Notting Hill 'race riots' in August and September 1958. The Mosleyite Union Movement, the National Labour Party of John Bean and Andrew Fountaine, and the White Defence League formed by disenchanted former leaders of the League of Empire Loyalists grouped the extreme right activists at this time, and it was from these or their offshoots or similar organisations, such as the Racial Preservation Society, the British National Party (with its paramilitary elite corps Spearhead), and subsequently (in 1968) the Greater Britain Movement (under John Tyndall and with its publication Spearhead), and the national Socialist Movement, which became the British Movement in 1968 when in order to comply with the Race Relations Act of the time the words 'National Socialist' were dropped from its title, that the National Front grew in 1967. This last organisation was most frequently cited by the experts at the hearings and in the written submissions that the committee received as the leading extreme right-wing organisation of the 1970s and early 1980s. Beginning in 1967 with about 2 000 members⁽¹⁵⁹⁾ it grew till at its most popular in the period 1975-77, it claimed about 20 000 members and attracted 230 000 votes at the 1977 local elections, having won 16.2% of the vote at the West Bromwich by-election in 1976 and 18% in the local elections in Leicester that same year; former National Front members won two seats in Blackburn that year. Internal divisions and leadership struggles led to splits and its electoral popularity slumped to 0.6% in 1979 and, presenting fewer candidates, 0.1% in the 1983 general elections, while its

membership fell to about 2 000. In 1983 it was least unsuccessful in inner East London seats, gaining 3.7% of the vote in Newham South⁽¹⁶⁰⁾. The National Front publishes a number of newsheets and tracts including Bulldog (prosecuted successfully in 1981 for incitement to racial hatred), the New Nation, National Front News, and Rising.

Publications and documents provided by the experts, in particular by Mr Martin Savitt, illustrate the virulence of its racist themes and its praise of violence (its use for example of 'race war'), and suggests that the young militants were recruited more particularly from the inner cities. The 'ideology' of the National Front owes much to the 'terza posizione' of the Nuclei Armati Rivoluzionari of Italy, also defined as 'strasserism'⁽¹⁶¹⁾.

137. The British Movement (of Colin Jordan, Michael McLaughlin becoming its Chairman in 1975) was considered by some as the second largest extreme right-wing movement in Britain after the National Front - it has a paramilitary wing Leaguerguard and publications including anti-semitic British Patriot and, later, British Tidings. Other extreme-right groups mentioned by the experts or appearing in other submissions include the British Democratic Party (National Front breakaway led by Anthony Read Herbert); Column 88, formed in 1970 by remnants of the National Socialist Movement who objected to the dropping of National Socialist from its name, and 'engaged in the building up of an armed cadre on the extreme right, in weapon trafficking and the accumulation of an arms arsenal'⁽¹⁶²⁾; the League of St. George, formed in 1974 by former members of the Sir Oswald Mosley Union Movement and counting amongst its membership adherents of other British extreme-right groups: it acts as a lynch-pin between British, other European and American extreme right groups and publishes the League (now National) Review; the National Party, led by John Kingsley Read and made up of former NF members committed to 'humane repatriation or resettlement abroad of all coloured and racially incompatible immigrants'⁽¹⁶³⁾; the New National Front with other former NF members including John Tyndall; the Constitutional Movement, an NF offshoot identified with Paul Kavanagh and Andrew Fontaine and advocating a more populist policy to increase electoral appeal, the National Action Party, led by Eddy Morrison then Kevin Randall, and though tiny in number, active in London, engaging in attacks and violence; SS Wotan, a terrorist group of the right; and finally the British League of Rights, affiliated to the World Anti-Communist League⁽¹⁶⁴⁾, whose patron Air Vice-marshal (rtd.) Donald Bennett gained 6% of the vote in the Cotswolds Constituency in the 1979 European elections as a United Anti-Common Market candidate.
138. These groups have anti-semitism and racism and adherence to the conspiracy doctrine in common. Though extremist groups are small in number and unable to command significant electoral support, some not even attempting to win it, experts counselled vigilance against the rising trend of violence and racial harassment stimulated and at times instigated more generally by extremist groups. The general political climate determined by the major political parties can influence the growth or decline of these extremist groups, in so far as certain ideas espoused by major parties find echoes among the extremists and vice versa. One of the earlier examples of this was Enoch Powell's race relations and immigration speech in April 1968 which treated the themes of popular resentment of immigration and repatriation sympathetically in view of what he considered to be a sadly predictable racial war if coloured immigration were to continue. His sacking from his shadow

ministerial position did not prevent a resurgence of NF electoral support(165). The other side of this coin is entryism - a matter evoked by several experts. In a BBC 'World Tonight' programme on 5 August 1982 a confidential Greater London Young Conservative study on extreme right-wing infiltration of the Conservative Party was discussed. The report was presented to the Conservative Party chairman in January 1984 and indicated that extreme right-wing groups such as Tory Action, WISE, the Swinton Circle and David Irving's Focus Policy Group had infiltrated the party. The rise of the New Right in Britain and elsewhere provoked comment from a number of experts. The Salisbury Review and the Peterhouse (Cambridge) group were described variously as anti-egalitarian, authoritarian, and at times nationalist intellectuals, sympathetic to the extreme right wing. 'Entryism' by Trotskyite groups into the Labour Party was also raised by Mr Savitt and Mr May in so far as certain of these groups had developed specifically anti-semitic views. Mr Kohler noted that NF success during 1976-79 was primarily in Labour-held constituency strongholds, which he attributes to a protest rather than racist vote. The SDP also has its critics in this respect(166).

International links

139. Two aspects on international links were described by experts, the ambiguous role played by certain Arab embassies and Palestinian groups in relation to right-wing extremist groups and collusion between the NAR of Italy and the NF, the League of St. George and others(167), and between German and Belgian neo-nazi groups and the British Democratic Party(168) and Column 88(169). David Irving of Focus Policy Group admits to attending meetings of the nazi Deutsche Volkunion, and has links through his private secretary with the wanted Italian NAR terrorist Roberto Fiore(170), a link mentioned also by Professor Revelli and Mr Aniasi and by Mr Scalfaro who also referred to the problems of extradition.

Anti-semitism and racial discrimination

140. Anti-semitism in Europe is a limited phenomenon confined to a small minority. Mr Savitt suggested that on average 15 anti-semitic incidents occurred each month in Great Britain. Besides telephone calls and violence to pupils or students, synagogues and cemeteries are particular targets for such incidents. Mr May cites international comparisons in a survey of anti-semitic incidents in several European countries(171).
141. Publications of revisionist literature, such as The hoax of the Twentieth Century (Arthur Butz) or Did six million really die? (Richard Harwood, apparent alias for Richard Verrall) are also of concern(172). But perhaps more of concern than the existence of marginal groups are the systematic efforts to exploit particular manifestations of social inequality, mistrust, xenophobia and sometimes violence. The 1984 report of the Commission for Racial Equality cited the most recent Policy Studies Institute (PSI) study demonstrating that, though there had been some improvements, 'serious inequalities, to which discrimination on racial grounds has contributed, persist in employment, housing, education and other services'. These findings have been corroborated in the Swann Committee Report Education for all. Commenting on a recent report of the PSI, the Economist described the current state of race relations in Britain as 'black days'(173).

Racial attacks and violence

142. Dr LAYTON-HENRY began his written evidence on racial attacks by reminding the Committee that: 'violence against the person and against personal dwelling houses are generally considered to be among the most serious of crimes ... Unprovoked racially motivated violence, harassment and intimidation must be seen as amongst the most serious manifestations of racism and racial prejudice'. And in Britain in October 1985 these words have special relevance, after the riots and deaths in Birmingham Handsworth, in London (Brixton, Peckham and Tottenham) and Liverpool (Toxteth), and in the violence and deaths in individual incidents in East London and elsewhere. Before the Home Office's own study of the incidence of racial attacks in 1981, various organisations had prepared reports or dossiers, the most notable of which were the Bethnal Green and Stepney Trades Council 'Blood on the Streets' (1978), the all-party Joint Committee Against Racism's dossier of over 1 000 racial attacks all over the UK, and Dr KHAN's report as General Secretary of the Union of Pakistan's Organisations, the last two in 1981. The Home Office report in 1981 noted⁽¹⁷⁴⁾ :
- 'The views expressed by ethnic minority representatives about racial attacks reflected a general feeling of fear and apprehension for the future. (...) In all places we visited we were given accounts of racial violence, abuse and harassment. (...) In many places we were told that the Asian families were too frightened to leave their homes at night or to visit the main shopping centre in town at weekends when gangs of young skinheads regularly congregate. (...) The absolute number of racial attacks appears to have increased.'
143. In his submission, Dr LAYTON-HENRY concluded that 'there can be no doubt that racial attacks, violence and harassment are widespread in all areas of England where Asians and Blacks have settled. The situation is most serious in London, particularly in the East End of London ... There is certainly considerable under-reporting and under-recording of these incidents ... many victims feel the police are unsympathetic to these types of complaints ... The role of the police (in countering such attacks) is crucial'.
144. Outbreaks of violence having racial characteristics seem to occur rather frequently and, though limited to certain areas, create nevertheless a climate of malaise. They support a subculture of machoism and vandalism, facilitate the aggressivity of groups of skinheads and hooligans and, most of all, allow such situations to be exploited by the groups mentioned above⁽¹⁷⁵⁾. The difficulties met by the police in controlling such phenomena, the mistrust felt by ethnic minorities towards the police, the prejudice shown by some in the police force itself⁽¹⁷⁶⁾, are factors encouraging recourse to violence. Minor incidents which are inappropriately treated can lead to major confrontations. Recent riots in Birmingham Handsworth, Brixton, Peckham and Tottenham (September/October 1985) give tragic confirmation to that. Lord SCARMAN's perspicacious report on the Brixton disorders in 1981 addresses these problems⁽¹⁷⁷⁾. Several commentators consider that the last years have seen an increase in racial attacks, including murders, in certain parts of the country, the East End of London being notable among them. The Home Secretary Douglas HURD announced after a meeting of the High Commissioners of India and Bangladesh and the Pakistan Ambassador on 25 September 1985 that one of the urgent priorities of the London Metropolitan Police Commissioner was action to curb racial attacks.

145. While not condoning in any way such violent incidents, Dr LAYTON-HENRY attributes them to the chauvinistic culture which is particularly strong in long-established areas of native English working class settlement where frustrations and resentment are now particularly high owing to unemployment and economic dislocation. For the ethnic minorities particularly severely affected by unemployment and subject to this chauvinism, the pressures become at times explosive.
146. The Handsworth, Brixton and Tottenham riots in 1985 could be said to have begun in similar circumstances (an incident involving the police); besides the police, certain interests became the target of violence. Perhaps significantly, properties of certain authorities or organisations were relatively untouched. Without attempting to analyse this in detail or recommending solutions, the Economic and Social Research Council's recent report on the Inner Cities amongst others could point to possible ways of arresting inner city blight. Despite the application by the police of many of Lord SCARMAN's recommendations, the gulf of suspicion and mistrust between some minorities and the police remains unbridged.
147. Violence in sport, in particular at football matches, is one of the disturbing developments which the Committee felt it should look at under the terms of its inquiry. Simon Wiesenthal had drawn attention to the issue in the February 1985 hearing. The tragic events of 29 May 1985 at Heysel stadium in Brussels hastened the submission of Mrs Larive-Groenendaal's interim report in July 1985 and were the subject of two emergency resolutions adopted in June 1985⁽¹⁷⁸⁾. The chairman and rapporteur of our committee were able to contact the Belgian parliamentary committee who, under the chairmanship of Mr R. Collignon, conducted an inquiry into the tragedy. The chairman of our committee received evidence from Liverpool Football Club, from Searchlight and from other sources that supporters of the British Movement and of the Italian extremist organizations Ordine Nuovo were present and active at the match.
148. Football crowd violence, the causes of which are complex, is difficult to stamp out and creates conditions which provide fertile ground for the activities of extremist gangs and other categories of alienated individuals (hooligans, skinheads). Such gangs attempt to recruit followers from the mass of young spectators while maintaining a climate of violence by goading militant football fans. On the other hand, a political veneer, limited on the whole to the use of insignia and nazi or fascist language, allows the authors of acts of violence to work themselves up into a frenzy and stand out characteristically in a crowd which although politically amorphous is potentially explosive⁽¹⁷⁹⁾.
149. In the conclusions to its report the Belgian parliamentary committee does not refer to the possible involvement of extremist groups, although some speakers in the hearings raised this point⁽¹⁸⁰⁾. However, the interim report by the judge, Mr Popplewell, who was responsible for the inquiry into the events in Bradford and Birmingham (11 May 1985), refers to evidence submitted to him which indicated that 'political activists' were involved in these incidents (handing out of National Front leaflets, spectators wearing nazi insignia). Mr Popplewell believes that some young football fans who take part in racist demonstrations during matches have a very vague knowledge of the politics of groups such as the National Front or the British Movement and he adds that he intends to examine this aspect of the situation more closely⁽¹⁸¹⁾.

150. In February 1981 the UK Football Association pledged itself to investigate the growing number of allegations that racist groups were recruiting members from among young terrace fans. The NF had begun leafletting campaigns outside football stadia in 1978 and its newspaper Bulldog had run a column 'on the Football Front' since 1980. Williams et al. in *Hooligans Abroad*⁽¹⁸²⁾ document the activities of NF, British Movement and British National Party fans during the World Cup in Spain, at matches in Denmark and elsewhere.

Racial discrimination

151. Certain of the experts claimed that 'state racism' or institutionalized racism existed in Britain. These claims stimulated a debate in committee, particularly during the hearings of Professor Parekh and Mr Kohler. The former cited five matters deserving attention: (1) definitions of citizenship of a country; (2) women migrants not being allowed to bring in their husbands or fiancés from their country of origin; (3) dependents of citizens settled in Britain not being allowed to enter Britain in the way they ought; (4) the considerable increase in deportations from Britain; and (5) the maintenance of repatriation as a policy option in Britain. Each of these is due, in Professor Parekh's views, to state or government practices and, he added, 'if the state presents a racist profile to the community, then it tends to give legitimacy to racist attacks'. Repatriation is a policy option of no major political party in the UK, but has been propounded by marginal extremist groups. After the recent Brixton incidents, Mr Enoch Powell raised the repatriation option. The Prime Minister, Mrs Thatcher subsequently formally rejected its consideration as an option⁽¹⁸³⁾. Several experts were of the opinion that discrimination was built into the structure of certain laws, or administrative practices, but interpretation of non-discriminatory rules could also be discriminatory. Cases were drawn to the committee's attention of the virtual absence of Black magistrates⁽¹⁸⁴⁾, the paucity of Black policemen⁽¹⁸⁵⁾ and Black senior trade union officials. Stephen Rose claimed anyway that migrants throughout Europe suffered similar discrimination: 'the ethnic minorities groups in Europe are dumped in the worst schools, worst housing, the most socially deprived areas and they are denied fundamental citizen's rights ...'⁽¹⁸⁶⁾. Martin Savitt cited the case of the harassment and non-recognition of a Jewish Students' Society by the Sunderland Polytechnic Students Union's refusal to ratify the society's proposed constitution on the grounds that it was against the Union's policy since it had passed a resolution stating that 'Zionism is racism' along the lines of the similar and much contested UN general assembly resolution. This was an example of 'the opportunities ... seized by both the fascist right and the fascist left to discredit Jewish communities', in Mr Savitt's view. Experts differed on the rate of improvement in this situation on the ground that the laws on racial equality, passed since 1965, did not fully carry the message of government commitment against inequality because the message of the rejection of the immigrant in the immigration laws has been much louder. Anyway, the objective observer would recognise that succeeding governments efforts to establish an institutional framework for racial equality has been tenacious and constructive. Most experts, in fact, accepted that institutions and machinery introduced in the United Kingdom in the field of race relations, while giving room for improvement⁽¹⁸⁷⁾, did not require radical change.

152. Public attitudes towards ethnic minorities and immigration have not been measured very regularly in Europe, though Britain is rather better observed than many other countries. Michael Billig has studied xenophobic views among 15-16 year-olds in the West Midlands, and finds between 1980 and 1984 a doubling in sympathy expressed for the National Front a sympathy explicitly related to the threat of unemployment⁽¹⁸⁸⁾. The Social and Community Planning Research 1984 study suggested, 'a widespread public belief that Britain is far from an equal opportunity society. Race and class prejudice and discrimination are seen to exist in large measures and are regarded as important obstacles to advancement. Around 90% of the population believe there is prejudice against Asians and Blacks ... Around a third of the total sample described themselves as prejudiced against people of other races ... Over 40% of the population believe that race prejudice will increase during the 1980s and a further third that it will remain at its present level ...'⁽¹⁸⁹⁾.
153. The incidence of racism might appear at first glance higher in the UK than in many other countries of Western Europe. The willingness to conduct open public debate on racial relations at all political and social levels may give sometimes a disproportionate impression of the growth of problems relating to that field. On the other hand, the response to those problems through general government policy seems to be more far-reaching and coherent in the United Kingdom than perhaps in other countries.

2.2.11 Spain

154. Many observers were surprised by the ease with which Spain was able to leave behind Franco's, corporalist and authoritarian regime. Memories of the lacerations of the civil war had obscured the central fact that, socially and politically, Spain shared all the essential characteristics of its democratic neighbours.
155. All the polls carried out from 1974 - 1975 onwards indicated the popular desire for a peaceful transition, a revulsion from the representative organs of the old regime, but also against extremist movements in general⁽¹⁹⁰⁾.
156. There was an equally clear expression of a resolve to defend democracy - an important difference from the situation under the Second Republic, with most citizens accepting republicanism but few being prepared to fight in its cause at least in the first half of the 'thirties.
157. The passage has not been without tremors due to a number of attempted coups, the most celebrated of which remains that of 23 February 1981 headed by Lieutenant-Colonel Tejero. Another plot was foiled in October 1982. Despite some alarmist prognoses⁽¹⁹²⁾, a military putsch seems quite impossible today.
158. At the electoral level, the end of the Franco era was sealed in the 1982 elections. For the 1979 elections, the Fuerza Nueva, set up in 1976 by Mr Blas Pinar, then a member of the Franco regime's parliament, joined forces with the Falange under the name of 'National Union'. They jointly obtained 2% of the vote. It is interesting that the National Union's least-bad returns (Castille, Santander, Valladolid) were in what in 1936 had been 'strongholds' of the Falange (which then obtained less than 1% of the vote)⁽¹⁹³⁾. This does not mean, however, that the extreme right cannot count on a large number of young and active militants or rally gatherings of thousands on certain occasions. There are also from time to time court cases concerning arms caches or arson at the offices of political parties or trade unions⁽¹⁹⁴⁾.

159. Recently the creation of a new party of the extreme right, Juntas Espanola, chaired by Mr Antonio Izquierdo, publisher of the daily El Alcazar, has been reported.
160. A digression is perhaps justified on the fact that many former ministers and political figures of the Franco period are active in present-day Spanish politics.
- Examples are Mr Fraga Iribarne, chairman of the conservative party Alianza Popular, Mr Suarez, former prime minister and chairman of the Centro Democratico y Social, and the new foreign minister, Mr Francisco Fernando Ordonez. While this raises some eyebrows in the rest of Europe, the democratic legitimacy of their presence is never questioned in Spain. There does seem to be little basis for gauging Spain's democratic development by the rise and fall in popularity of such politicians⁽¹⁹⁵⁾.
161. As regards the Spanish extreme right's international links, Mrs Chombert de Lauwe drew attention to the role of the CEDADE (Circulo Espanol de Amigos de Europa). It was founded in the FRG in August 1965 under the aegis of a Wagnerien association by a number of leading military and professional personalities of the Hitler and Mussolini regimes. Subsequently it expanded rapidly in Spain, its headquarters and largest branch being in Madrid. It is said to serve as a cover for other organizations with explicitly nazi titles, its structure is supposed to comprise three tiers and its membership to be about 2 500. It propounds 'pan-Europeanism' and anti-semitism⁽¹⁹⁶⁾ and is said to have outposts in Latin America and to maintain relations with 'hard' extremist groups throughout Europe⁽¹⁹⁷⁾.
162. Note should also be taken of the activities of the New Acropolis sect which is said to be active in 27 provinces of Spain where its membership is said to be about 1 000. The daily Tiempo has exposed the fact that New Acropolis, through its various branches, receives subsidies from the Madrid community⁽¹⁹⁸⁾. The sect, whose leader in Spain is a woman of Argentine nationality, was founded in Peru and has its international headquarters in Brussels; it is said to be active in 17 European and 17 Latin-American countries. Under cover of philosophical speculation it promotes a neo-nazi ideology⁽¹⁹⁹⁾.
163. Special mention must be made of the Basque problem. It is widely acknowledged that the principal threat to Spanish democracy resides in the terrorist activities of the military wing of ETA, but also, to a lesser extent, in the counter-terrorism of GAL ('Grupos Antiterroristas de Liberación'). GAL's 'black' terrorism against militants of ETA or of GRAPO seeking sanctuary on French territory has resulted, between July 1978 and March 1985, in the death of 27 persons⁽²⁰⁰⁾. Another attack at the end of September, in Bayonne, killed four other Basque refugees. Responsibility for this was also imputed to GAL. Judging by the identity of a number of persons recently arrested it would appear that GAL had largely drawn its membership from the world of petty gangsters⁽²⁰¹⁾.
164. As regards terrorist activities originating with ETA a number of experts consider it historically a product of carlist fundamentalism⁽²⁰²⁾ coupled with a theory of 'pure blood' which draws its inspiration from Gobineau (Caro Baroja speaks of 'democratic racism')⁽²⁰³⁾. In the case that concerns us here, racism goes hand-in-hand with violence and rejection of racism is undoubtedly the best antidote to such violence.

165. Lastly, an aura of racism seems to persist in attitudes towards gipsy communities. For example, gipsy children at the Severo Ochoa High School in Madrid have had to ask for police protection⁽²⁰⁴⁾.

2.2.12 Portugal

166. The present situation in Portugal has hardly been mentioned either before the Committee or in documents submitted to it. An analysis of the development of democracy in Portugal following the Salazar dictatorship would far outstrip the Committee's brief. The electoral vote of the extreme right is quite negligible. The least insignificant of the groupings is Ordem Nova, created in 1980 by Gilbert Santos e Castro, a former commando leader in Angola. The group proclaims revolutionary fascism and hyper-nationalism. It is said to be closely linked to Fuerza Nueva in Spain. Now disbanded, it is said to continue its activities underground, providing translations of CEDADE publications for distribution in Brazil. A tiny neo-nazi group called Mocidades Patrioticas is said to have made its appearance and to have sent representatives to some international gatherings.

2.3 OTHER EUROPEAN COUNTRIES

2.3.1 Austria

167. According to B. Galanda underlying Austrian right-wing extremism is the peculiar concept of the 'German people' (Deutsches Volk). This concept whose logical consequence is to deny the existence of a properly Austrian nation, is used, among other things, to justify the German 'Anschluss' of Austria in 1938 and German nazi presence and activity in Austria from 1938 to 1945⁽²⁰⁵⁾.
168. There are currently in Austria at least five extreme-right groupings of varying importance⁽²⁰⁶⁾. An example of a radical organization of neo-nazi hue is the AUS (Auslander - Halt - Bewegung, the Movement for the Expulsion of Foreigners) whose activist core consists mainly of members of Kameradschaft Babenberg, an organization disbanded in 1980 by the authorities for anti-state neo-nazi propaganda. With an aggressively racist platform, often enlivened by forbidden national-socialist songs, AUS looks for recruits mainly among young people, in schools and on football stadiums, telling them that the country's economic and social difficulties are due to the presence of some categories of immigrants. Its following among the public at large, and particularly among the electorate is, in any case, very small. When, in the 1981 elections to the First Chamber (Nationalrat), it contested the Vienna constituency, the movement obtained only 0.4% of the vote⁽²⁰⁷⁾.
169. Two other groups of moderate importance seem to be closely linked to the AUS. The first of these is the NDP (Nationaldemokratische Partei, the National Democratic Party), set up in 1966 as the result of a split in the Freiheitliche Partei Oesterreichs⁽²⁰⁸⁾.
170. The NDP has contested several local and regional elections but has never attained enough votes to get a seat. It should, however, be noted that the party's leader, N. Burger, stood in 1980 for the presidency of the Federation and obtained 140 000 votes (3.2%) which was an outrage to democratic public opinion in the country⁽²⁰⁹⁾.

171. The other group is the ANR (Aktion Neue Rechte, the New Right Action), which has been active since 1974 in Austrian higher educational establishments and which obtained one seat in the last elections to the national student representative body. Two student organizations have appealed to the Austrian Constitutional Court contending that participation in these elections by organizations with neo-nazi leanings was unconstitutional⁽²¹⁰⁾.
172. It can be said that the organized extreme right is isolated within Austrian society. Those right-wing extremist groupings which have officially registered as political parties have no following among the electorate⁽²¹¹⁾.
173. The country's two main parties, the Socialist Party (Socialistische Partei) and the People's Party (Volkspartei) take an unambiguously anti-fascist stand⁽²¹²⁾. This, to some extent, is less true of the Austrian Liberal Party (Freiheitliche Partei Oesterreichs) where, side by side with a liberal wing, which seems to dominate the party at present, there are clearly discernible nationalist trends inspired by the ideology of a pan-Germanic national and cultural community⁽²¹³⁾. This perhaps provides the background to the recent event when a member of this party, the Austrian defence minister, Mr F. Frischenschlager, went out personally to meet the war criminal Walter Reder, who had been serving a long prison sentence and had been pardoned by the Italian authorities. The incident aroused angry protest in Austria, as indeed throughout Europe, and it has been condemned by virtually the entire body of public opinion in the country⁽²¹⁴⁾. A critical letter expressing the feelings of Members of the European Parliament has been sent to the Austrian Government on a proposal from Mr D. Ducarme, a member of the Committee⁽²¹⁵⁾.
174. Contacts between Austrian extreme right groups and corresponding organizations in the Federal Republic of Germany can be said to be a matter of tradition⁽²¹⁶⁾. It will also be noted that developments in that part of the German political spectrum are mirrored, often with some delay, on the Austrian political scene. Neo-nazi propaganda material from the Federal Republic is distributed in Austria.
175. There is also particularly close cooperation between Austrian extreme-right groupings and similar organizations in Spain and the United States. It is also in Austria that many international neo-nazi gatherings have taken place, for instance reunions of former SS members or seminars for members of foreign organizations. However, it should be noted that the British revisionist historian David Irving who was invited by right-wing extremists to give a series of lectures at the end of last year was immediately expelled from Austria by the authorities⁽²¹⁷⁾.
176. While organized right-wing extremism can be said to be on the wane, xenophobic attitudes are rather widespread. They lack formal articulation but are aimed at immigrant workers, although the numbers of these are diminishing. They are blamed for unemployment, which incidentally is not bad in Austria, and, more generally, for economic and social difficulties. It is these vague feelings that racist bodies try to exploit⁽²¹⁸⁾.

177. A certain amount of anti-semitism persists in Austria although the Jews account for no more than 0.1% of the population. This 'anti-semitism without Jews' represents a latent intellectual and psychological attitude which seems to be progressively disappearing, particularly among the younger generation and among the better-educated classes, under the influence of a democratic civic education and of an enlightened political and historical debate⁽²¹⁹⁾.

2.3.2 Norway

178. The murder in 1981 of two neo-nazi sympathizers brought to light the existence of two rival groups, one of which was said to be linked with the Hoffmann group in the Federal Republic of Germany⁽²²⁰⁾. In May 1984 threats sent to two dozen schools in the capital led the police to provide protection, particularly to immigrant children, during the national day celebrations. Other sporadic evidence of extremist right-wing activity includes the painting of nazi symbols on the walls of the Oslo cemetery in 1985.

2.3.3. Sweden

179. Extremist right-wing groupings have a very small following in Sweden. One of the most serious manifestations of their activities has undoubtedly been the appearance of blasphemous anti-semitic documents which were distributed throughout Europe and in North America (Jewish Information, Arab News, Bible Research). Their publisher, Dietlieb Cluwer-Felderer, a member of the Institute for Historical Review (based in the USA) (see footnote 53) was sentenced on 20 December 1982 to ten months' imprisonment. Incidents of organized vandalism followed his trial⁽²²¹⁾. There is in Sweden a national socialist party (Nordiska Rikspartiet or Nasjonalt Rikspartiet) established in 1956 and led by Gorun Assar Oredson, (which organized two demonstrations before the last elections) and a 'national democratic' party with which a small anti-immigration movement (BSS) started in 1979 seems to be linked.
180. Lastly, it should be noted that following a number of racial clashes in Stockholm in August 1982 in which many skinheads took part, the Swedish Government introduced a special educational programme to combat xenophobia.

2.3.4. Switzerland

181. The presence of large numbers of foreigners (14.5% of the total population) in Switzerland has been an issue at a number of referenda since 1970. In 1970, 1974, 1977 and 1981 the electorate rejected proposals to reduce the foreign population resident in Switzerland or to reduce further the special status of seasonal workers. In June 1982 the Swiss electorate rejected by a narrow majority a proposal to relax the regulations applying to foreign workers in Switzerland - contrary to the recommendations of all major political parties, and overturning a law passed by the Swiss Parliament in 1981. The initiators of many of these actions have been two political parties, Nationale Aktion gegen Uberfremdung von Volk und Heimat, (National Action against Foreignization of the People and Homeland) - a nationalistic protest founded in 1961 - and the Republikanische Bewegung (Republican Movement) - led by Dr James Schwarzenbach, who formerly led National Action, which appeals to the ancient Swiss tradition of 'republicanism', that is opposing foreign influence and interference in Swiss affairs, which was formed in 1970. Both these parties have been

represented in the Swiss Parliament since 1969, jointly winning 3.4% of the votes gained in the 1983 elections, with 5 of the 200 seats in the National Council. This result was an improvement from 1979 when they won 2.0% of the votes and 3 seats, the low point of their support(222).

182. The Nouvel Ordre Européen (NOE or sometimes Nouvel Ordre Social) one of the transnational neo-nazi organisations, has its seat in Lausanne(223). The committee received extensive notes on the activities of the Grey Wolves in Switzerland (see 2.3.5. below).
183. Interesting studies carried out in 1980 - 1981 have shown that in Switzerland, as in many other European countries, a latent anti-semitism persists (a very strong prejudice in the case of 5 - 6% of the population, a significant prejudice in 21 - 22%)(224). The report drawn up by Mr Krieps for the Council of Europe records the major public debate which followed the showing of 'Holocaust' and the threats and attacks against Jewish property which then took place(225).

2.3.5. Turkey

184. Turkish right-wing extremism was raised by experts mainly with reference to the activities of the Grey Wolves in Germany, Switzerland and Italy, in particular. But this group is only one of at least eight extreme right-wing movements in Turkey, over 25 extreme left-wing movements and over 20 Islamic fundamentalist, Armenian nationalist or Kurdish nationalist groups(226). The reasons most often advanced by supporters of the regime in Turkey now for the military take-over in that country on 12 September 1980 and for the current pace of return to multi-party parliamentary democracy include the slide to anarchy through the activities of terrorist groups of both left and right. Under the military regime, Parliament was dissolved, political parties were banned and fundamental rights have been suspended. Many thousands were arrested in Turkey over this period and prosecutions leading not seldom to death sentences and executions were performed under martial law provisions concerning felonies against the State which were imported directly from the criminal code of the inter-war Italian fascist regime. And, although parliamentary elections in November 1983 and the local elections in March 1984 have witnessed a relaxation in restrictions on the activities of political parties(227), Turkey is still living under an authoritarian rule which is itself a confirmation of the survival of latent extreme-right tendencies in contemporary Europe.
185. The National Action Party (MHP - Milliyetçi Hareket Partisi) which no longer has any official status, claimed 300 000 members and had 16 seats in the Assembly before the military take-over. A number of its members were involved in acts of violence, as well as being the targets for violence themselves. Various organizations owed their formation to this party, including the Federation of Turkish Democratic Idealist Associations, the Great Ideal Society and the Grey Wolves. These last, in Wilkinson's view constitute 'a far more substantial threat of violence and intercommunal hatred conflict than the tiny fringe groups that congregate in Diksmuide'(228), for it is they who have set up organizations in various countries of Western Europe, in particular West Germany. Some have close links with German neo-nazis. The Grey Wolves organization has achieved a level of notoriety perhaps out of

proportion to its size, through the attempted murder of Pope John Paul II by Mehmet Ali Agca; but according to an indictment of the military prosecutor for the 1981 trial of Colonel Turkes (leader of the MHP) the Grey Wolves were responsible for organizing or carrying out 694 murders in the years 1974 - 1980. Their notoriety has been increased through the alleged links between them and the Bulgarian secret service and perhaps with other East European centres in the murder attempt on the Pope. The Bulgarian connection is contested, and the trial's conclusion is awaited. The Committee of Inquiry received extensive documentation on the Grey Wolves' activities in Germany, through IG Metall (the Metal Workers Union of the Federal Republic of Germany), and in Switzerland. Reports in Info-Turk of June 1985 suggest that the organization is active also in Belgium through the Frankfurt based Turk-Federasyon which last met in West Germany on 18 May 1985 in Castrup-Rauxel, when a resolution was adopted in support of their former chairman Serdar Celebi (now on trial in Rome for involvement in the murder attempt on the Pope).

186. As a largely emigrant community the Turks are more often the subject than the initiator of racial discrimination. But the case of the Armenians and the Kurds as well as that of the persecution and dislocation of a numerous and flourishing Greek population in Turkey show that these minorities have suffered significantly during this century, even to the extent of the genocide of the Armenians in 1915 - an accusation that, although supported by evidence, has never been accepted by successive Turkish governments⁽²²⁹⁾. Armenian groups have been active in many countries of Western Europe, claiming responsibility for violent attacks on Turkish diplomats and individuals and organizations favourable to the Turkish Government.

2.3.6. Eastern Europe

187. In respect of East European countries the rapporteur does not intend to undertake the same type of analysis as for the other European countries, considering that the situation here is fundamentally different. Whereas in our analysis so far we sought to identify some of the dangers threatening the democratic pluralist system and its values, we now have to deal with societies where this order and these values are not even recognized. Like Mr Glucksman, your rapporteur believes that the concept to be applied here is that of totalitarianism and he agrees with Professor Voslensky that there is no way that totalitarianism can be situated in the democratic spectrum of right-to-left. The Committee's very terms of reference are simply inapplicable to the situations which would have to be described and assessed.
188. But because one specific issue has been often raised both in the Committee's discussions and in the memoranda it has received, the rapporteur will deal with it. It concerns the situation of Jews in the Soviet Union, to which Mr Wiesenthal in particular referred.

The 1.18 million Jews in the USSR are deprived of their right to their history, their religion and their language. In 1984 and the first two months of 1985 the police carried out, under various pretexts, many arrests of persons who had engaged in teaching privately the Hebrew language. These teachers have been given prison sentences from 18 months to 4 years and many of them (Yakov Mesh, Yosef Berenstein, Mark Nepomniashchy) have been exposed to great mental and physical suffering⁽²³⁰⁾. The European Parliament has repeatedly condemned these practices⁽²³¹⁾.

189. A report by Mr Hugosson, adopted by the Parliamentary Assembly of the Council of Europe on 26 September 1985, states : 'The position of Jews in the USSR has not improved since 1982; on the contrary there is some evidence to suggest that it has got worse : only 896 Jews were able to leave the Soviet Union last year; repression of Jewish activists has intensified particularly since July 1984; Jewish culture - in the widest sense of the term - is at risk; an antisemitic campaign in the guise of the fight against Zionism, is raging in the media (...). It is reported that the number of Jews employed in the local 'soviets' in 1983 has decreased by more than half since 1967. (...) Some Soviet writers have even gone so far as to accuse 'the Zionists' of helping Hitler to come to power and collaborating in the extermination of the Jews by the nazis during the second world war'(232).
190. The Jews are not the only community to suffer from discrimination in the Soviet Union. The policy of 'Russianization' has affected several other national groups and is one of the reasons for protest action most often invoked by dissidents. Thus Mr Vladimir Bukovsky in December 1973 sent a letter from prison to Mr Alexei Kosygin, then President of the Council of Ministers, to protest against Russianization measures which had lead to the detention of 'large numbers of Armenians, Lithuanians, Ukranians, Jews, Tartars and others in concentration camps and prison'(233). In 1982, the European Parliament concerned itself particularly with the situation in the Baltic republics(234).
191. With regard to the situation in Poland, a letter written by Adam Michnik shortly before his recent court conviction(235). It serves to flesh out the statements of our experts and helps to understand the scale of the various phenomena which have inevitably been somewhat 'compressed' in this overview:
- 'The real "heroes" (of this trial) are its SB (political police) stage-managers and their faithful collaborator, the presiding judge of the Gdansk court Krzysztof Zieniuk who is trying us. Krzysztof Zieniuk is a fascist. I use the term reluctantly, conscious of the associations it evokes. But his methods are so typical and wellknown from the history of Hitler's (and Stalin's) courts of law that this is the most appropriate description. It harks back to the times when sentences were pronounced by bandits in judges' robes. (...) In a police report on my person, annexed to the documents of the case, a Warsaw secret policeman, a certain sergeant Andrzej Solecki, was kind enough to enter my nationality as 'Jewish'. There is only one precedent for such a definition: the nazi racial laws. It was by the application of this criterion that the nazis exterminated my father's family. Communist anti-semitism is nothing new in Poland's history. Imported from Stalin's Russia it has always performed a double function. It has always been the instinctive ideology of fascist-minded blockheads who found employment in the political police and the party apparatus. It has also served as a tool to besmirch Poland's name in world opinion. And what a tool ...'(236).
192. At the end of 1981 the Solidarity weekly devoted an article to the problems of the Belorussians. There are some 450 000 Ukranians, Belorussians, Lithuanians, Jews, Czechs and Slovaks living in Poland. The position of the German minority in Poland is also a constant object of attention(237).

204. The possibility of militant groups turning to terrorism is a different problem: in the last ten years we have seen that 'black' terrorism very often takes place in imitation of terrorist activities under other colours. In particular, a sometimes alarming surge in left-wing terrorism, followed by a refinement of the methods used, have helped to encourage more widespread resort to violence by extremist groups. With the growth of left-wing and Islamic terrorist activities, the endemic intermingling of terrorist movements carries a danger of proliferation, aggravated further by certain present-day technological developments (attention is drawn to the existence in the United States of computerized networks for the dissemination of news inciting hatred, see footnote 249 below).
205. In general, these groups do not have regular contacts abroad. But there are many cases of sporadic cooperation, especially where terrorist acts are concerned. Some German organizations, however, cooperate on a fairly permanent basis with sister organizations abroad. 'Imported terrorism' is a new phenomenon, particularly common in Federal Germany and France.

(b) Racism

206. There is usually a racist component in the right-wing extremism of militant groups. The most frequent feature of such groups is anti-semitism, although there is no lack of hostility towards other ethnic groups. This is combined with various 'theories' of racial superiority - ethnic, national or European. The practical expression of this militant racism depends to a large extent on the size and nature of immigrant groups in the country concerned. Where immigrants constitute a significant proportion of the population, incitement to a 'race war' may be used as a means of mobilizing such groups' membership and gaining publicity for them.
207. At a different level, elements of racial discrimination can be found in the legislation, case law and, above all perhaps, in the administrative practices of European countries. Some features of this situation make it possible to speak of institutionalized racial discrimination, but it would be a gross exaggeration to speak of the existence of 'state racism' in democratic Europe. The only form of currently practised state racism which we have met within the geographical confines of our inquiry is without doubt the anti-semitism existing in the Soviet Union.
208. Discriminatory behaviour also exists in everyday public and private life and is particularly strong in areas with large immigrant populations. It is accompanied by rising xenophobia which is recorded in opinion surveys, sometimes of an alarming intensity. In a situation of economic and social crisis, xenophobia can be politically exploited. It is a very difficult problem: present-day political reality based on the legitimacy of the nation state and its culture is undergoing change. Right-wing extremism should not be equated with xenophobia. Nor, can xenophobia as an ill-defined attitude of mistrust and intolerance towards foreign communities be equated with racism, which is characterized by an aggressive and deliberate hostility towards these same foreign communities.

209. Lastly, we have noted evidence of the spread of pseudo-scientific racist or narrowly elitist theories (see paragraph 41 above). This relative resurgence seems to us to be less due to any theoretical renewal than to the rise of xenophobic sentiment which provides fertile ground for the spread of such ideas as well as a demand for their scientific legitimation.

2.6 TOWARDS AN IDENTIFICATION OF THE CAUSES

210. Of necessity, the above summary of the situation anticipated an investigation of its causes. That investigation, in any event, can only be of a general nature. A scientifically sound causal approach would have to explain a set of strictly-defined facts, events and phenomena, whereas our investigation has dealt with large-scale, ill-defined assemblies of facts and conditions. It has, on the other hand, enabled us to present a broad panorama into whose framework it will be easier, we hope, to insert case studies and specific investigations or explanations.

211. (a) Right-wing extremism

- An unhealthy fascination with the past, the durability of ideas inculcated by state indoctrination, the survival of personalities associated with old regimes - all these constitute the historic fall-out which favours the persistence of right-wing extremism. It should also be remembered that some dictatorships survived until recent times.
- Some of our experts (in particular Mr Scheuch and Mr Wiesenthal) regard this persistence as a sort of 'normal pathology' of democratic societies which we should not, of course, accept but neither should we expect to eliminate completely.
- An 'incidental' cause may also be seen in the other political forces' efforts to exploit the existence and the fluctuations of right-wing extremist centres. The realities of the political game sometimes induce parties to undertake manipulations for electoral purposes. The presence of the extreme-right reawakens memories of the past and consequently stimulates the urge to seek out others for purposes of association which various sides will try to exploit for their own benefit. The accompanying publicity favours, in turn, the extreme-right's survival.
- Such exploitation is today all the more dangerous because the 'instinct for association' tends to be far less significant today than in the past and thus cannot offset the effects of the publicity. In the Committee's proceedings much was said about the importance of the generation effect: 40 years after the end of the Second World War the taboos which prevented the discussion of certain subjects or the propounding of certain theses may be about to crumble. The 'historical fall-out' may outlive historical memory. If that is so, what is needed now is not words but genuine revival of democratic culture.
- Finally, the support which extremist (and particularly 'black' terrorist) circles may receive from abroad or from groups of various persuasions, and the sporadic links with the latter, should not be overlooked.

212. (b) Racism

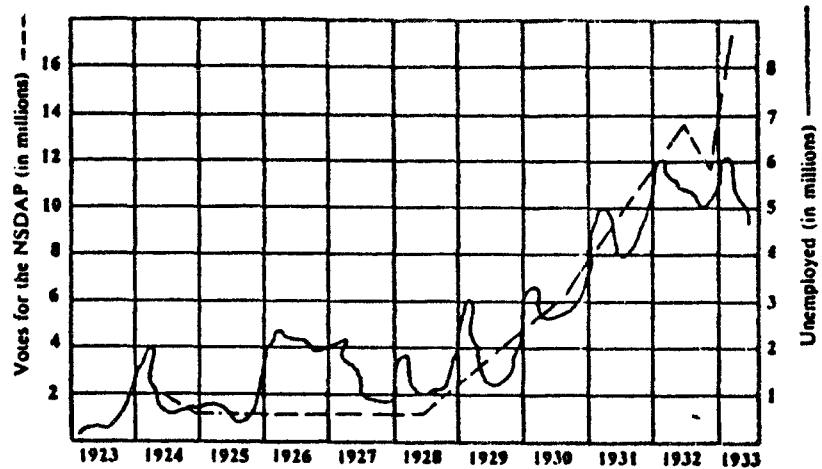
- The causes of racism are difficult to identify, evaluate and place in perspective, given that some are of a very general nature, while others are specific to a particular local situation or time. Distinctions must also be drawn between a large variety of types and degrees of racism, as we have tried to do when dealing with definitions and describing the situation country by country.
- As regards what might be called 'unorganized' racism, as a component of extremist ideologies, its fortunes are inextricably linked with those of the latter. The same might be said of anti-semitism, were it not that a real though not very significant substrata of prejudice exists and that there is institutionalized anti-semitism (in the USSR). Anti-semitism, moreover, is readily identified with what we called in Part 1 functional racism⁽²⁵²⁾.
- Something must also be said of the racist element inherent in spontaneous fear of the stranger as an unknown being which plays a part in the uncontrollable instinct for collective or individual self-protection. Several of our experts have expressed the view that it was pointless to ask 'Why?', as feelings of distrust and rejection towards 'the other' are universal. The essential question therefore was how to overcome this distrust and rejection.
- The problem is exacerbated by the large scale of international population movements whose causes may be political (persecutions; annexations of territory, changes of regime), economic (differences of economic conditions, international division of labour) or historical (in the case of Europe, a colonial past).
- The overall social context in which most of the migratory flows have taken place also explains the spread of racist or xenophobic attitudes. It will be noted that some of the complaints are heard so universally that, rather than referring to the specific problems of particular communities, they evidently indicate discontent common to all the European countries which at one time brought in large numbers of foreign labour: for not only did immigration policies pursued throughout the 1960s take no account of long-term perspectives but also the migratory influx was taking place while the host countries were in the grip of a four-fold crisis:
 - . an urban crisis, due to a high rate of population growth as well as the difficulties characteristic of rapid economic growth. The immigrant groups were the first to suffer from shortages and inconveniences in living conditions, public transport, housing and various aspects of environmental decline;
 - . an educational crisis: democratization of education, rapid growth of numbers of teaching staff, a crisis of values on which the educational system had hitherto been based - all these made the new arrivals' acculturation more difficult than it would have been in the past when standards of reference and models to be followed were less in doubt;

- . a cultural crisis: what has been said above applies not only to schools but to all social institutions. It can be said here that the distrust and hostility towards immigrants do not result from an excessive confidence in our societies in their own models and capabilities but, on the contrary, from a lack of certainty, not to say anxiety, on that score.
 - . an economic crisis: this has undoubtedly acted as catalyst but its consequences as regards xenophobia would not have been as described above had the preceding three factors not prepared the ground. What is more, it usually happens that in difficult economic and social conditions social cohesion and solidarity are weakened and emargination occurs with all its multiple and always negative consequences.
213. In addition, historic and international factors help to shape the reactions both of the natives and the strangers in each country. The extent to which this can happen is well illustrated by the case of the Maghreb community in France.
214. To sum up we should like to quote the following analysis by Veronique de Rudder: 'White "gut" racism, which has been much studied in the United States, is due less to the number of foreigners present than to the changed self-image that the native inhabitants experience (...) Rejection of the stranger is a response to the feeling of self-devaluation'(253).
215. It is in this light that we should try to understand the particular forms that this rejection takes, and especially the violence by which it is accompanied. Here it can only be said that violence towards immigrant communities is related to the specific cultures of the social sectors, generations or regions involved. Thus the authors of a study on hooliganism in British football describe the emergence of a lifestyle in which high alcoholic consumption, 'machismo', local solidarity and support for the same team are highly valued, while the exercise of violence provides almost sexual satisfaction(254).
216. Obviously such behaviour patterns must rebound on attitudes towards strangers. Xenophobia is not a parasite that develops within the social body, it merely highlights the flaws which afflicted it before.
217. The phenomena which are the subject of the present report must therefore be viewed from several, complementary aspects: as a threat (associated with the 'generation effect', i.e. the waning of historical memory) to the traditional forms of toleration as Spinoza defined it in 1670: 'Men should be given freedom to judge and they must be governed in such manner that when openly professing diverse and contrary opinions they yet live in concord'(255); as a reaction to feelings of insecurity and a perception of economic, demographic and cultural decline (a social withdrawal which can only further aggravate the emargination already occurring); as an a reaction to the harshest manifestations of the crisis; as a special problem concerning isolated social groups and the microcultures which they generate.

How much weight should be given to each of these factors depends on the precise configuration in each particular situation with which this report is concerned.

2.6.1 The economic situation and the rise of extremist movements

218. A word must be added on the relationship between the phenomena studied here (fascism and racism) and the economic situation: this point was repeatedly made to the Committee. While deterioration of the economic conditions is not necessarily the main reason for the rise of anti-democratic forces within a society, it is certain that unemployment or inflation, when they reach a certain level, comprise among their effects a crisis of confidence which - the institutions of a society functioning in concert - is likely to spread rapidly from the economic to the political sphere. The relationship between the rate of unemployment and the nazi vote speaks for itself⁽²⁵⁶⁾:



219. Comparison with other countries indicates, however, that the implied relationship comes into effect only if economic conditions deteriorate beyond a certain level and if at the same time other factors are present (organized groups, international environment, political culture and history, cultural and institutional crisis)⁽²⁵⁷⁾.

Unemployment, 1928-33 (Annual average as percentage of labour force)

	1928	1929	1930	1931	1932	1933
Germany	8.6	13.3	22.7	34.3	43.8	6.2
United States	4.4	3.2	8.9	15.9	23.6	24.9
United Kingdom	10.8	10.4	16.1	21.3	22.1	19.9
France	4.0	1.0	2.0	6.5	15.4	14.1
Sweden	10.8	10.2	11.9	16.8	22.4	23.3

Studies of the most recent period seem to suggest that it is not so much the effects of present economic difficulties as the fear of long-term unemployment and recession which are likely to undermine the democratic instinct⁽²⁵⁸⁾.

220. Thus radicalization of attitudes is likely to occur when certain sections of the population, mainly the young, feel deprived of all prospect of a stable job and therefore of any chance of really being integrated into society. This is only one of the potential causes of the radicalization of language and behaviour and does not by itself account for all the cultural and political manifestations of the process. One such manifestation is the choice of a scapegoat on whom to blame the deterioration of the situation as a whole, a role which some have no hesitation in assigning to immigrant workers and their families or to any group perceived as on the fringes of society, as a 'foreign body'. The tensions resulting from the economic situation therefore feed on the prejudices and difficulties which already existed. More significant than the economic situation, perhaps, is the way in which society reacts to the challenge presented by that situation, whether it is able to mobilize new reserves of energy, inventiveness and mutual support, or not. Extremist movements have been known to emerge in periods of expansion, because of conflict over the form that expansion should take and the way in which the benefits should be divided. Extremist sentiment never attacks one aspect only of the disputed milieu, but the whole social ethos. The economic crisis is certainly an essential contributory factor, but one that is too closely tied up with other aspects of the problem to be singled out arbitrarily.

2.7 ARE FASCISM AND RACISM ON THE INCREASE?

221. Under the terms of this inquiry, we must consider whether fascism and racism are on the increase.

There is no question of an increase in organized fascism. It ebbs and flows irregularly, with groups claiming innovation employing age-old tactics. The statistics available to us suggest that the number of militant members of right-wing extremist organizations decreased sharply during most of the seventies and is stable today although in some cases there has been a slight increase again. At all events, it represents an absolutely minute percentage of the population.

222. At the same time, some extremist movements in certain countries have become more radical in both words and action and have sometimes resorted to terrorism. This trend should be seen in a general context of increased acceptance of verbal and sometimes physical violence and of more or less explicit tolerance of all forms of extremism. Although today there seems to have been a sharp decline in this tendency throughout the political spectrum, it did at the time trigger off a process, the effects of which are still felt and could flare up again sporadically. The radicalization of some groups, which sometimes distanced them from their parent movements, is a tendency peculiar to right-wing extremism for which the choice between legal participation and violent action is posed in particularly dramatic terms. The choice finally made by an individual or group cannot always be explained on purely strategic grounds and may have something to do with an internal ethical and political code⁽²⁵⁹⁾.

223. The most extremist groups find very little sympathy amongst the electorate. The breakthrough by some groups hitherto practically unknown on the electoral scene is mainly due to exploitation of equivocal political topics, especially xenophobia, but it is not possible to assess at this stage the scope of the changes that such electoral swings could make.

224. The problems encountered do not seem to have had the effect of increasing opposition to the democratic system: in April 1985, 51% of Community citizens said they were satisfied with the way in which democracy functioned in their countries compared with 48% in September 1973 (the percentage of dissatisfied citizens decreased from 56 in 1973 to 45 in 1985) (260).
225. Xenophobia on the other hand is on the increase, insofar as an increase in intolerance towards certain non-Community immigrant groups can be discerned. This intolerance is displayed in different degrees of intensity towards different immigrant groups. It cannot be said that more or less intolerance is shown according to whether the immigrant does not or does belong to a Community country. The manner in which each of these two categories of immigrant is treated under Community law does not appear as yet to play a significant part in determining social attitudes in this way.
226. The emergence of xenophobic tendencies certainly creates a fertile breeding ground for right-wing extremism and all formations that openly favour xenophobia. It should by no means be forgotten that the other political forces, in short-sightedly accommodating to the uncertainties of the electoral climate, frequently all too easily condone the expression of ill-suppressed xenophobic feelings in the political life of the countries of Europe. A new type of spectre now haunts European politics: xenophobophilia. The term suits not only those who help to stir up xenophobic feelings so as to exploit them politically, but also those who, while disapproving of the emergence of xenophobic tendencies, nonetheless try to derive political gain therefrom.

3. ACTION AGAINST FASCISM AND RACISM

3.1 INTRODUCTION

227. Although fascism and racism have certain ideological traits in common and have often joined forces throughout history, they are nevertheless two distinct types of political and social behaviour. Different intellectual processes and different methods of resistance and combat are required to judge and control them even though in the last analysis, such processes and methods are inspired by and find legitimacy in the principle of democracy and respect for human rights. It will therefore be necessary in principle to consider each of these two concepts when describing the action taken against fascism and racism in contemporary Europe and the rest of the world.
228. It will also be necessary to identify the action taken against fascism and racism at different levels of contemporary political life in Europe: at international, European, Community and national level. These levels are admittedly neither autonomous nor isolated. On the contrary, they are subject to increasing mutual interpenetration and interdependence partly because of the increasingly widespread and intense institutionalization of relations between European countries and partly because of the increasing interchange of ideas, political and social models and information between them. We will see how this interpenetration and interdependence increases the number of means of action available as well as their effectiveness. But at each level action against fascism and racism is always devised and taken in the light of the factors peculiar to it. That is particularly true at national level where action by the state must also be taken into account. Our analysis and assessment will therefore cover each of the levels mentioned.

3.2 THE INTERNATIONAL DIMENSION

229. In relation to the subject of this inquiry, international action consists mainly of that taken by world-wide organizations: the United Nations Organization and specialized agencies.

3.2.1 Racism and racial discrimination

230. The United Nations Organization has been particularly energetic and active in promoting racial equality. The statutory authority for such action is the United Nations Charter, whose preamble proclaims the attachment of the contracting states to fundamental human rights and to the dignity and worth of man⁽²⁶¹⁾. But it was after 1948 that the organization adopted a series of very important international texts: the Universal Declaration of Human Rights on 10 December 1948; the 9 December 1948 Convention on the Prevention and Punishment of the Crime of Genocide⁽²⁶²⁾; the United Nations Declaration on the Elimination of all forms of Racial Discrimination⁽²⁶³⁾; the International Convention on the Elimination of all forms of Racial Discrimination of 21 December 1965⁽²⁶⁴⁾; the International Covenant on Economic, Social and Cultural Rights of 16 December 1966⁽²⁶⁵⁾; the International Covenant on Civil and Political Rights of 16 December 1966⁽²⁶⁶⁾ and the Optional Protocol thereto⁽²⁶⁷⁾; and the International Convention on the Elimination and Punishment of the Crime of Apartheid of 30 November 1973⁽²⁶⁸⁾.

231. Four other conventions concluded under the auspices of specialized agencies should also be cited here. First of all, the International Labour Organization Convention No. 111 concerning discrimination in respect of employment and occupation⁽²⁶⁹⁾; Convention No. 97 concerning migrant workers (revised in 1949)⁽²⁷⁰⁾; Convention No. 143 concerning migrations in abusive conditions and the promotion of equality of opportunity and treatment of migrant workers⁽²⁷¹⁾; and, lastly, the Convention against discrimination in education adopted by the UNESCO General Conference⁽²⁷²⁾.

232. Although these are the most important legislative instruments adopted by the UN, ILO and UNESCO, they are not the only texts adopted by these organizations on the subject. The fight against various manifestations of racism and racial discrimination and efforts to achieve racial equality at world-wide level have inspired an almost interminable series of acts adopted at the various levels of these organizations⁽²⁷³⁾.

233. The most important international instrument as regards the fight against racism and racial discrimination is still the 29 December 1965 International Convention on the Elimination of all forms of Racial Discrimination. Adopted by the United Nations General Assembly on 29 December 1965 and opened for signature and ratification on 7 March 1966, it entered into force on 4 January 1969. By August 1984, 124 countries, including the Member States of the European Community, with the exception of Ireland, and Spain and Portugal were contracting parties to the Convention⁽²⁷⁴⁾.

234. The Convention is divided into a preamble and three sections: the first section (Articles 1 to 7) defines racial discrimination and lists the basic obligations the contracting parties undertake to fulfil; the second section (Articles 8 to 16) deals with the mechanisms and measures for implementing the Convention; the third section (Articles 17 to 25) consists of the usual final clauses.

235. In this Convention, the term 'racial discrimination' means 'any distinction, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life' (Article 1(1)). The Convention does not however apply to distinctions, exclusions, restrictions or preferences made by a state party to the Convention between citizens and non-citizens (Article 1(2)).
236. Under this Convention the states parties undertake to eliminate racial discrimination in all its forms and promote understanding among all races (Article 2(1)); to 'prevent, prohibit and eradicate' apartheid in all territories under their jurisdiction (Article 3); to 'condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form' and to this end to declare punishable by law incitement to racial hatred and discrimination as well as acts aimed directly or indirectly against any race or group of another colour or ethnic origin, and to declare illegal and prohibit organizations and activities which incite racial discrimination (Article 4)⁽²⁷⁵⁾; to guarantee racial equality before the law in the enjoyment of a series of fundamental rights (Article 5); to guarantee effective protection and remedies against racial discrimination (Article 6); and to adopt 'immediate and effective measures' in the fields of teaching, education, culture and information in order to promote the objectives of the Convention and respect of fundamental rights (Article 7)⁽²⁷⁶⁾.
237. As regards implementing mechanisms, the states parties undertake to submit periodic reports, in principle every two years, on the action they have taken to fulfil their obligations under the Convention (Article 9). These reports are examined by the Committee on the Elimination of Racial Discrimination, consisting of 18 experts 'of high moral standing and acknowledged impartiality' elected from among the nationals of the states parties and serving in a personal capacity (Article 8(1) and (2)). The committee submits an annual report on its activities to the General Assembly of the United Nations (Article 9(2))⁽²⁷⁷⁾.
238. If a state party considers that another state party is not giving effect to the provisions of the Convention, it may bring the matter to the attention of the committee. The communication triggers off a procedure for conciliation and amicable settlement of the dispute (Articles 11 to 13). Under Article 14(1) a state party may declare that it recognizes the competence of the committee to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by that state party of any of the rights set forth in the Convention. The committee does not have competence to receive 'individual' communications unless at least 10 states parties are bound by the declaration provided for in Article 14(1). As the tenth declaration to this effect was deposited on 16 August 1982 by France, Article 14 of the Convention entered into force the same day⁽²⁷⁸⁾.

239. The system of national periodic reports and their examination by the committee ensures that implementation of the Convention is monitored to some extent. However, we should not overestimate its effectiveness. Reports are drawn up by national administrations and their content may vary considerably both as regards completeness of information and exactitude. Moreover, consideration of the reports by the committee is restricted not only by procedural and technical constraints but also by the geographical and therefore to some extent political composition of the committee⁽²⁷⁹⁾.
240. On the other hand, it should not be forgotten that the effectiveness of the Convention varies from one state to another depending on the system in force in each state party as regards the relationship between international treaties and national law. In states where such treaties are incorporated into national law, the Convention becomes an integral part of the national legal system. To the extent that its provisions are self-executing by nature, they may be invoked by private individuals before the national legal and administrative authorities. On the other hand, in states that do not incorporate international treaties into their national legal system, the Convention constitutes a source of international obligations for the state party in question but does not directly engender rights in the case of individuals.
241. Other United Nations bodies or specialized agencies also deal with racial discrimination issues; for instance, in addition to the General Assembly, there is the Security Council, the Economic and Social Council, particularly the Commission on Human Rights, the Committee on Human Rights, the Subcommission on Prevention of Discrimination and Protection of Minorities, the Special Committee against Apartheid and bodies set up in specialized agencies such as ILO and UNESCO.

3.2.2 Right-wing extremism and authoritarian régimes

242. Although the United Nations and the specialized agencies are undoubtedly very active in combating racial discrimination - even if their action is characterized by a plethora of manifestations and acts that are not always coordinated and sometimes based on particularist political objectives - the organization does not show so much determination as regards authoritarian and in particular fascist ideologies and régimes. Although this may not be justifiable in terms of principle, it is understandable: being a world-wide organization, the UN has in its ranks all possible varieties of regime, including the hardest dictatorial and totalitarian regimes, ranging over the whole political spectrum. That is why its efforts to confront political extremism and the violation of democratic freedoms are confined to declarations from the General Assembly and other UN bodies condemning Nazism, fascism and their reappearances, as well as all 'totalitarian ideologies and practices' above all with regard to their racial aspects. But it seems that the presence of totalitarian regimes on the world political scene is not enough to provide concerted action in the UN. There is a basic contradiction in the Organization's attitude on this point: on the one hand a flood of texts in which it solemnly proclaims its attachment to fundamental freedoms including those inherent in a democratic society⁽²⁸¹⁾, and on the other its failure to act and be effective in the face of constant flagrant violations of those freedoms by a large number of its member states. There is of course nothing new about this statement. But to repeat it in an analysis made by the European Parliament is a basic duty of political candour.

3.3 THE EUROPEAN DIMENSION

243. By the European dimension of measures to combat fascism and racism we mean the action taken by and under the auspices of the Council of Europe. Action by the European Community will be dealt with separately (282).

The Council of Europe, an organization that currently brings together 21 European states, including the ten Member States of the European Community, Spain and Portugal (283), is particularly active in combating authoritarian doctrines and political régimes (284) as well as racism and racial discrimination. It takes action at five levels: Parliamentary Assembly, Committee of Ministers, machinery for protecting human rights, drawing up conventions and taking initiatives that provoke thought and debate.

244. Between 1966 and 1984 the Parliamentary Assembly and the Committee of Ministers of the Council of Europe adopted a series of acts (recommendations, resolutions and declarations) on the issues covered by our inquiry (285). Particularly worthy of mention are the Parliamentary Assembly's resolution No. 743/1980 on the need to combat the reappearance of fascist propaganda and its racist aspects and the important explanatory statement by Mr Robert Krieps on which it is based (286), as, too, the Parliamentary Assembly's recommendation 968/1983 on xenophobic attitudes and movements in the member countries in regard to migrant workers (287), based on a report by Mr R. Muller (288).
245. The importance for the purposes of our inquiry of the European Convention on Human Rights (official title: European Convention for the Protection of Human Rights and Fundamental Freedoms) as well as its control and disciplinary mechanisms (289) cannot be overemphasized. This convention is undoubtedly the most effective international instrument in the field of protection of fundamental rights. In its entirety, it constitutes a powerful means of action against authoritarian political tendencies and racial discrimination. But it also contains various provisions more directly geared towards those objectives: the concept of 'democratic society' is one of its underlying principles (290); as regards its application, Article 14 of the Convention prohibits any discrimination based, inter alia, on race, colour, language, religion, political or other opinion, national origin or association with a national minority; it contains a series of clauses that enshrine the public liberties inherent in democracy (291) as well as the primacy of law (292); and lastly, it proclaims the principle of parliamentary democracy (293).
246. The effectiveness of the European Convention on Human Rights is undoubtedly due to its institutional control and discipline machinery, composed mainly of the Commission and the European Court of Human Rights. Two types of petitions may be submitted to the Commission and, if necessary, the Court: a 'governmental' petition submitted by a contracting state against another contracting state and 'individual' petitions, the key-pin of the system. Thus, any person, non-governmental organization or group of individuals claiming to be the victim of a violation of one of the rights set forth in the Convention may submit a petition against the contracting state allegedly guilty of the violation. 'Individual' petitions thus guarantee the individual effective access to the system for protecting human rights. The weakness of the mechanism lies in the fact that

complaints may be lodged only against contracting states that have specifically declared that they recognize that the competence of the European Commission of Human Rights extends to individual petitions. However, it should be pointed out that all the Member States of the Community, except Greece, and also Spain and Portugal have made this declaration.

247. The cases relating to democratic freedoms brought before the Strasbourg institutions have included: the 'Greek case' brought before the European Commission on Human Rights by Denmark, Norway, Sweden and the Netherlands against the Greek military regime⁽²⁹⁴⁾; the petitions presented by Denmark, France, Norway, the Netherlands and Sweden against the Turkish military regime⁽²⁹⁵⁾; the petition presented by the German Communist Party regarding its disbanding by a decree of the German Constitutional Court⁽²⁹⁶⁾; the petition by X against Italy concerning an attempt to re-establish the Fascist party⁽²⁹⁷⁾; the Glimmerveen and Hagenbeek petition against the Netherlands concerning political activities connected with the Nederlandse Volksunie⁽²⁹⁸⁾. It is worth noting that in the last three cases the Commission considered that the national authorities concerned were justified under the terms of the Convention in limiting the exercise of certain freedoms on the grounds that such exercise was intended to 'destroy the rights and freedoms recognized in the (...) Convention' (Article 17 of the Convention). 'The purpose of Article 17', the Commission observes, 'is to prevent totalitarian groups from being able to exploit the principles laid down in the Convention for their own ends'⁽²⁹⁹⁾. The Glimmerveen and Hagenbeek case against the Netherlands, referred to above, is also of interest as regards the question of racial discrimination, which is also the subject of the petitions concerning the cases of East African Asians (citizens of the United Kingdom and the Colonies⁽³⁰⁰⁾ against the United Kingdom, and the Abdulaziz, Cabales and Balka Dali case against the United Kingdom^(301, 302).
248. The Council of Europe has performed a considerable feat in drawing up a long series of conventions on a variety of topics. Many of these agreements are of direct or indirect relevance to our inquiry. Particular mention should be made of the European Convention on the Legal Status of Migrant Workers⁽³⁰³⁾.
249. The Council of Europe has also taken the initiative in organizing many debates and conferences and commissioning studies that are of direct or indirect relevance to our inquiry, such as the Conference on the Defence of Democracy against Terrorism in Europe - Tasks and problems (12-14 November 1980)⁽³⁰⁴⁾ and the Conference on Intolerance in Europe (9-11 December 1980)⁽³⁰⁵⁾, the colloquy on the human rights of aliens in Europe (17-19 October 1983)⁽³⁰⁶⁾ and the meeting on 'aliens in Europe: a threat or an asset?' (20-21 March 1984)⁽³⁰⁷⁾.

3.4 THE COMMUNITY DIMENSION

250. Any attempt to outline the action of the European Communities in the areas covered by the inquiry immediately raises the question of the demarcation of Community competence: on first sight, the Community's sphere of activity as defined by the Treaties does not seem to refer directly to subjects such as measures to combat right-wing extremism or racism. Former Commission Member, Mr Ivor Richard, dwelt at length on this aspect of the problem when addressing our Committee⁽³⁰⁸⁾.

251. There are two questions to answer as regards Community action in areas of interest to our inquiry: Has the Community taken any such action? Has the Community the power, and if so to what extent, to extend its action in order to tackle problems caused by the existence of right-wing extremist and racist tendencies in the Member States? We will try to answer the first question in this part of the report. The second question, on the prospects for future Community action, will be dealt with in Part 4 of the report⁽³⁰⁹⁾.

3.4.1 Right-wing extremism

252. The European Community is an organization of states based on the principles of democracy, primacy of law and respect for human rights and fundamental freedoms. These principles which are merely outlined in very general terms in the preamble to the Treaty establishing the European Economic Community, have frequently been reaffirmed by the various Community bodies⁽³¹⁰⁾.

253. Being a member of the Community presupposes that the state in question is democratic. This principle has been confirmed twice: firstly, in the Community's attitude in the case of two countries, Greece⁽³¹¹⁾ and Turkey⁽³¹²⁾ that aspired to membership and were linked to the Community by association agreements when they fall under the rule of authoritarian régimes; and secondly, in the wording of the Commission's opinion on the accession of Greece, which makes democracy a prerequisite for membership of the Community⁽³¹³⁾.

254. Many acts done by the European Council, the European Parliament, the Council and the Commission⁽³¹⁴⁾, as well as major decisions of the Court of Justice of the European Communities⁽³¹⁵⁾, confirm the Community's attachment to the principles of pluralist democracy, the primacy of law and fundamental rights. A distinction must be made here: firstly, Community action must be consistent with democratic principles and respect for fundamental rights. Democratic principles and fundamental rights are an integral part of the Community legal system and their violation by a Community act makes that act illegal. Secondly, the Member States too must act in accordance with the principles of democracy and guarantee fundamental rights. This is a prerequisite for, and a consequence of, membership of the Community. We therefore have good reasons for concluding that the Community, as an international organization as well as a group of states, is in essence opposed to any extremist or authoritarian political tendency.

3.4.2 Racism and racial discrimination

255. The Community's attachment to democratic principles and respect for fundamental rights determines its attitude to race relations. Legally bound to conform to the principles set out in the European Convention on Human Rights and the constitutional traditions of the Member States⁽³¹⁶⁾, the Community must plainly avoid any racial discrimination in its activities⁽³¹⁷⁾. But more than avoidance is required. Its task is also positive and must be expressed in policies geared to more full and more effective racial equality in the areas covered by the Treaties⁽³¹⁸⁾. In its claim for greater powers, the European Parliament has frequently used all the forms of expression available to it to take a stand against signs of racism in the Community and outside and in favour of attitudes and action to promote racial harmony.

256. In the Council and Commission, Community action centres mainly on the problem of immigrants. Having already adopted various measures on behalf of migrant workers⁽³¹⁹⁾ in the past, the Community now seems ready to pursue a broader and more systematic policy on the subject.

In its communication to the Council entitled 'Guidelines for a Community policy on migration'⁽³²⁰⁾, the Commission outlined an action programme for migrant workers in which it accorded priority to migrants who were nationals of the Member States but also proposed measures that dealt with the whole question of migration. This important document was debated at length by the European Parliament on the basis of the report by Mrs F. Marinaro, and her motion for a resolution was adopted by a large majority⁽³²¹⁾. Following this, on 16 June 1985, the Council adopted a resolution defining the policy it intended to follow⁽³²²⁾. Subsequently the Commission adopted a decision on 8 July 1985, pursuant to Article 118 of the EEC Treaty, initiating a procedure of prior notification and consultation on migration policies in regard to non-Member States⁽³²³⁾. This move by the Commission has come up against the objections of certain Member States who have disputed its justification in Community law before the Court of Justice.

257. Nevertheless the Community does not seem to have used to the full its powers in areas covered by this inquiry. The European Parliament, like the main para-Community structures such as the European Council and the European political cooperation machinery, is undoubtedly entitled to widen its scope for action on the subject. But even the main decision-making institutions, i.e. the Council and the Commission, can obtain wide margins for manoeuvre by interpreting the texts defining their powers in terms of purpose, if necessary creating implicit powers before considering amendment of the Treaties. We will deal with this subject in Part 4 of the report⁽³²⁴⁾.

3.5 NATIONAL DIMENSION

3.5.1 Introduction

258. It is obviously impossible to provide a complete list in this report of the institutional measures and mechanisms in force in Europe in the areas covered by our inquiry. They are many and varied. They touch on many branches of law and are part of national legal systems, each of which has its own peculiar characteristics and structure. A comparative-law study of such range has no place in a parliamentary report, especially when it must cover a much wider range of topics and had to be drafted in an extremely short time. The rapporteur therefore intends to outline the situation summarily and selectively and make some general comments, to be followed by recommendations⁽³²⁵⁾.

3.5.2 Right-wing extremism

259. Measures for coping with extremist political tendencies vary widely according to the legal systems of the European country in which they are adopted. There are at least four reasons for these differences: firstly, historical reasons valid for countries in which Nazism and fascism have in the past been not only the dominant ideology but also a form of power; secondly, legal reasons which find expression in the legislative concepts and customs as well as the fundamental structures of the national legal system; thirdly, the scale of the problem in the country in question; and fourthly, political reasons, in other words the considerations that determine options and priorities amongst the means to be used.

260. From the point of view of content, the institutional mechanisms can be identified at several levels: first of all, there are legal systems that still have preventive and punitive mechanisms specifically designed to combat contemporary forms of fascism and Nazism. At the other end of the scale are legal systems with vague provisions against any form of political extremism that is incompatible with the democratic order or threatens it. Looking at it another way, there are legal systems that make more or less wide use of the means afforded by criminal law and others that merely introduce purely administrative or civil sanctions. A third distinction should be made as regards control and sanction mechanisms: they may be judicial or administrative but, as a general rule, national legislators prefer to use both these types of mechanisms simultaneously, as much for political reasons as because of constitutional constraints.
261. The first category of legal rules relating to right-wing extremism embraces provisions concerning the democratic nature of political formations and in particular political parties. For example: Article 1 of the Basic Law (1949) of the Federal Republic of Germany (internal organization of parties in accordance with democratic principles, conformity with free and democratic fundamental order), the XIIth transitional and final provision of the Constitution of the Italian Republic (prohibiting the fascist party) and Article 49 of the same Constitution (creation of parties to contribute towards defining national policy in accordance with democratic methods), Article 29(1) of the (1975) Greek Constitution (the organization and activities of political parties must contribute to the untrammelled functioning of the democratic régime) and Article 6 of the Spanish Constitution (the parties are the expression of political pluralism, they may be freely created and freely carry out their activities in compliance with the Constitution and the law, and their internal structure and functioning must be democratic). There are no implementing mechanisms for some of the provisions concerning the democratic nature of political parties, which therefore remain a kind of imperfect law. On the other hand, others are backed up by penalty procedures. Article 21(2) of the Basic Law of Germany for instance provides that parties may be dissolved by a decree of the Federal Constitutional Court for infringement of the Constitution. Similarly, Italian law (Law No. 645 of 20 June 1952) provides for legal sanctions against political formations that are regarded as attempts to recreate the fascist party⁽³²⁶⁾.
262. National provisions governing the legality of associations of every kind are also applicable. Under these provisions public legal or administrative authorities may declare associations with aims in conflict with the law and constitutional democratic principles, as well as paramilitary groups, to be illegal. There is for instance the Belgian law of 29 July 1934 (prohibition of private militias), the French law of 30 January 1936 (dissolution of combat groups and private militias), Articles 18 and 19 of the Irish Law (1939) on offences against the state, Article 9(2) of the German Basic Law⁽³²⁷⁾ Article 46 of the Portuguese Constitution (prohibition of military or paramilitary associations or associations claiming to draw their inspiration from fascist ideology) and Article 22(2) of the Spanish Constitution (prohibition of secret or paramilitary associations).

263. Criminal law is a powerful means of combating right-wing extremism. In most of the European legal systems, recourse is merely had to the pertinent general penal law provisions, for instance provisions governing breach of public order or participation in the activities of prohibited associations. Anti-terrorist legislation also allows for prosecution and prevention. Some national legal systems have however developed penal mechanisms tailored to the special characteristics of the offending situation. The most striking example is to be found in the law of the Federal Republic of Germany.

Under various penal code provisions (particularly Articles 84 et seq.), a series of activities typical of extremist groups, including participation in the activities of prohibited organizations, the production and distribution of extremist propaganda and the use of Nazi and fascist emblems⁽³²⁸⁾ are deemed to be punishable offences.

264. To democratic régimes, the institutional - legal, judicial, administrative - system is an important method of defence against the dangers of political extremism. It should be made the subject of systematic comparative studies by national and European institutions on a country by country basis. The European Parliament should play a full and active role here, as we suggest below⁽³²⁹⁾.

3.5.3 Racism and racial discrimination

265. The laws of almost all the Member States of the European Community contain general clauses, in principle of a constitutional nature, prohibiting discrimination based on race. Moreover, as contracting parties to the European Convention on Human Rights, and possibly international conventions on fundamental rights, they have committed themselves in one way or another to bring their laws into line with the principles of racial equality enshrined in those Conventions.

266. At all events, relatively recently legislators in the countries of Europe introduced into their respective legal systems special laws or provisions aimed at penalizing different forms of racial discrimination and incitement to racial hatred and at promoting racial equality more and more effectively and fully. The main reason for these legislative initiatives is the fact that the countries concerned have acceded to the International Convention on the Elimination of All Forms of Racial Discrimination. As we have seen⁽³³⁰⁾, this Convention requires the states parties to take two types of measures: firstly, to make a series of racist or racially discriminatory acts punishable under criminal law and secondly, to create conditions conducive to racial harmony and equality in their territory.

267. We shall not repeat here the international undertakings given by European countries for combating racial discrimination⁽³³¹⁾ or the different repercussions they have had on the national law⁽³³²⁾, which, it must be said, differ from country to country. This part of the report will deal exclusively with national legislative provisions and state machinery.

268. Protection against racial discrimination and incitement to racial hatred may be based on the provisions of common constitutional, or on civil, administrative or penal law. Thus constitutional or civil provisions on respect due to human beings or on the right to personality as well as penal protection of the honour of persons alive or dead may be applied to cases of racial discrimination. It is

nevertheless a fact that there is a marked need for special provisions directly geared to the issue of race relations. To meet this need, but at the same time in order to fulfil the undertakings contracted by virtue of the International Convention on the Elimination of All Forms of Racial Discrimination, legislators in the countries of Europe have adopted a series of legislative acts: the Law of 18 February 1971 amending certain provisions of the Penal Code (Netherlands); Law No. 72-546 of 1 July 1972 on measures to combat racism (France); Article 266 b of the Penal Code amended in 1971 (Denmark); Law No. 654 of 13 October 1975 (Italy); the Race Relations Act (United Kingdom, 1976)⁽³³³⁾; Law No. 927/1979, supplemented by Law No. 1419/1984 (Greece); the Law of 9 August 1980 adding new Articles 454 and 455 to the Penal Code (Luxembourg); the law of 30 July 1981 on the punishment of certain acts inspired by racism and xenophobia (Belgium); and Articles 130 and 131 of the Penal Code (Federal Republic of Germany).

269. Under this special legislation against racism and racial discrimination, regulations have been introduced that in some cases cover several areas. Its main objective however is to impose penal sanctions on manifestations of racism, incitement to racial hatred and cases of racial discrimination. Some of these laws provide that such offences may not be prosecuted unless the injured person or group of persons lodges a complaint. Others allow for automatic prosecution by the Public Prosecutor's Office. Article 5 - II of the French law cited above authorizes associations whose intention to combat racism is declared in their statute, to exercise under certain conditions, the recognized rights of a civil party in the case of certain offences. Article 5 of the Belgian law cited above extends this provision to associations that declare in their statutes their intention of defending human rights. It should be noted that the committee provided for in the International Convention on the Elimination of All Forms of Racial Discrimination verifies whether such legislation is consistent with the undertakings given by the individual states when ratifying the Convention.
270. The mere existence of legislation obviously does not mean that the solutions it affords are applied in practice. Attainment of the legislative objectives depends to a large extent on the attitude of the administrative authorities whose duty it is to implement the provisions in question and also on the interpretation given by the judge. Several of our experts have pointed out that despite the legislators' intervention, which in itself has been effective, racial discrimination still to some extent pervades daily life⁽³³⁴⁾.
271. In addition to legislative measures and the ordinary administrative and judicial machinery for implementing them, specialized national institutions have been created specifically to cope with the problem of race relations. The most important example is the Commission on Racial Equality created in 1976 in the United Kingdom under the 1976 Race Relations Act. The task of this Commission is to work towards eliminating discrimination, promote equal opportunities and the establishment of good relations between people of different racial groups, monitor application of the Race Relations Act and, where necessary, propose amendments to that Act. The Commission's activities cover several areas of social life and it is authorized to open enquiries into situations allegedly involving racial discrimination⁽³³⁵⁾.

3.5.4 General remarks

272. One characteristic of national action at institutional level is the increased involvement of the legislator. Although the legal system of any particular country may have shortcomings or gaps as regards racial equality, or allows racially discriminatory situations to continue either overtly or latently, it is nevertheless a fact that the institutional achievement of the Community Member States is generally satisfactory. Resolute efforts must however be made to continue this work and to draw constantly on the accumulating experience whilst ensuring that all those concerned can participate in the dialogue which is the basis of this process⁽³³⁶⁾.
273. Having said that, we must neither over-estimate nor under-estimate the part played by the law and the legal machinery. It must be borne in mind, first of all, that any measure, whether negative or positive, to eliminate racial discrimination in a democratic regime must be based on a rule of law. From this point of view, the law constitutes an essential and omnipresent instrument. But it must also carry out another function, preventing and punishing extremist, racist or racially discriminatory behaviour. Two points must be taken into account here : firstly, suppression of political extremism and racism must not overstep the limits of the liberty that a democratic regime guarantees to persons under its jurisdiction⁽³³⁷⁾. Suppression of forces that threaten democracy must not diminish that very democracy which is the essence of politics in Europe. We must beware of using preventive measures and 'homeopathic' remedies that end up depriving democracy of that very political salubrity we intend to protect. Secondly, in combating political extremism and racism which is an eminently political task for our democratic society and which therefore takes the form of intellectual confrontation between democratic and anti-democratic forces, recourse should be had to the suppressive function of the law only as a final resort⁽³³⁸⁾. Nevertheless, the suppressive function of the law will have an important role to play in this context⁽³³⁹⁾. Definition of that role hinges on finding a delicate balance between safeguarding fundamental freedoms and measures to cope with behaviour that takes advantage of those freedoms in order to destroy them⁽³⁴⁰⁾.

3.6 EDUCATION - CIVIC EDUCATION

274. In a recent speech, the French Minister for Education, Mr Jean-Pierre Chevènement, recalled Montesquieu's statement that 'it is republican government that needs all the power of education ... political virtue is self-abnegation, which is always very painful ... only in democracies is government in the hands of each citizen. But government is like everything else in the world: to preserve it, we must love it ... everything depends on creating such a love in the republic, and education must take care to inspire such love⁽³⁴¹⁾. In fact everyone agrees that education is undoubtedly the best way in which to eliminate the seeds of racism and intolerance from a society and to give its citizens the intellectual and moral means of deciding freely and rationally. Development of a national democratic conscience and ability to resist fascist and, more generally, totalitarian temptations, depends on the quality of the education system. The education system of a contemporary democratic society must be based on values that stem from respect for human dignity, human rights and fundamental freedoms. It must try to apply those values in its structures and organization as well as in the content of its teaching and its pedagogical methods⁽³⁴²⁾.

275. The problem of tackling fascist and racist phenomena arises at different levels of education, as discussed by the Committee:
- (a) The anti-discriminatory objective of schools and the equal opportunities they are intended to provide form an integral part of the European democratic heritage. Even though schools fail all too often in their objectives, reaffirming them and trying to attain them go a long way towards establishing a climate of confidence in the social institutions.
 - (b) The fight against fascist and racist temptations is also part of the general context of education which must not distort the picture of foreignness, their past history or present culture nor propagate discriminatory stereotypes (as for instance of the position of women as it has been and sometimes still is presented in readers), but must provide the historical, scientific, literary and philosophical background that will enable pupils and students to form their own opinions and absorb the values that govern the life of a democratic society.
 - (c) The question of specific instruction in democracy and human values, both personal and social, that permits construction of a free, open and non-discriminatory society crops up in this context. In the countries of Europe, it has taken the form of instruction in various subjects that have been gradually marginalized if they were not so from the outset. However, there has been a revival of interest in civic education in the broad sense of the term, i.e. including instruction in the basic rules of social life, initiation into political and social macro-mechanisms, awareness of human rights and, for the countries of the Community, knowledge of the history and principles of European construction and Community mechanisms⁽³⁴³⁾.
276. These different aspects of education have found expression in texts adopted by international institutions. Article 26(2) of the Universal Declaration of Human Rights states that 'education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace'. Article 13(1) of the International Covenant on Economic, Social and Cultural Rights of 16 December 1966 stipulates that 'the States parties to the present Covenant recognize the right of everyone to an education' and repeats the principles enshrined in the Universal Declaration of Human Rights. The United Nations Declaration on the Elimination of All Forms of Racial Discrimination mentions education as one of the areas where special efforts will be made to prevent discrimination based on race, colour or ethnic origin (Article 3(1)). Article 8 of the same declaration states that all effective measures will be taken immediately in the fields of teaching, education and information in order to eliminate discrimination and racial prejudice and promote understanding, tolerance and friendship among nations and racial groups. The same principles are listed in Article 7 of the International Convention on the Elimination of All Forms of Racial Discrimination which was adopted on 21 December 1965 and entered into force on 4 January 1969⁽³⁴⁴⁾. UNESCO is the international institution most directly concerned with educational issues. Article 1(2)(b) of its Constituent Act invited the organization

gradually to attain the ideal of equal educational opportunities for all without distinction as regards race, sex or economic or social situation. Its activities in this field led to the 14 December 1960 Convention against Discrimination in Education and the 1974 recommendation on education for understanding, cooperation and international peace and instruction in human rights and fundamental freedoms⁽³⁴⁵⁾. UNESCO also organizes important seminars and round tables. The round table organized in Geneva from 5 to 9 November 1979 on education relating to problems of racial discrimination is worthy of mention. Most of the participants had stressed that education as regards racism should take greater account of the social context, help dominated groups to resist violation of their rights and be linked to human rights teaching.

277. Following the Directive of the Council of the European Community of 25 July 1977 (77/486) on the education of the children of migrant workers for whom school attendance is compulsory⁽³⁴⁶⁾ and various international agreements on transfers of manpower, several European countries with a large immigrant population included teaching of the language and culture of the country of origin in their curricular or extra-curricular activities. This provision is particularly important in the intra-Community context since in France, for instance, 50% of Italian children or children with Italian parents living there currently follow such courses⁽³⁴⁷⁾.
278. From the Committee's discussions, particularly the submission by the representative of the foreign workers and migration service of the Belgian province of Limbourg, and from documents received, it was possible to identify some of the problems currently encountered in defining an education policy that ensures training in democracy and non-discrimination in a multi-cultural context:
- (a) An overall educational policy : the Limburg service representative stressed that minority cultures and intercommunal democracy should be introduced not only in classes and regions with a large proportion of children from cultural minorities but in all classes and regions since such instruction should ease communication in all social situations. It was not certain that this aspect was fully incorporated into the education policies of various European countries.
 - (b) Language teaching: mastery of a language is essential as a means of communicating and obtaining equal opportunities. The relative merits of the different teaching systems were still being discussed: basic education in the mother-tongue, immediate immersion in the language of the host country, supplementary courses in the mother-tongue or the language of the host country. In fact, the grounds for such discussions more or less disappear as the flow of immigrants diminishes, but large areas of linguistic ignorance nevertheless remain to constitute a potential source of difficulties and tension⁽³⁴⁸⁾.
 - (c) The problem of the increase in xenophobic feelings and racism in schools was also brought up⁽³⁴⁹⁾. There were many reports of signs of contempt and fear as well as of hostility in the face of competition that was deemed to be unfair in a world where the fear of unemployment is already a burden on the adolescent. It was absolutely essential for teachers to pay attention to daily signs of hostility and discrimination.

279. The principles of these three aspects of education are known in all the Community countries. Their application is more or less urgent and difficult, according to the size and diversity of the various cultural and ethnic groups living in one area and the tensions that may arise. There is a wealth of literature on the subject of education in a multi-cultural context which highlights the numerous difficulties of principle and practice⁽³⁵⁰⁾.
280. Of the various national campaigns now under way, mention should be made of the measures taken in the United Kingdom following the Swann report: consideration of ethnic diversity throughout the country in teacher-training courses, support for research projects in educational science and for local initiatives, the compilation of statistics on the problems and successes of various ethnic communities⁽³⁵¹⁾. France, for its part, decided in September 1981 to create priority education areas (ZEP) in social settings where educational failures had been particularly marked. The ZEP are meant to combat discrimination by providing better material resources and allowing teachers to draw up educational programmes that take account of the realities of the area in question⁽³⁵²⁾. Again in France, the Ecole Nationale de la Magistrature provides courses on the control of racism and on human rights. In the FRG, prevention of racial hatred and totalitarian ideologies is in the hands of political education centres which are partly financed by the Federal Government and the Lander and controlled by them⁽³⁵³⁾. In the Netherlands, schools provide courses on world history, brochures are published and various initiatives organized for ethnic minorities⁽³⁵⁴⁾. In Italy, the Ministry of Education includes civic education in teacher-training courses and encourages research programmes in the field of human rights and racial discrimination. Various societies such as the Società italiana per l'organizzazione internazionale (SIOI) help to keep the public informed⁽³⁵⁵⁾. Belgium promotes language training for the children of migrant workers⁽³⁵⁶⁾. The other Community countries have also introduced various specific measures⁽³⁵⁷⁾.
281. Thus, while the role of education is absolutely essential to the formation of democratic conscience, the education systems of the different European countries are confronted with enormous challenges. It should be noted that, apart from the specific problems mentioned above, the success of the education system as a whole determines to a very large extent the likelihood of new extremist or xenophobic outbursts. A society whose education system is undergoing a serious crisis risks rapid degeneration into a 'dog-eat-dog' society or one in which radical solutions are sought. In such a context, it would be spurious to increase civic education unless care were taken simultaneously to improve general education and the chances of success afforded by it.

3.7 INFORMATION MEDIA

282. The moral responsibility of the news media in the prevention of fascist and racist phenomena is often discussed at length. The press and audio-visual sectors are generally credited with providing opportunities for extending one's horizons and arousing curiosity and respect for alien cultures. As Mr Krieps said⁽³⁵⁸⁾, they play the role of a historical memory bank, as evidenced by the showing of Holocaust and the discussion it occasioned. They also allow the democratic debate full range by organizing forums and debates.

283. Nevertheless, serious criticism is levelled at them for presenting the external world in a way that often favours dominant social cultures. Frequent dramatization of the news distorts reality and runs the risk of creating contempt, misunderstanding and animosity. Information about minorities is quite often biased, dwelling at length on the misdemeanours of some members of minority groups, giving poor coverage to the problems of such communities and ignoring almost all their achievements. The problem gets even worse when presentation of current events damages the image of the country of origin (a point on which Iranian refugees, for instance, have particularly strong feelings). Lastly, by giving sensational coverage to acts of violence, and star billing to their perpetrators, plus the type of fiction sometimes broadcast, the media could develop a culture of violence that could foster a sort of unhealthy fascination.
284. Yves Michaud's comment on this is that the interdependence of violence and its representation is obviously not new. Violence does not consist merely of neutralizing the adversary and causing damage, it serves as a warning and a threat and bodes ill for those who are still unscathed. But no matter how much of an effort was made, the picture presented was always vague and cloudy, depending on rumours and reports of rumours. Increased scope for communication and the mastery that can be achieved by manipulating it have radically changed the situation⁽³⁵⁹⁾. It is obvious that media coverage has become one of the main incentives to further terrorism. A professional code of ethics on the reporting of acts of violence is sometimes called for. Consideration undoubtedly still has to be given to controlling the effects of some types of news. In its resolution of 1 October 1980 on the need to combat the reappearance of fascist propaganda and its racist aspects, the Parliamentary Assembly of the Council of Europe drew the attention of journalists and representatives of the mass media to their responsibility as regards the publication of news of a type that could foster racist and elitist reactions (paragraph 7)⁽³⁶⁰⁾. In our view, this appeal should apply not to the dissemination of news as such but to its selection and manipulation since they may incite racial intolerance and hatred.
285. It is difficult to assess the value of all media activity in the area of concern to us or describe the way in which it continues to form the democratic conscience of a country. The unpredictability of news and the way it is handled, differences between audiences and their perception of news, mean that media activities must by their nature be equivocal.

3.8 ORGANIZED SOCIAL REACTION

286. In the post-war period, it was frequently remarked that there had been little social reaction to the increase in fascism and anti-semitic and racist tendencies. In many European countries ad hoc groups then sprang up anxious to prevent and if necessary counteract any recrudescence of such ideologies and movements. There is a distinction to be drawn between the action of such groups, the political reaction by democratic parties and the reaction of the state, by which we mean both the legislative apparatus and administrative action.
287. The action of organized groups against intolerance and discrimination does not however date from the immediate post-war period: the assertion of democratic rights and principles against arbitrary nationalist

prejudices found archetypal expression at the time of the Dreyfus affair whose repercussions were felt well beyond the borders of France. The Human Rights League and the International League Against Anti-semitism (LICRA) were created as a result of this incident. Political, state and social reactions vary widely in form and effect from one country to another depending on the country's history and any remaining threats to its democratic system. Resistance groups to post-war European dictatorships, in Greece, Spain, Portugal and Turkey, merit special mention here.

288. Throughout its proceedings, the Committee had direct or indirect contacts with several organizations that work to preserve the lessons learned from events in the pre-war and war-time periods. Although we by no means intend to give a complete list, mention can be made of the Mouvement contre le Racisme et pour l'Amitié entre les Peuples (MRAP, France), the Mouvement contre le Racisme, l'Antisémitisme et la Xénophobie (MRAX, Belgium), foundations and documentation centres such as the Anne France Stichting (Netherlands), the Dokumentationsarchiv des Oesterreichischen Wilerstandes (Austria) and the Fédération Internationale des Résistants as well as many resistants' and ex-servicemen's associations. The task of many of these movements has broadened and changed with the passage of time, especially at the time of decolonization and then the arrival of large numbers of foreign workers in some Community countries. At the same time and since, very many associations to assist immigrants and combat xenophobia were set up. The Committee has for instance received documents and reports from the Runnymede Trust (United Kingdom), the Minority Rights Group, several Belgian associations, some official (Vlaamse Overleg Comité over Migratie - VOCOM), other private (Ligue des Familles, Caritas Catholica) and numerous specialized and local associations, which sometimes have an overall coordinating structure (as is the case of the Fédération des Associations de Soutien aux Travailleurs Immigrés - FASTI - in France). The network of defence and monitoring associations and action committees is particularly dense in the United Kingdom where a periodical (Searchlight) exclusively concerned with right-wing extremism is also published. The Churches also play an important role in the countries concerned by supporting migrant communities and issuing reminders of the principles of fundamental rights and human dignity⁽³⁶¹⁾.
289. Questions have been asked about the political colour of these associations ever since they were set up. Many of them in fact have links with political parties and movements. Although that by no means discredits their action, there is nevertheless a dilemma : a consensual, little-politicized strategy could well be founded on flimsy and changeable principles; a more directly political message is perhaps more coherent but the audience will be smaller and the message more controversial. For all that, two new developments have taken place in recent years that have enriched the debate. The first is the development of groups socially active in the human rights field. These groups may take various forms (Amnesty International, the International Commission of Jurists, committees to monitor compliance with the Helsinki accords, l'Action des Chrétiens pour l'Abolition de la Torture and the Internationale Gesellschaft für Menschenrechte), but they all help to increase awareness of the concept of human rights and thus of democracy. The second new development is the gradual abolition of the implicit distinction made in past decades between 'protected communities' and 'protective' associations. The phenomenon that

Francois Gaspard and Claude Servan-Schreiber rightly called the 'end of the immigrants', in other words real integration of immigrant communities into the social and cultural fabric of the host country, has had a lot to do with it. The social reaction is thus more diverse and more widespread than it was before.

290. The merging of these two trends - consensus on specific matters and general involvement transcending political divisions - probably explains the form of an association such as SOS - Racism whose rapid growth in many European countries bears witness to changes in public opinion. An exchange of views between members of the Committee and the association's French and Belgian representatives revealed that opinions sometimes differed on what form organized social action should take today, particularly the relations it should have with political action and movements. Be that as it may, the current success of initiatives such as those taken by SOS - Racism once again shows that social reaction to extremist ideologies and movements has always depended very much on the overall cultural climate.

3.9 CULTURAL ACTION

291. In fact, the debate about racism and fascism has never been merely political; it has also been cultural and even literary from the outset. It is concerned with human feelings, representation of the past, the power of rhetoric and the use of symbols. Although this is a constant factor in all political debate, it is much more marked in the case of movements and ideologies that make a virtue of irrationality.
292. The cultural fight against fascist leanings is almost always organized around the figure of the intellectual whose identity has been shaped by the philosophy of the enlightenment that inspired modern European culture, by political romanticism, by the legacy of the Dreyfus affair and by neo-Kantian currents. In the traditional view of writers such as Charles Péguy or Julien Benda the intellectual does not intervene in the political and social field because of some technical competence but because of the responsibility he feels he has for bearing witness to certain timeless values. Whereas cultural expressions of fascism give preference to might over right and to historical particularism over the universal, the intellectual 'joins the resistance' prompted by a conviction which Pascal shared that 'it is a strange and long war in which violence tries to suppress the truth. Whatever violence can do, it cannot blunt the truth, it merely serves to enhance it further. All the light of truth can do nothing to stem violence, it merely adds fuel to the flames. When force is pitted against force, the more powerful destroys the weaker; arguments that are true and convincing confound and dispel those that are nothing but vanity and lies'(362).
293. Before the war, this 'humanist' tradition nurtured the anti-fascist protests of such different personalities as Thomas Mann, Robert Musil, Stefan Zweig, André Gide, Georges Bernanos, Miguel de Unamuno and many others. After the second world war, the leading anti-fascist figures not only had the same preoccupation as their predecessors but also those inspired by Marxist logic, Christian personalism, decolonization movements and a new European concept of democracy. These influences are to be found, in various forms, in Jean-Paul Sartre's Réflexions sur la Question Juive, in the works of Heinrich Boll and Albert Camus and in periodicals such as Esprit in France and Cuadernos para el diálogo in Spain. However, at the same time, a feeling of some impatience arose at the rather automatic nature of the rhetoric that passed for

anti-fascism; the criticism levelled by Plato at Socrates when speaking of his meeting with poets and artisans is relevant here : 'Because each was perfect master of his art he considered himself to be perfectly wise in all other matters, including the most important.' The anti-racist reaction then looked for support amongst 'professionals' such as scientists meeting under the auspices of UNESCO, mainly biologists and anthropologists. Theories of political action and of democracy also became more positive, drawing extensively on American political science research (Robert Dahl, Charles Lindblom, Sidney Verba, etc.)⁽³⁶³⁾, and turned more towards studies of the functioning and disfunctioning of the democratic order.

294. Lastly, under the shock of the anti-Stalinist reaction and then later of the discovery of the 'voices from under the ruins' (East European dissidents, especially Solzhenitsyn), the anti-fascist intellectual gradually changed into an anti-totalitarian intellectual. This is undoubtedly the most positive achievement of the post-war intellectual adventure: the struggle for human dignity is an undivided struggle, it snaps its fingers at political, religious, social and national labels; it is waged on all fronts, far and near; the personal responsibility of each and every one is entirely committed, without any possible refuge, pretext or mitigation. This message undoubtedly deserves to be passed on to the entire political body and social body.

4. GENERAL CONSIDERATIONS - RECOMMENDATIONS

4.1 GENERAL CONSIDERATIONS

295. The Committee's terms of reference enjoin it to examine 'means of combating' fascist and racist groups. The tenor of the Committee's proceedings and the analysis contained in the preceding pages induce us to give a broad interpretation to this aspect of our brief and to examine the means of combating both the various aspects of the phenomena of fascism and racism and those factors which contribute to their perseverance, and occasionally growth.
296. The 'means', as we have seen, can and do take various forms. Fascist and racist groups, both in their activities and their ideology, represent specific dangers which we have assessed above. The armoury of defence against these dangers, on the lines already suggested in the discussion of legal means, should be constantly enriched and improved. Some of the recommendations which follow will deal with this.
297. It must nevertheless be said that, throughout our inquiry, these groups have been often revealed not so much as the causes of particular social ills but as symptoms of these. This can be observed at two levels: firstly, in that some of these groups perform the function of instruments of protest, whether this protest is expressed in militancy or at the ballot box, and however ill-defined it may often appear; secondly, in that these groups do exploit xenophobic, racist or possibly authoritarian tendencies which they may excite and aggravate, but which nevertheless pre-date such groups' activities. These pre-existing tendencies themselves require differentiated treatment: racism and racial discrimination constitute forms of externalized behaviour which can be recognized by the law and impeded by the legal process. It is not so with xenophobia, which is a latent resentment or 'feeling', an attitude that goes before fascism or racism and can prepare the ground for them but, in itself, does not fall within the purview of the law and legal prevention. It will be obvious that the

diversity of these phenomena, of their constituent elements and their means of expression, require a more comprehensive approach, if the recommendations here set down are not to be a mere inventory of disparate items but may become the expression of a coherent and firm political purpose.

298. Although the facts reported in these pages - the persistence of extremist groups, the violence to which some of these resort, the new and growing manifestations of xenophobia, the weaknesses and ambiguities of the institutional apparatus and of the traditional political and social forces - remain of a dimension that makes them uncontrollable, they are nevertheless symptomatic of a problem unprecedented in the experience of the European democracies : large-scale and constantly growing population transfers and new human and cultural contacts which are taking place within a legal and social framework that often does not keep pace with the extent of the changes in progress. In other words, our analysis both of the situation and its causes and of the action undertaken points to the existence of a specific crisis: as human contacts and intercultural confrontations develop, closed societies are gradually becoming obsolete.
299. The inadequacy of closed societies can be seen, first and foremost, within the Community. Here, however, the changes engendered by constantly growing political, cultural, social or economic interdependence are taking place under the control of a legal and political system which, for all its weaknesses, does provide the necessary stimulation and regulation.
300. That is not the case of changes which transcend the Community framework. In the forefront of these is the difficult process of integration of migrant workers and their families within the social tissue of a Europe which, by the process of Community unification, is already, not only in fact but also in law, multi-ethnic and multi-cultural. As Commissioner Sutherland said, there are 12.5 million immigrants (workers and their families) in the ten Community countries at present, compared with 12 million in 1974⁽³⁶⁴⁾. Of these, 9 million are from non-member countries, with Turks, Yugoslavs, Algerians, Moroccans and Tunisians making up the main nationalities. There are some 1.5 million Spanish and Portuguese; after the accession of Spain and Portugal the number of immigrants from Community countries will thus rise to 5 million. Two conclusions may be drawn from these figures. First, the total number of immigrants has been relatively stable over the past ten years. Second, the number of immigrants of Community origin, irrespective of nationality, as a percentage of the total number of immigrants, will rise by one third on enlargement. When planning for the future, therefore, the Community will need to take into account the presence in its midst of several ethnic communities and its undoubted duty to work for their integration into European society⁽³⁶⁵⁾.
301. If we add to these the number of nationals who are still regarded, and still regard themselves, as members of 'foreign' minorities (as is in particular the case in the United Kingdom and France), if we remember the scale of other changes which have occurred in recent decades, and especially the increase of contacts with and of information on other parts of the world, we can get some idea of the strength of the cultural shock under which Europe has been labouring since it ventured on the path of unification. It is only natural that to this state of affairs should be attributed many of the malfunctionings of our national systems and the numerous manifestations of contemporary political extremism.

302. These changes are taking place in conditions which are undoubtedly unique in history: for the most part the migrations and population displacements have occurred in conditions where there was no observance of the rights and freedoms recognized by the European democracies or those which governed settlement and nation-building, as was the case with the United States, although the conditions and consequences of migratory movements in that country and in Europe are today more similar than ever before⁽³⁶⁶⁾.
303. The uniformity of the conditions in which these movements are taking place in Europe are all to her credit. Every person, whether a Community national or not, automatically enjoys in its territory the fundamental freedoms. That is by no means the case of Community nationals in the territories of non-democratic societies where these rights are often mocked. We are still very far from achieving geographical homogeneity in this respect, far from universal implementation of human rights.
304. Nevertheless in the face of these movements our intellectual and institutional equipment remains gravely inadequate. One of the underlying motives in fascist and racist leanings is a desire to flout our democratic heritage within which, for all its known imperfections, these changes and movements have been taking place. But it is also true that to ignore or minimize the resistance to these current changes is to risk exacerbation of the problems and of the resistance and thus to undermine the democratic system from another side.
305. Society and its institutions have been reacting in a disjointed manner to the challenges presented by the movements described above and to the political exploitation of the difficulties they generate. The existing system of prevention and restraint has been complemented by ad hoc measures addressed to particular sections of the population or to the attainment of specific objectives. While comprehensive consideration was given to the principles and consequences of Community construction, it failed to take into account the new view of the world which must comprise not only that construction but also the population transfers and cultural exchanges which had been taking place internationally and transcended the Community's purlieu.
306. The rapporteur would like to suggest that Community authorities not only have the right but, above all, an imperative need to adopt a more global approach to certain phenomena which until now they have considered only fragmentarily. This new approach could be described as a European policy of inter-community relations. By 'inter-community relations' we mean relations between communities identified by various parameters: ethnicity, culture, religion, history, and which themselves have an awareness of such identity. Such a policy would bring together, around a consistent framework of principles and objectives, such strands as what is usually called 'Community policy on migration', action in defence of fundamental rights and freedoms, some aspects of political cooperation (relations with countries with large immigrant populations) and educational, social and cultural policy.
307. The reasons for this proposal must be clear from the preceding considerations, but let us here recall the principal among them: fascist and racist or, more generally, anti-democratic, movements flourish on the malfunctioning of national systems and of the Community system. In this respect the hardest problem today concerns the

difficulties of passage between societies built on different, though equally legitimate, cultural and social models. These models not only distinguish different population groups: often they are in conflict within the psyche of one individual or of a single section of the population. Their interdependence, and their confrontation, can be observed within countries, and all the more so, of course, within the Community. The gradual and more or less explicit settling of what had been 'migrant' communities into the situation of 'minorities' is one, though not the only, reason for the crisis of cultural identity experienced by very broad sections of society. A new policy regulating relations between communities means both strengthening the legal norms of democratic exchange - those precisely which fascist and racist movements oppose - and creating new instruments needed to cope with the various implications of inter-communal relations. The recommendations which follow will be articulated on this concept.

308. Lastly, the answers to the challenges raised by the subject of our inquiry must clearly be drawn from the idea of human rights and fundamental freedoms. It is in this source - from which those aspects of Europe's political and philosophical traditions which gained universal acceptance were also drawn - that we must look for and find the precepts for our political conduct and the basis of that model of society which democratic man, in all the diversity of his past experience and future aspirations, seeks to attain.

4.2 RECOMMENDATIONS OF THE RAPPORTEUR

309. The recommendations formulated below represent but a part of what is virtually an infinite range of possibilities. Political inspiration can always add to the list, political reason can make selections and establish priorities within it.

4.2.1 At the institutional level

- (a) Countries which have not yet done so must ratify the international conventions (UN, UNESCO, ILO, Council of Europe) relating to the subject of this inquiry.
- (b) Countries which have not already done so should issue declarations and perform ratifications relating to 'individual' petitions (Article 25 of the European Convention on Human Rights, Article 14 of the International Convention on the Elimination of all forms of Racial Discrimination, Optional Protocol to the International Covenant on Civil and Political Rights)⁽³⁶⁷⁾.
- (c) Commitments undertaken in virtue of international conventions must be given full implementation in domestic law.
- (d) National legislation on combating political extremism, racism and racial discrimination must be continually revised and adjusted and its application in practice must be ensured⁽³⁶⁸⁾.
- (e) Effective means of legal recourse in disputes relating to racial discrimination must be established.
- (f) The legislation described under (d) above must be subject to monitoring, analysis and assessment of implementation by national administrative and judicial authorities.

- (g) The benefits of genuine free legal aid and free legal consultation must be extended to proceedings in disputes relating to racial discrimination.
- (h) A policy must be formulated and introduced for positive institutional measures to create at national level specialist bodies concerned with race relations (investigative and conciliation authorities, ombudsman, research and initiating committees).
- (i) In the spirit of resolutions already voted by the European Parliament, progress must be made towards the creation of a European legal area in order to prevent the activities of and collusion between terrorist and extremist organizations in the execution of their acts and the distribution of illegal propaganda material and to defend the fundamental principles of democracy offered by the rule of law.
- (j) An effort must be made to define more broadly Community powers and responsibilities in the area of race relations by applying a teleological interpretation of the Treaties, on the basis, inter alia of seeking the useful effect of the relevant provisions and of the European Community's implicit powers, by recourse to the procedure under Article 235 of the EEC Treaty, and, if necessary, by revision of the Treaties.
- (k) Commission initiatives must be encouraged in the area of questions identified by this inquiry.
- (l) The questions identified by this inquiry must be introduced into the purview of para-Community mechanisms, for instance the European Council and European political cooperation.
- (m) An effort should be made to draw up a declaration against racism, racial discrimination and xenophobia and in favour of harmonious relations among all the communities existing in Europe, to be adopted jointly by the Community political institutions, in accordance with the spirit of the Commission proposal and the Council resolution.
- (n) The role of the European Parliament, in its capacity as an organ of deliberation, debate and political initiative, should be enhanced in matters relating to respect for, and consolidation of, the democratic order, the fight against racism and harmonious relations among all communities residing in Europe.

4.2.2 At the level of information

- (a) A comparative-law study should be undertaken on the various legal instruments introduced in the countries of the Community to deal with the matters which are the subject of this inquiry and on the effectiveness of these instruments. The European Parliament should encourage this project to take effect.
- (b) In each State bodies should be set up to provide information on the legal protection against discrimination, racism and incitement to hate and racial violence. Efforts should be made to improve the spread of information on legal recourse at the international, European, Community and domestic level, using all the available information and communications techniques, including in particular the technological opportunities afforded by telematics and data processing.

- (c) Within the framework of Euro-barometer one or more surveys should be carried out on the present state of relations between the different communities living in Europe. It should comprise questions on the respondent's feelings about contacts with communities other than his own and also on his understanding of democratic values. The necessary funds should be provided in the Community budget.
- (d) Case studies should be carried out in a number of Community urban centres where minority communities are strongly represented, in order to compare both the problems that arise and the strategies adopted to deal with them.
- (e) The professional ethics of the information industry with respect to manifestations of violence, and especially of racial violence, should be carefully considered. The European Parliament could take the initiative in organizing a symposium on this subject.
- (f) It should be brought home to those concerned at all levels of the information industry that the mass media have an important role to play in eliminating racial prejudice and promoting harmonious relations among communities resident in Europe. The minority communities must be fairly represented in the information media.

4.2.3 At the level of education

- (a) In all educational structures and policies the aim of non-discrimination must be promoted.
- (b) Much more importance must be given to civic education throughout the school curriculum, with the aim of fostering allegiance to the principles and practice of democracy and pluralism, tolerance and mutual respect between human beings and a sense of civic responsibility.
- (c) The anxieties set out in the present inquiry must be taken into account when drafts of a European civic education textbook are prepared.
- (d) Special attention should be given to the civic education of teachers. They must be given a knowledge of the principles and essential content of the legal texts relevant to our subject. They should be made aware of the problem of relations between children and adolescents belonging to different communities and taught the appropriate pedagogic approach.
- (e) Instruction in minority cultures and languages should be encouraged in order that societies may become more open both to these minority communities and to the world outside the Community.
- (f) Contemporary history should be taught at an earlier age, presenting the children with an accurate picture of the crimes committed by European fascist and totalitarian régimes, and more particularly of their acts of genocide. A Community initiative should be promoted for the preparation of a European textbook of contemporary history on the basis of work already done by the Council of Europe and by UNESCO.

4.2.4 At the level of action by social forces

- (a) On the model of the Youth Forum, an Inter-Community Forum should be set up under the aegis of the European Community.
- (b) Encouragement should be given to European dialogue and meetings between the people, institutions and associations combating racism and working for human rights. The trade unions, professional organizations and other institutions concerned should take part in this dialogue.
- (c) Encouragement should be given to contacts and dialogue between different religions and persuasions, both to promote religious tolerance and to encourage joint debate on the place of the various faiths in modern European society. The European Parliament could take the initiative of organizing a conference on this subject.
- (d) Detailed consideration should be given to the responsibilities of democratic political bodies in the face of the problems highlighted by this inquiry and in order to try to establish an ethic of debate on the subject. The European Parliament could play a crucial role in this.

4.2.5 Guidelines for general debate

- (a) The issues raised and the solutions envisaged should have constant priority in considerations on the formulation of national and Community institutional, economic and social policies and in the fields of education, culture and information.
- (b) Within the European Parliament discussion and debate should take place on the issues raised by the inquiry and political responsibilities in this area should be defined at international, national and Community level.
- (c) An effort should be made to identify the areas of tension and problems in multi-community Europe and on this basis to define the political and social balance which should be attained.
- (d) The debate should be widened, with contacts being established in the appropriate international authorities with the aim of obtaining reciprocity of treatment in relations between Community Member States and third countries.

4.2.6 The Committee of Inquiry requests the appropriate committees of the European Parliament to study closely the ideas and the proposals set out in this document. The report and especially its recommendations can undoubtedly give rise to parliamentary initiatives, whether in the form of motions for resolutions or oral questions with debate, initiatives which could result from joint action by different groups within the Parliament, thus witnessing to a consensus that goes beyond political divisions. The Committee also asks the Council, the Commission, the national Governments and Parliaments and all the democratic forces of Europe to study these proposals and to draw practical conclusions from them, bearing in mind not only the seriousness and urgency of this further challenge facing Community Europe today but also the duty of democratic vigilance and political responsibility which lies upon it.

5. CONCLUSIONS

- 5.1 Forty years after the victory over the Nazi and fascist régimes, groups and individuals in the Community and in other countries of Western Europe still proclaim their adherence to those régimes' ideologies, or at least some of their features, and especially those which are racist and anti-democratic.
- 5.2 These groups are in general extremely small. Their multiplicity, due to ideological dissension, constant personal squabbles and occasional outlawing, can hardly disguise the smallness of their numbers and the meagreness of their resources. It may be said that the more radical their ideology and behaviour, the more peripheral these groups become.
- 5.3 Even when those movements all or part of whose ideology can be described as right-wing extremism manage to achieve representation in local or parliamentary bodies, their public following by and large remains very limited and is unlikely seriously to undermine the European democracies.
- 5.4 What is more, right-wing extremism has suffered the consequences of the fall of the dictatorships in Greece, Spain and Portugal. The Community's attitude has helped to restore democracy in these countries. The last enlargement of the Community will formally mark the end of the authoritarian right-wing régimes which emerged in Europe in the 1930s. As regards Turkey, a country in association with the EEC and aspiring to membership, the European Parliament has on many occasions expressed its concern over, and its condemnation of, the violations of human rights occurring in that country.
- 5.5 In recent years individuals and movements belonging to the extreme right have taken to violence, often resulting in murder, instances of which have been particularly pronounced in Italy and Federal Germany. These developments are associated with the appearance of a general climate of thoughtless toleration towards violence, extremism and depreciation of constitutionality.
- 5.6 What is more, some extreme right-wing ideas have recently been given more explicit and perhaps broader expression than before. This is particularly the case of supposedly 'scientific' racism which, by invoking strange mixtures of ideas, false generalizations and sometimes pure myths and inventions, erects the differences between individuals and groups of people into an absolute system and on the basis of such 'theories' attempts to justify racial segregation.
- 5.7 Among other themes which have made their appearance or reappearance in recent years we should note: the denial of the fact of genocide perpetrated by the Nazi regime, the inevitability of a 'race war', the resurgence of 'national-revolutionary' attitudes, also called 'the third position' or 'strasserism' (a mixture of spurious neutralism with a theory of 'national socialism'), virulent anti-semitism, often disguised as 'anti-zionism', and glorification of 'purifying' or 'liberating' violence. Some of these trends have contributed to the emergence of a terrorist movement which eludes classification in traditional political terms, such classification being in any event inapplicable when dealing with phenomena outside the democratic political spectrum.

- 5.8 By way of pinpointing the phenomenon, it should be said that the various extremist groups often provoke each other, attempting to exacerbate opposing views and polarize attitudes. Moreover the international context, and especially reference to totalitarian and dictatorial regimes, help to dramatize clashes within democratic Europe.
- 5.9 Links exist between the various European extreme right-wing groupings and between these and the American continent and the Middle East, as well as contacts with extreme left-wing groupings or state services of the Communist dictatorships and others. Thanks to these links, there is sporadic exchange of material assistance as well as a certain consonance in the theories propounded by the various groups. The extent of such links is, however, limited by various differences, rivalries and incompatibilities. The supposition that these various movements pursue a coordinated international strategy is not borne out by the evidence and is hard to reconcile with the nature of the facts listed here.
- 5.10 There is cause for more concern over the rise of more or less diffuse feelings of xenophobia and the increase in tensions between different communities. It has a distressing effect on the immigrant communities which are daily subject to displays of distrust and hostility, to continuous discrimination, which legislative measures have failed to prevent, when seeking accommodation or employment or trying to provide services and, in many cases, to racial violence, including murder. The situation is aggravated by the fact that, rightly or wrongly, these minorities have little confidence in the institutions on which they should be able to call to uphold their rights and offer them protection.
- 5.11 The development of this situation is associated with a global social malaise, the elements of which are difficult to identify and assess and in any case may vary from context to context. They comprise the time-honoured distrust of strangers, fear of the future combined with a self-defensive reflex which together often lead to a withdrawal symptom, prejudices arising from the way national and international news is presented, and occasionally a spiral of violence in which aggression and defence are almost inextricably intertwined. All these elements can be found in crisis-ridden urban centres where physical, economic and social conditions gravely militate against dialogue and tolerance.
- 5.12 There are movements seeking to give radical expression to the feelings and aspirations engendered by these social and cultural changes. They would be more likely to succeed if the democratic parties were short-sightedly tempted to exploit the possibilities offered by a disturbance of the electoral balance and if they gave preference to rhetorical incantations over the search for realistic solutions in the spirit of social peace and democratic dialogue.
- 5.13 For the time being the climate of mistrust and xenophobia existing here and there has not weakened overall confidence in the democratic institutions. But this confidence could be eroded, not so much by the 'historic fallout' represented by the activities of groups obsessively attached to out-dated totalitarian régimes and ideologies as by the 'generation effect', whereby knowledge of the harm perpetrated by these régimes and of the pernicious nature of their ideologies could gradually become attenuated. It is the generation effect, together with the attractiveness of protest movements in general, that is undoubtedly the reason why the youngest age groups account for a large

proportion of extremist right-wing militants. Moreover, an allegiance to democratic values has to face the battering to which they are liable to be subjected by every kind of extremism and totalitarian tendency beyond the traditional political classifications.

- 5.14 Considerable efforts have been made since the end of the war at international, European, Community and national level to draw up the necessary legal instruments to ensure both the eradication of all forms of racism and discrimination and the protection of fundamental rights. Though success in this area has been mixed and though there have been doubts and errors in the formulation of a policy on migration, particularly in the last few years, West European and Community States continue their efforts to prevent and check fascist and racist speech and action and to abolish such forms of discrimination as still exist.
- 5.15 Recourse by private individuals to the legal means which have been introduced is nevertheless not easy. Apart from procedural difficulties, administrative practice often puts an impenetrable screen between the intention and the deed. The first victims of such a state of affairs are precisely those whom the provisions are intended to protect.
- 5.16 In Eastern Europe the situation is essentially different: not only are fundamental rights and democratic values systematically denied, in a way inherent in the very nature of the regime, but there are many instances of discrimination, not to say persecution, of ethnic minorities in what has always been a very culturally mixed area. The most glaring example is the position of the Jewish community in the Soviet Union where the conduct of the authorities can justifiably be described as 'state racism'.
- 5.17 The success of educational policies, both as regards the eradication of all forms of discrimination and instruction in toleration and democratic values, is closely dependent on the design and performance of the educational system as a whole and of the confidence which it consequently commands. In general, civic education in the broad sense - and particularly the prevention of racist prejudice and instruction in human rights and democratic values - receives far less attention than it merits.
- 5.18 The information media, which play an essential role in the functioning of every democratic system, bear an important responsibility for the image of the minorities that is presented to society and, more broadly, for the mutual perceptions of different sections of the population by the way in which they succeed or fail in their task. The perception of violence depends largely on the way in which it is presented by the media. The professional ethics of the media require closer consideration in this respect.
- 5.19 Groups and institutions devoted to combating fascism and racism and the protection of the minorities perform a most useful task in information and representation. That task is fully accomplished when it is carried on in a spirit of dialogue and pluralism and with due consideration to the expectations and aspirations of the public at large. The emergence of new cultural forms of combating intolerance and discrimination must be recognized and encouraged.

- 5.20 In matters concerning the defence of human rights and democratic values, the responsibility of all citizens, and especially of leaders of public opinion, can neither be reduced nor delegated. There is no room for considerations of political expediency.
- 5.21 The large population movements which have taken place in recent years with the consequent entry of new communities into the social tissue of a number of European countries, the cultural changes taking place and, not least, the growing openness of societies to events throughout the world - all these call for the formulation of a new global policy which will ensure that the new minorities can find their place in the social fabric of European nations and that these national societies develop harmoniously in understanding and respect for the democratic values. A European policy on inter-communal relations must become part of any genuine policy for European Union.

6. RECOMMENDATIONS OF THE COMMITTEE INQUIRY

6. To this effect, the Committee submits the following recommendations:

6.1 At the institutional level

- (a) Countries which have not yet done so must ratify the international conventions (UN, UNESCO, ILO, Council of Europe) relating to the subject of this inquiry.
- (b) Countries which have not already done so should issue declarations and perform ratifications relating to 'individual' petitions (Article 25 of the European Convention on Human Rights, Article 14 of the International Convention on the Elimination of all forms of Racial Discrimination, Optional Protocol to the International Covenant on Civil and Political Rights).
- (c) Commitments undertaken in virtue of international conventions must be given full implementation in domestic law.
- (d) National legislation on combating political extremism, racism and racial discrimination must be continually revised and adjusted and its application in practice must be ensured. Forms of racial discrimination present in current national legislation must be identified and expunged.
- (e) Effective means of legal recourse in disputes relating to racial discrimination must be established and the organizations involved must be guaranteed the right to institute civil proceedings.
- (f) The legislation described under (d) above must be subject to monitoring, analysis and assessment of implementation by national administrative and judicial authorities.
- (g) The benefits of genuine free legal aid and free legal consultation must be extended to proceedings in disputes relating to racial discrimination.
- (h) A policy must be formulated and introduced for positive institutional measures to create at national level specialist bodies concerned with race relations, where such bodies do not already exist, to protect the victims, and prevent manifestations, of racial discrimination.

- (i) In the spirit of resolutions already voted by the European Parliament, progress must be made towards the creation of a European legal area in order to prevent the activities of and collusion between terrorist and extremist organizations in the execution of their acts and the distribution of illegal propaganda material, and to defend the fundamental principles of democracy afforded by the rule of law.
- (j) An effort must be made to define more broadly Community powers and responsibilities in the area of race relations by applying a teleological interpretation of the Treaties, on the basis, inter alia, of seeking the useful effect of the relevant provisions and of the European Community's implicit powers; by recourse to the procedure under Article 235 of the EEC Treaty; and, if necessary, by revision of the Treaties. Action must be taken on the communication from the Commission to the Council for a Community policy on migration, on which Parliament has delivered its opinion, and on the resolutions adopted by Parliament on the same subject.
- (k) Commission initiatives must be encouraged in the area of problems identified by this inquiry.
- (l) The questions identified by this inquiry must be introduced into the purview of para-Community mechanisms, for instance the European Council and European political cooperation.
- (m) An effort should be made to draw up a declaration against racism, racial discrimination and xenophobia and in favour of harmonious relations among all the communities existing in Europe, to be adopted jointly by the Community political institutions, in accordance with the spirit of the Commission proposal and the Council resolution. Plans should be laid for a European Year to promote inter-community harmony, during which Community funds would be allocated for holding conferences or arranging other events for the purpose of combating racism, racial discrimination and xenophobia and encouraging tolerance and mutual respect between the different communities living in Europe.
- (n) The role of the European Parliament, in its capacity as an organ of deliberation, debate and political initiative, should be enhanced in matters relating to respect for, and consolidation of, the democratic order, the fight against racism and harmonious relations among all communities residing in Europe.

6.2 At the level of information

- (a) A comparative-law study should be undertaken on the various legal instruments and practices introduced in the countries of the Community to deal with the matters which are the subject of this inquiry and on the effectiveness of these instruments. The European Parliament should encourage this project to take effect.
- (b) In each State bodies should be set up to provide information on the means of legal protection against discrimination, racism and incitement to racial hatred and violence. The means for coordinating such bodies at European level should be provided. Efforts should be made to improve the spread of information on legal recourse at the international, European, Community and

domestic level, using all the available information and communications techniques, including in particular the technological opportunities afforded by telematics and data processing. At all points of entry into Community Member States directories should be provided, listing, in the appropriate languages, the names, addresses and telephone numbers of counselling and legal advice services provided for migrants, immigrants, refugees and persons seeking a reception centre.

- (c) Within the framework of Euro-barometer one or more surveys should be carried out on the present state of relations between the different communities living in Europe. It should comprise questions on the respondent's feelings about contacts with communities other than his own and also on his understanding of democratic values. The necessary funds should be provided in the Community budget.
- (d) Case studies should be carried out in a number of Community urban centres where minority communities are strongly represented, or where surveys have identified a high level of racism, in order to compare both the problems that arise and the strategies adopted to deal with them.
- (e) The professional ethics of the information industry with respect to manifestations of violence, and especially of racial violence, should be carefully considered. The European Parliament could take the initiative in organizing a symposium on this subject.
- (f) It should be brought home to those concerned at all levels of the information industry that the mass media have an important role to play in eliminating racial prejudice and promoting harmonious relations among communities resident in Europe. The minority communities must be fairly represented in the information media.

6.3 At the level of education

- (a) In all educational structures and policies the aim of non-discrimination must be promoted.
- (b) Much more importance must be given to civic education throughout the school curriculum, with the aim of fostering allegiance to the principles and practice of democracy and pluralism, a critical approach, tolerance and mutual respect between human beings and a sense of civic responsibility. Special training programmes based on these principles should be provided for civil servants working in areas where racial tension is likely or dealing with the problems and needs of individuals belonging to minority communities.
- (c) The concerns evident in the present inquiry must be taken into account when drafts of a European civic education textbook are prepared.
- (d) Special attention should be given to the civic education of teachers. They must be given a knowledge of the principles and essential content of the legal texts relevant to the subject of the inquiry. They should be made aware of the problem of relations between children or adolescents belonging to different communities and taught the appropriate pedagogic approach; they should be alerted to the danger of racist ideas which are presented through the subtle manipulation of language.

- (e) Instruction in minority cultures and languages should be encouraged in order that societies may become more open both to these minority communities and to the world outside the Community. Full application of the Community directive on the teaching of the language and culture of children's country of origin during the normal school timetable by all the Member States should be monitored.
- (f) Contemporary history should be taught at an early age, presenting children with an accurate picture of the crimes committed by European fascist and totalitarian régimes, and more particularly of their acts of genocide. A Community initiative should be promoted for the preparation of a European textbook of contemporary history on the basis of work already done by the Council of Europe and by UNESCO.

6.4 At the level of action by social forces

- (a) Efforts must be made to ensure that the European countries pursue a policy designed to provide full employment and underpin social peace; this policy should be defined so as to withstand social and economic crises which put democracy itself at risk.
- (b) Institutions and associations opposed to racism, and immigrants' organizations, trade unions, professional organizations and other bodies concerned should be invited to promote the creation of an Intercommunity Forum under the aegis of the European Communities on the model of the Youth Forum. This body's main tasks should be to provide an exchange of information and improve the coordination and allocation of duties in action and research. The Forum would be financed by the Communities' budget.
- (c) Encouragement should be given to European dialogue and meetings between people, institutions and associations combating racism and working for human rights. The trade unions, professional organizations and other institutions concerned should take part in this dialogue. Discussion and debate should be encouraged in the European Parliament with a view to drawing further public attention to the subjects considered by the Committee of Inquiry and the conclusions it has reached, and in particular, to the institutional response, i.e. that of the forces of law and order, to terrorism.
- (d) Encouragement should be given to contacts and dialogue between different religions and persuasions, both to promote religious and spiritual tolerance and to encourage joint debate on the place of the various faiths in modern European society.
- (e) Detailed consideration should be given to the responsibility of democratic political bodies in the face of the problems highlighted by this inquiry and in order to try to establish an ethic of debate on the subject. The European Parliament could play a crucial role in this.

6.5 Guidelines for general debate

- (a) The issues raised and the solutions envisaged should have constant priority in considerations on the formulation of national and Community institutional, economic and social policies and in the fields of education, culture and information.

- (b) Within the European Parliament discussion and debate should take place on the issues raised by the inquiry and political responsibilities in this area should be defined at international, national and Community level. In two years' time, and at regular intervals thereafter, there should be a review of developments in the matters considered by the inquiry, and of the extent to which the recommendations in this document have been carried out.
 - (c) An effort should be made to identify the areas of tension and problems in multi-community Europe and on this basis to define the political and social balance which should be attained and the strategies required for action.
 - (d) The debate should be widened, with contacts being established in the appropriate international authorities with the aim of obtaining reciprocity of treatment in relations between Community Member States and third countries.
- 6.6 The Committee of Inquiry requests the appropriate committees of the European Parliament to study closely the ideas and the proposals set out in this document. The report and especially its recommendations can undoubtedly give rise to parliamentary initiatives, whether in the form of motions for resolutions or oral questions with debate, initiatives which could result from joint action by different groups within the Parliament, thus witnessing to a consensus that goes beyond political divisions. The committee also asks the Council, the Commission, the national governments and parliaments and all the democratic forces of Europe to study these proposals and to draw practical conclusions from them, bearing in mind not only the seriousness and urgency of this further challenge facing Community Europe today but also the duty of democratic vigilance and political responsibility which lies upon it.

FOOTNOTESINTRODUCTION

- (1) By decisions of the enlarged Bureau of 22 May 1985 and 10 July 1985, the Committee of Inquiry's mandate was extended to allow the report to be prepared in good conditions; fact-gathering was concluded by the end of June 1985.
- (2) OJ No. C 315 of 26.11.1984, p. 35.
- (3) Bureau document 2/BUR/AX/0257/1.
- (4) PE 93.492/rev. On the Banning of Extremist Parties and Groups in the EC Member States; PE 94.425 on the legal and constitutional measures adopted by the Member States to combat racial hatred; PE 93.493, a collection of written/oral questions and answers of the European Parliament; PE 94.443, texts adopted by the Parliamentary Assembly of the Council of Europe and the Council of Europe's Committee of Ministers.
- (5) See the three European Parliament resolutions of 14 February 1985, OJ No. C 72 of 18.3.1985, pp. 65-70

DEFINITIONS : FASCISM

- (6) J. LINZ : 'Some notes towards a comparative study of fascism in sociological historical perspective' : Fascism : A Reader's Guide, W. LAQUEUR (ed.) London, Wildwoodhouse, 1976, p. 3 - 21.
- (7) S.G. PAYNE : 'The Concept of Fascism' - in S.U. LARSEN et al. - Who were the Fascists? - Bergen, Universitetsforlaget, 1980, p. 14 - 25.
- (8) 'Report on the situation of homosexual women and men regarding a rise of fascism and racism', 18 March 1985
- (9) Hearing of 18-20 March 1985; see Annex 4
- (10) M. CLEMENZ, Gesellschaftliche Ursprunge des Faschismus, Frankfurt
D. EICHOLTZ, Geschichte der deutschen Kriewirtschaft, Berlin 1969
- (11) The Third Internationale, in 1935, described Fascism as the final phase of imperialism of monopolistic capital. In 1936 Daniel GUERIN published Sur le fascisme developing this thesis. See Alan S. MILWARD 'Fascism and the Economy' in W. LAQUEUR (ed.), Fascism: a reader's Guide, pp. 413-414
- (12) Eugen WEBER is one of many who regard fascism rather as a movement of resistance against the development of capitalism and the social changes it brings (Varieties of Fascism, New York, 1964).
A. SCHWEITZER has tried to account for the support given to Nazism by many small and medium businessmen opposed to big business (Big Business in the Third Reich, BLOOMINGTON, Ind., 1964). The theory of a collusion between big business circles and Hitler is vehemently and scrupulously criticized by Henri Ashby TURNER, Big Business and the rise of Hitler, O.U.P. 1985. As for the results of electoral studies, they have been

summed up as follows by Seymour LIPSET: 'The ideal-typical Nazi voter in 1932 was a middle-class self-employed Protestant who lived either on a farm or in a small community, and who had previously voted for a centrist or regionalist party strongly opposed to the power and influence of big business and big labour'. (Political Man, Berkeley, 1963, p. 149)

- (13) Alan S. MILWARD, op.cit., p. 411. Can it be said that the aim and role of Italian fascism was to hasten the advent of industrial capitalism? It would need to be explained why the rate of increase in the budget of the Ministry of Agriculture up to the end of 1939 was exceeded only by those of the Ministries of War, Aviation, Internal Affairs and Justice (ibid, p. 428)
- (14) Article 9 of the State Treaty signed by Austria and the Allied Powers (15.5.1955) on the re-establishment of an independent and democratic Austria draws a distinction between national socialist/Nazi organizations on the one hand and fascist ones on the other. The distinction goes beyond purely historical considerations and concerns differences of political substance between the two phenomena. Similar provisions will be found in treaties signed with East European states. Some historians, including Poliakov and Zeev Sternhell, consider that nazism is part of a continuous ideological development in Europe. Others (Shulamit Volov, Raoul Hilberg) stress its specific features, as manifested in the terrible 'final solution'. Luc Rosenzweig (Libération, 25 April 1985) rightly considers that Claude Lanzmann's film 'Shoah' is part of this historical debate. The analysis by R. SCHMIDT, 'Nationalsozialismus - ein deutscher Faschismus?', in Politik und Zeitgeschichte, Beilage zur Wochenzeitung 'Das Parlament', 30 March 1985, p. 13 et seq., is also of interest.
- (15) British and Italian movements in particular frequently refer to the brothers Strasser. As regards Germany, we read in the Verfassungsschutzbericht for 1984: 'For some years now Hitler has not been regarded as the unchallenged key figure by all national socialists. It is the early phase of the national-socialist revolution that is now attracting increasing attention. And it is from the brothers Otto and Gregor Strasser and other national socialists of the early era that a number of neo-nazi ideologists are taking their idea of a German socialism which in 1984 has been associated with "anti-imperialist" campaigns.'
- (16) This is apparent above all in the pronouncements of supreme federal courts of the Federal Republic of Germany on right-wing extremism. See DUDEK and JASCHKE, Rechtstextremismus, I, p. 23 et seq. Compare also Italian case law, referred to below, para 261. In deciding on its method of work, the Committee thought it better not to try to find a too theoretical definition of fascism, but to opt for a pragmatic approach to the concept which should also include the phenomena of national-socialism and neo-nazism. See PE 94.269.

DEFINITIONS : RACISM

- (17) UNESCO, Four Statements on the Race Question, Paris, UNESCO, 1969 - Third Statement.
The following observations should also be noted: 'Techniques of classification are part of the scientific method. Faced with an assemblage as complex as the billions of people we see around us, it is natural to divide them in groups and to assign them to different 'races'. We find, however, that when we try to base this classification on the genetic inheritance of individuals or populations, the picture

produced is indistinct, the divisions imprecise (...). The geneticist's answer is thus clear: for him the word 'race' has virtually no meaning'. Jacquart ALBERT - 'A la recherche d'un contenu pour le mot 'race' : la réponse du généticien' - M. OLENDER (ed.), Pour Léon Poliakov : Le racisme, mythes et sciences, Bruxelles, ed. Complexe, 1981, p. 31 - 40. There is an excellent summary of the absurdities perpetrated in the name of a supposed 'genetic superiority' in S.J. GOULD - The Mismeasure of Man - New York, Norton, 1981.

(18) UNESCO, ibid, Fourth Statement.

(19) See the references cited in footnote (17) and S. ROSE et al., Not in our Genes, 1984 Penguin Books; and the review Le Genre Humain (Brussels, ed. Complexe)

(20) ibid

(21) Pensées, Brunschwig 93

(22) in Le Genre Humain, No. 12, p. 127

(23) In a preface to one of his latest books, Claude LEVI-STRAUSS, whose article 'Race and history' is perhaps the most remarkable among those published on the subject of racism by UNESCO in 1950, states that the charge of racism cannot be raised against cultures 'whose attachment to certain values makes them partly or totally unresponsive to other values (...). Such failure of communication, while it does not justify oppression or destruction of these rejected values, or of those who believe in them, is not obnoxious in itself, if kept within these limits. It might indeed be regarded as the price which must be paid for the preservation of the value system of each spiritual family and for the strength they must find within themselves for their own renewal. (...) (Cultures) are not indifferent to one another and from time to time they borrow from one another, but, if they are not to perish, it is important that in other respects they should remain to some extent mutually impermeable (Le Regard Eloigné, Paris, Plon, 1984, p. 15). Lévi-Strauss invites his readers to contemplate with scepticism, indeed perhaps with melancholy, the prospect of 'a world of cultures so enamoured of one another that their sole desire is mutual celebration in an amalgamation in which each will have lost any attraction it might hold for the others as well as its own raison d'être' (ibid, p. 16).

(24) Like fascism, racism too is used as an 'idea of struggle' at both national and international political level. It is perhaps in the light of this observation that one should read Resolution 3379 adopted on 10 November 1975 by the UN General Assembly, which defined Zionism as 'a form of racism'. See on this Resolution, I. MEYER, The UN Resolution equating Zionism with Racism: Genesis and Repercussions, INSTITUTE OF JEWISH AFFAIRS, Research Report No. 1, April 1985. Strongly criticized (cf observations of Mr May and Mr Savitt, hearings PE 97.446/Ann. p. 2, PE 97.448/Ann. p. 20 et seq.), this resolution did facilitate the expression of antisemitic feelings through criticism of the State of Israel and, for this reason, helped to create confusion between anti-Zionism and antisemitism. The following commentary on the resolution is worth quoting: 'In its political form Zionism is quite clearly a nationalist movement of the kind commonly found in certain areas

of Europe in the 19th century, and which spread to much of Asia and Africa in the 20th century. It is not more racist or more discriminatory than other movements of this kind - in fact it is less so than most of them, because it is based on an entity defined primarily in religious rather than ethnic terms. Rabbinic law defines the Jew as an individual born of a Jewish mother whatever the religious or racial origin of the father, or an individual converted to Judaism. This is not a racial definition: for the racist, fathers are at least as important as mothers and identity cannot be changed at will. Zionism has always accepted this definition of the Jew and the laws of the modern State of Israel recognize a convert to Judaism as a Jew and a convert from Judaism as a non-Jew. Zionism is certainly a form of nationalism, and the State of Israel may, therefore, practice certain forms of discrimination, but these are not racist insofar as that word retains its precise meaning at the present time. The contrary charge, that anti-Zionism is a form of anti-Judaism, is also false. Zionism is a political ideology which Jews and others can accept or reject as they wish. There are good and faithful Jews who are non-Zionists or even anti-Zionists, and an anti-Zionist attitude does not necessarily mean that its exponent is antisemitic.' (Le retour de l'Islam, Paris, Gallimard, 1985, p. 121; original version of this text in: 'The Anti-Zionist Resolution', Foreign Affairs, Oct. 1976, p. 54-64.

- (25) Cf. J. LINZ 'Political space and fascism as a late-comer' in S.U. LARSEN (ed.), Who were the Fascists?, Bergen, Universitetsforlaget, 1980.
- (26) cf Resolutions of the European Parliament on the situation in southern Africa, OJ C 68 of 14.3.83, p. 42, OJ C 46 of 20.2.84, p. 79. OJ C 72 of 18.3.85, pp. 82 and 83, and OJ C 122 of 20.5.85, pp. 115-119 and debate on the situation in southern Africa and the motions for resolutions B 2-819/85, B 2-820/85, B 2-821/85, B 2.824/85, B 2-836/85, B 838/85, B 2-856/85 (PV 27, PE 99.573 of 11 September 1985) which all became void after voting

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- (27) See for example Verfassungsschutzbericht 1983, pp. 11 - 184.
- (28) Cf. the report by Mrs Marie-Jane PRUVOT (PE 89.163/fin., No. 2).

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- (29) See the literature quoted in P. DUDEK and H.-G. JASCHKE, Entstehung und Entwicklung des Rechtsextremismus in der Bundesrepublik, vols. 1 and 2, 1984, vol. 1, p. 488 et seq.
- (30) Contributions by Professors SCHEUCH, GRESS, von KIELMANSEGG, MAY, MUELLER, VOSLENSKY, WIESENTHAL, HORCHEM, STRAUSS, LUMMER, HENNIG and KUHNL. See also notes from Committee members Mr F. SCHWALBA-HOTH and Count von STAUFFENBERG, Doc. PE 95.459 and PE 98.111.
- (31) The Verfassungsschutzberichte (hereafter referred to as VSberichte) are annual reports on left- and right-wing extremism and on counterespionage which the Federal Department for the Protection of the Constitution (Verfassungsschutzamt) prepares and which the Federal Ministry of the

Interior has been publishing since 1961. The rapporteur would like to thank the Secretary of State for Parliamentary Affairs, Mr Spranger, for making available to him the 1983 report and the proofs of the 1984 report. For a commentary in legal and political terms on the VSBerichte, see F. GRESS and H.-G. JASCHKE, quoted below, footnote 20, p. 61 et seq. See also LICHTENSTEIN in The Extreme Right, p. 80, 81.

- (32) F. GRESS and H.-G. JASCHKE, Rechtsextremismus in der Bundesrepublik nach 1960 - Dokumentation und Analyse von Verfassungsschutzberichten, preface by E. Lutz, Member of the Bundestag, Pressedienst Demokratische Initiative, No. 18, 1982.
- (33) This monograph (quoted above, footnote 29) is remarkable for its wealth of information and the quality of its analysis.
- (34) See above, footnote 30.
- (35) VSBericht 1983, p. 113 et seq., VSBericht 1984, p. 11 et seq.
- (36) For a detailed table of the periodicals and their printing numbers see VSBericht 1984, p. 13.
- (37) By decision of 7 December 1983 of the Federal Minister of the Interior, for activities hostile to the Constitution (Verfassungswidrigkeit). See also the notes by Mr Schwalba-Hoth and Count von Stauffenberg, quoted above, footnote 30. The ANSNA has asked the Federal Constitutional Court to have the decision repealed.
- (38) VSBericht 1984, p. 141 et seq.
- (39) VSBericht 1984, p. 143.
- (40) VSBericht 1984, p. 143, VSBericht 1983, p. 127.
- (41) LICHTENSTEIN in The Extreme Right, p. 87 and VSBericht 1984, p. 143, quote COBRA (Comité objectif d'entraide et solidarité avec Les victimes de la répression antinationaliste, France), HNF (Hulpkomitee voor nationalistische politieke gevangenen, Belgium) and COFPAC (Committee to free patriots and anticommunist political prisoners, United States).
- (42) VSBericht 1984, p. 144, VSBericht 1983, p. 128.
- (43) VSBericht 1984, p. 145 et seq.
- (44) The DRP was the first serious attempt to bring together right-wing extremists in the Federal Republic of Germany. Founded in 1950, the party fought Federal and Lander elections throughout the fifties with considerable success. It has, however, gradually lost support, one of the reasons being its involvement in anti-semitic acts of profanation in 1959. See the account by DUDEK and JASCHKE, vol. 1, p. 281 et seq. Although the NPD's activities are regularly mentioned in the VSBerichte, it continues to function as a legally recognized party. On several occasions it was proposed to challenge its constitutionality before the Federal Constitutional Court, but this was never done, DUDEK and JASCHKE, vol. 1, p. 244 et seq. The same authors quote (p. 349) a decision of the Baden-Württemberg Administrative Tribunal (1978) which found that the NPD

was not pursuing objectives hostile to the Constitution (Verfassungsfeindliche Ziele). However, in a recent judgement concerning a matter of military discipline, the Federal Administrative Tribunal did, on the contrary, find that the NPD was pursuing objectives incompatible with the basic democratic and liberal system (unvereinbar mit der freiheitlichen demokratischen Grundordnung), VSBericht 1983, p. 135.

- (45) For numerous examples of anti-Community propaganda see VSBericht 1983, p. 132.
- (46) The DM 1.8 million which the party received on this account enabled it to stabilize, at least for the short term, its precarious financial situation; VSBericht 1984, pp. 130 + 149
- (47) DUDEK and JASCHKE, vol. 1, p. 285.
- (48) 'The NPD - Aufstieg und Niedergang', DUDEK and JASCHKE (footnote 29), vol. 1, p. 281.
- (49) According to the security services the membership of the DVU was over 11 000 in 1983 (1982 : 10 000), VSBericht 1983, p. 137.
- (50) VSBericht 1983, p. 137 and 138.
- (51) VSBericht 1984, p. 36.
- (52) VSBericht 1984, p. 154; KRIEPS, Report of the Parliamentary Assembly of the Council of Europe Doc. 4590 and Resolution 743 (1980), p. 11; DUDEK and JASCHKE (footnote 17), vol. 1, p. 52. LICHTENSTEIN in The Extreme Right, p. 82 speaks of a weekly circulation of 130 000 copies and of a readership of nearly half a million.
- (53) A technical term referring to a rewriting of history with the aim of rehabilitating nazism. cf. INSTITUTE OF JEWISH AFFAIRS, Research Report No. 1, March 1982, p. 1, and No. 4, May 1982, p. 1 et seq.
- (54) VSBericht 1983, p. 137, 138.
- (55) He offers to the public every possible vehicle of communication: books, newspapers, picture series, biographies, discs, cassettes, DUDEK and JASCHKE (footnote 29), vol. 1, p. 35, VSBericht 1983, p. 139.
- (56) VSBericht 1983, p. 139, VSBericht 1984, p. 154.
- (57) VSBericht 1983, p. 139 and 140, VSBericht 1984, p. 155.
- (58) VSBericht 1983, p. 141.
- (59) VSBericht 1983, p. 141, VSBericht 1984, p. 157.
- (60) VSBericht 1983, p. 141, 142, VSBericht 1984, p. 157.
- (61) VSBericht 1984, p. 158
- (62) VSBericht 1983, p. 143 et seq., VSBericht 1984, p. 159 et seq.
- (63) VSBericht 1984, p. 160.

- (64) VSBericht 1983, p. 146 et seq., VSBericht 1984, p. 162 et seq.
- (65) VSBericht 1984, p. 162, 163.
- (66) Scheuch, Hearing, p. 1, VSBericht 1983, p. 158, VSBericht 1984, p. 170
- (67) VSBericht 1983, p. 171 et seq., VSBericht 1984, p. 168.
- (68) VSBericht 1984, pp. 167, 168
- (69) Information from FIR, 40 ans après, p. 61. See Jewish Chronicle News Service, 30 April 1985, these reunions are the subject of political controversy.
- (70) Motions for resolutions B 2-772/85, B 2-1460/84, B 2-1336/84 inter alia.
- (71) GRESS and JASCHKE, (footnote 32), p. 9, 68.
- (72) GRESS and JASCHKE, (footnote 32), p. 68, 69.
- (73) GRESS and JASCHKE, (footnote 32), p. 69.
- (74) VSBericht 1984, pp. 128, 148.
E. Hennig, deposition, p. 1; Gress, Hearing, p. 10, 11.
- (75) Cf. R. Kühnl, deposition, p. 1, 2, 8; see also Schwalba-Hoth, Note, (see footnote 30 above), p. 5.
- (76) Scheuch, Hearing, passim; see also Professor Gress' conclusion, Hearing, p. 16.
- (77) SOZIALWISSENSCHAFTLICHES INSTITUT NOWAK UND SORGEL. The survey was commissioned by the Federal Ministry of the Interior and carried out in 1981.
- (78) See LICHTENSTEIN in The Extreme Right, p. 79.
- (79) See Stauffenberg, Note (footnote 30 above), p. 5.
See also Scheuch, Hearing, p. 6, 7. Also 'How popular is neo-Nazism in Germany?' INSTITUTE OF JEWISH AFFAIRS Research Report No. 6, May 1981 p. 1 et seq.
- (80) DUDEK and JASCHKE (see footnote 29 above), p. 482, 483 and cover, p. 4.
- (81) For immigration statistics see VSBericht 1983, p. 162.
- (82) Scheuch, Hearing, p. 7 et seq.

BELGIUM

- (83) The case of the WNP has been traced by René MAQUIN. Des Taupes dans l'Extreme-Droite, La Sureté de l'Etat et Le WNP (Brussels: EPO) 1985
- (84) Further evidence of nostalgia for the era of collaboration can be found in the following information published in Résistance Unie, the organ of the information service of the Fédération Internationale des Résistants

- Joseph ALGAZY, La Tentation Néo-Fasciste en France, Paris, Fayard, 1984.
 - Alain ROLLAT, Les Hommes de l'Extreme Droite, Paris, Calman-Lévy, 1985.
 - Jean-Marc THEOLLEYRE, Les Néo-Nazis, Paris, Messidor, 1982.
- (93) Rapport du Sénat sur le terrorisme, Imprimerie du Sénat, spring 1984.
- (94) Debates of the French Senate on 4 October and 15 November 1980. See also the report by Mr Krieps to the Council of Europe, p. 9-10. The Directory Political Dissent includes among extreme-right groups held responsible for acts of violence: Groupe action Jeunesse, Club Charles Martel, Delta, Faisceaux Nationalistes Européens (founded in 1980 after the FANE was disbanded), Honneur de la Police, La Mangouste, Nouveau Front Nazi, Odessa, Organization pour la Liberation de la France and Mouvement Nationaliste Révolutionnaire. Most of these groups are known of only because they have claimed responsibility for a particular act of violence.
- (95) Cf. Pierre THUILLIER, Les Biologistes vont-ils prendre le pouvoir? and Darwin et Co, Brussels, Complexe, 1982. Professor Girardet has noted that the New Right's anathema to American society is largely the result of its rejection of any society founded on the idea of the 'melting-pot'.
- (96) Mr Pierre Bousquet is a former member of the Waffen-SS. Questioned on this on 13 February 1984 on Antenne 2, Mr Le Pen said: 'Perhaps Mr Bousquet is a former SS man but I am one of those Frenchmen who are for national reconciliation and when twenty, thirty, forty years have passed since the War all I want to know about a man is whether he is prepared to serve his country'. Mrs Chombart de Lauwe reminded the Committee that the Militant group left the Front National in 1982 and set up a 'French Nationalist Party' which a number of former members of Doriot's Parti Populaire Français have joined.
- (97) Romain Marie - real name: Bernard Antony - has also written: 'The modern world is once again facing the Jewish problem. Jews are at the centre of contemporary debate. Marx and Rotschild can be said to represent two sides of the same medal (...). Another aspect of the Jewish problem is the propensity of Jews to occupy all the key posts in Western societies' (Présent, No. 35, December 1979).
- (98) Face à la Trois, FR 3, 6 July 1985.
- (99) Thus on l'Heure de Vérité, A 2, 13 February 1984 and Face à la trois, FR 3, 6 July 1985. Whatever Mr Le Pen's popularity among adherents of the Front National, it can hardly be called a 'cult of the leader', see survey 'Le Pen and his people' in l'Express, 1 March 1985.
- (100) Radio Monte-Carlo, 17 February 1985.

It is of interest to quote here the replies of some French politicians to the question put by the association 'SOS-Racisme': 'Do you think the National Front is a racist political party?' (Le Monde, 15 March 1985). J. Chaban-Delmass: 'If it is not entirely racist then at least it has unacceptable racist overtones'. J.P. Chevènement: 'Yes'.

F. Doubin: 'He is a super-racist and he practises blanket intolerance against all those who are not made on the same pattern as he and his friends'.

L. Jospin: 'It is a party which is against immigrants and is often xenophobic; many of its leaders are, however, careful to disguise their racism and their anti-semitism'.

C. Labbé: 'The National Front has raised a number of issues by which I am concerned because they refer to some of our national values. But at the same time, unfortunately, some of its representatives propound the kind of primitive racism which is all the more reprehensible because it is part of a particular political demagoguery to which some less sophisticated sectors of society may be vulnerable'.

J. Lang: 'Yes'.

J. Lecanuet: 'I hesitate to give a categorical opinion because it does not put forward, it does not formulate, racist dogmas as they have come down from the nineteenth century or from twentieth century Hitlerism. But there is a strong whiff of racism about the way it blames foreign residents in France for all the employment difficulties and for all the troubles that result from a climate of insecurity.

G. Marchais: 'Yes, of course. And it represents a very serious threat. Clearly, the basis of Le Pen's success is the current crisis in the country. With the recent aggravation of the crisis, the unemployment, the difficulty of making ends meet and so on, Le Pen and his people naturally look for scapegoats. And they've found the immigrants, and they keep on blaming them. But there are others: the young people, the unemployed, the Communists and indeed why not the Republic itself?'

M. Rocard: 'In the sense that it is always clamouring that all our troubles come from abroad - yes'.

P. Seguin: 'Yes'.

O. Stirn: 'Absolutely. It is a racist political party: it is baying at Simone Veil, calling her a Jew, it is baying at me, associating my name with that of my great-uncle Captain Dreyfus'.

J. Toubon: 'I think that many of its leaders and many of its ideas are indeed racist. But it is difficult to form an opinion about an organization whose only public utterances are heckling and invective'.

S. Veil: 'The National Front's racist and xenophobic propositions are calculated to give credibility to the idea that some categories of people, by the very fact that they are 'alien to the national community' exacerbate the country's difficulties: the climate of insecurity, the cost of national insurance, unemployment, the decline of moral values. By creating scapegoats who are blamed for the defilement of the country, this kind of political discourse singles out these individuals or groups for discrimination and hate'.

Many references may be found to the numerous statements on the subject by Mr Le Pen. For example, interviewed by Mr J.-L. Servan Schreiber on the TV programme 'L'Heure de Vérité' (Antenne 2, 13 February 1985), concerning remarks he had made during his electoral campaign at Le Morbihan and their seemingly 'racist tenor', Mr Le Pen replied that he did not think they were racist: that impression was 'contradicted by so many explicit statements I have made about the fact that I look on all Frenchmen as brothers in the nation irrespective of colour, race and religion, that I do not think there can be any doubt. Moreover, I wish to make clear that I am not xenophobic, that the fact that I prefer Frenchmen and France does not mean that I detest foreigners or that I detest other countries'.

- (101) Also in April 1985 the néo-nazi militant of the Hoffmann group, Godfried Hepp was arrested in Paris. The Palestine Liberation Front formally approached the French Embassy in Tunis asking for his release (Libération, 16 April and 1 July 1985).
- (102) The daily Libération of 16 November 1984, describing Michel Faci's career and contacts wrote: 'As to his sources of income, they are revealed, at least in part, by his arrest: it is theft of every kind. Recently he was trying to sell, through a friend, his 'unique' collection of photographs of reunions of neo-nazis in uniform'.
- (103) See on this point: Le Nationalisme français, 1871 - 1914, texts selected and introduced by Raoul GIRARDET, Paris, Colin, 1966; WEBER Eugen, The Nationalist Revival in France 1905 - 1914, Berkeley, University of California Press, 1968.
The type of mentality which gives rise to a particular kind of nationalism has been well described by Jean-Paul SARTRE: 'Only a Frenchman, born of French parents and coming of peasant stock is really capable of 'owning'. To be the owner of a hovel in a village it is not enough to have paid for it in good money, you must also know all your neighbours, their parents and grandparents, you must know what is grown in the surrounding fields, you must know how to plough, fish, shoot and trap (...). To be a Frenchman you not only need to have been born in France, to vote in its elections, to pay its taxes, you need above all to have an understanding and an appreciation of these values, Jean-Paul SARTRE, Réflexions sur la Question Juive, Paris, Gallimard, 1954, p. 100-101 and 98. It is this mentality, which is widespread, rationalized and deep rooted, that has fed and still feeds anti-semitism and xenophobia in all sections of our society. In a recently published book are reproduced the stereotypes which are the staple of the Popular Front's film-making, but caricatures of Englishmen, and bankers who are inevitably Jews, can be found even in Renoir's 'La Grande Illusion'. Francois GARCON, De Blum à Pétain, Paris, Cerf, '7ème Art', 1985.
- (104) Surveys by the AESOP Institute collated by Gérard MERMET in Francoscopie, Paris, Larousse, 1985, p. 166.
- (105) MRAP-SOFRES poll - March 1984, quoted in G. MERMET, op. cit., p. 170.
- (106) Libération, 20 March 1985.
- (107) For example a sports club run by three Frenchmen born of Algerian parents was ransacked in Le Havre. Racist slogans, nazi symbols and references to the Occident movement were written on the walls (Libération, 26 April 1985). Also see Libération 30 September 1985
- (108) Le Monde, 4 April 1984.
- (109) Between December 1980 and February 1981 a series of scandals implicating the attitude of Communist local authorities towards immigrants shook public opinion in France: the mayor of Vitry used a 'bulldozer' (it was in fact a mechanical shovel) to demolish a hostel for immigrants which he wanted moved to the neighbouring commune. After this, the Communist mayors of Seine-Saint-Denis while demanding that 'local authorities whose neglect of immigrants is scandalous (i.e. right-wing local authorities) should provide reception facilities for them' at the same time asked for a reallocation of social aid funds 'so that French workers could also benefit' (Le Monde, 1 January 1981). The

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- (104) Surveys by the AESOP Institute collated by Gérard MERMET in Francoscopie, Paris, Larousse, 1985, p. 166.
- (105) MRAP-SOFRES poll - March 1984, quoted in G. MERMET, op. cit., p. 170.
- (106) Libération, 20 March 1985.
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- (108) Le Monde, 4 April 1984.
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Ille-et-Vilaine branch of the Communist Party opposed the building of an Islamic centre in Rennes (Le Monde, 12 January 1981). The Central Committee stated: 'We have reached crisis point. The employers and the Giscard administration - particularly the minister responsible, Mr Stoléru, and the prefects - continue, despite their assurances, to promote the entry of immigrant workers into France in the worst possible conditions, leading to the creation of ghettos. Such a policy aggravates the problems of human relations, of social expenditure, of schooling and of unemployment' (Le Monde, 15 January 1981). A newspaper reported that the public housing authorities in Nanterre and Saint-Denis wanted to cut down the re-housing of people from France's overseas territories (Libération, 16 January 1981). The town council of Ivry-sur-Seine wanted to introduce a quota for children's holiday camps 'to check and reduce the proportion of immigrants', as the deputy-mayor put it (Le Monde, 30 January 1981). The mayor of Montigny-lès-Corneilles accused a Moroccan family of drugs trafficking, thus exposing it to public opprobrium. The mayor of Dammarie-lès-Lys demanded that an immigrants' hostel be closed down. In Bernard STASI, L'immigration, une chance pour la France, Paris, Laffont, 1984, p. 25-30. On the March 1983 local elections see Alain ROLLAT, Les hommes de l'extreme droite, Paris, Calman-Lévy, 1985: 'The climate of fear brought its results (...) UDF member Maurice Arreck, the mayor of Toulon, declared that his town 'will refuse to become Europe's rubbish bin' and the future mayor of Saint-Etienne, Francois Dubanchet (also UDF) said that 'it was time to put a stop to dark-skinned delinquency' (p. 91). (The MRAP took the mayor of Toulon to court over his racist statements but the High Court of Montpellier ruled on 19 November 1984 that there was no case to answer).

(110) Quoted in G. MERMET, op. cit., p. 166.

(111) Early in 1982 a document entitled 'Seven months of discussion and action' prepared in the office of the Secretary of State in charge of repatriates noted that 'the number of French Muslims and their children is estimated at 300 000 of whom 127 000 live in serious financial difficulties (...). Over 40% of this group, or 120 000, are under 16 and 22%, or 66 000, are aged between 16 and 25 (corresponding national averages: 23% and 14%) (...). Studies in areas where there are high concentrations of these people show that 65% of young people aged between 18 and 25 are jobless. If the 16 to 18-year-olds are included the total comes to nearly 80% (national average: 13% unemployment among young people aged 18 to 25).' - Quoted (p. 103) in ABDELLATIF Saliha, 'Etre Francais-Musulman en Picardie' - CRISPA, La France au Pluriel?, Paris, ed. l'Harmattan, 1984, p. 100-109).

(112) Ville de Roubaix, L'immigration à Roubaix, constat et perspectives, typescript, p. 21-23. The features described here have their counterparts in many urban units in several Community countries: there is, says André Diligent, 'a wealth of differences' in Roubaix. The town has always been host to immigrant groups: at first they were Belgian, Polish, Italian and Portuguese and since the middle of the 1960s Algerian for the most part. It is estimated that there are 9 500 persons of Algerian nationality in addition to 2 500 franco-muslims, 1 500 Algerians who have become French by naturalization and about 6 500 children born to Algerian families after 1 January 1963 - making altogether a population of Algerian origin of about 20 000 people (nearly 20% of the town's total population). This in a town hit by the full force of the crisis and characterized by a low educational and

professional level of its population: 18% are unemployed, 40% of households are below the tax threshold, 72% of the population has an educational standard equal to or below the Certificate of Elementary Education, 76% of the workforce consists of unskilled labourers and unqualified non-manual workers - there is a permanently high school drop-out rate.

- (113) 'While the opening of a pagoda at Vincennes causes not a ripple of emotion, the building of a mosque, anywhere in France, gives rise to interminable and disheartening controversies. There seems to be something in the Frenchman's deepest unconscious which is opposed to the slightest affirmation of an Islamic presence in our country, that presence being perceived by many of our compatriots as an aggression. As long as the country cannot rid itself of this intolerance, the problem of immigrants will continue to create a climate of stress' B. STASI, op. cit. p. 147-148.
'Never before has France had to face up to a problem of this size: how to assimilate millions of people of a different religion who are determined to hang on to their native roots (...). There is no doubt that there has been a re-awakening of a more dynamic and tougher Islam, in France as elsewhere' A. GRIOTTERAY, Les immigrés, le choc, Paris, Plon, 1984, p. 105-106.
'It cannot be excluded that eventually Mohammed's religion will change its face and that day, when hundreds of thousands of immigrants in France embrace that faith, we shall be facing a very serious situation' E. ROUSSEL, Le Cas Le Pen, Paris, Lattès, p. 139).
- (114) Michael BARRY, Le Royaume de l'Insolence, Paris, Flammarion, p. 61-63.
- (115) ibid, p. 63.
- (116) ibid, p. 65-66. He also says: 'Khomeinism follows closely some aspects of a raw fascism' (p. 83).
- (117) See also Esprit, June 1985, where other examples are quoted.

GREECE

- (118) V.A. LENTAKIS, Para-state organizations and (the dictatorship of) 21 April, Athens 1975; J. KATRIS, 1960 - 1970, The birth of neo-fascism in Greece (in Greek), revised edition, Athens 1974;
B. VACALOPOULOU-GIULIANO, Neofascism in Greece (additional chapter to the Greek translation of: G. GODDI, Neofascismo en Europa), Athens, 1975. p.275 et seq.; Review Anti, No. 17/1975, 'Greek Fascism', containing articles by G. Sefertzis, A. Lentakis, M. Patrinos, P. Servas, p.9 et seq.; A. KOSSONAS, in Anti No. 258, 13 April 1984, p.19 et seq.; D. KYRTATOS, in Dekapenthimeros Politis, issued dated 5 October 1984. p.24 et seq.; P. BOUCALAS and N. XYDIAKIS in Dekapenthimeros Politis issue dated 14 December 1984, p.12 et seq. Very few sources of information on the present state of the subjects of the inquiry are available. The historical essays and articles in the reviews mentioned above, though accurate on fact, contain politically biased analyses, V. LENTAKIS, Para-state organizations, p.386. This remains the most comprehensive and systematic work on the subject for the period preceding the military dictatorship of 1967 - 1974. Also see the interesting analysis by C. PANAGOPOULOS in the review Epikentra, No. 44/1985, pp. 70-71

- (119) According to P. BOUCALAS and N. XYDAKIS (footnote 104 above), p.19, between 1967 and 1984 there were some 150 organizations which were fascist, royalist or associated with the military dictatorship; none survived for more than a few months and they have all disappeared for lack of support.
- (120) An organization calling itself Chrissi Avgi (Golden dawn) openly praises the nazi regime, cf. its publications, New European Order (in Greek), G. METAXAS, The other face of Europe (in Greek).
- (121) FIR, 40 Ans après, p.23. In December 1984 Le Pen hosted an Athens meeting of European right-wing groups, which provoked violent protest demonstrations. Speaking afterwards at a press conference, the group's chairman Mr Le Pen demanded the release of the imprisoned leaders of the military junta, calling them 'political prisoners', The Guardian, 7 December 1984, The Times, 7 December 1984. See also Neue Zürcher Zeitung, 12 February 1984, Dekapentimeros Politis, No. 29, 14 December 1984, p.12 et seq.
- (122) See Anti, No. 17/1975, p.14 - 15.
- (123) The law 846/1946 abolished 'in the case of the estates of Jews of Greek nationality who disappeared during the war as a result of the enemy's racial persecution' the State's right of inheritance from intestates in the absence of heirs. The assets which had accumulated from such estates were handed over to an organization set up by royal decree of 28/29 March 1949 to lend assistance to the Jewish communities in Greece. On the large Jewish community of Thessaloniki, see A NAR The synagogues of Thessaloniki, Our Hymns (preface by G. IOANNOU, Thessaloniki 1983 (in Greek) p. 13: 'For over four centuries Thessaloniki was the refuge of Europe's persecuted Jews') and the moving account by the same author, 'The refugees' capital, 3rd ed. Thessaloniki 1984 (in Greek) p. 58 et seq.
- (124) Sporadic outbreaks of anti-semitism are not totally unknown. See table presented by Mr May to the hearing, footnote 171 and letter in Le Nouvel Observateur of 13-19 September 1985 p. 18. Responsibility for a fire which in 1983 destroyed a number of shops belonging to Jews in Thessaloniki was claimed by the 'Greek National Socialist Combat', an organization otherwise unknown. Some nationalistic press publishing houses issue anti-semitic books. The invasion of Lebanon by the Israeli army in 1982 unleashed a wave of criticism and protest against Israel often marked by anti-semitic overtones. The assurances given then by the government seem to have allayed the Jewish community's anxieties. In 1984 the Greek Parliament voted a law which makes discrimination on religious grounds and incitement to religious hatred punishable crimes.

IRELAND

- (125) There is however a National Socialist Irish Workers Party which publishes Phoenix as well as propaganda material.
- (126) On the prejudice encountered by the Irish living in the United Kingdom see: INFORMATION ON IRELAND, Nothing but the same old story, The roots of anti-Irish racism, London, 1985.
- (127) Lansdowne, market research, omnibus survey, February 1981, sample of 1 400 persons. See also the Sunday Independent, 12 June 1983.
- (128) See paragraph 233

ITALY

- (129) See Franco FERRARESI (ed.), La destra radicale, Milan, Feltrinelli, p.101
- (130) Ibid, p.71 et seq. Statistics on political terrorism in Italy will be found in: Quaderni dell'Annpia, No. 4 'Atti del Convegno Regionale sul Terrorismo a Roma e nel Lazio', Roma, 23 - 24 ottobre 1981', p.84 et seq. See also R. CHIARINI, P. CORSINI, Da Salo a Piazza della Loggia, Milan, F. Angeli, 1983.
- (131) The conclusion in the decision of 9 February 1974 of the Tribunal of Rome describes very accurately the charges against Ordine Nuovo and its sister movements: 'The political movement Ordine Nuovo has reconstituted the fascist party by setting up a central and a peripheral organization and by the use of the press and propaganda. The ideas propagated by Ordine Nuovo are similar to fascist ideology as can be seen by comparing the Ordine Nuovo and the fascist doctrines whether in respect of links to the fascist tradition, or their approval of fascist totalitarianism, racism and fascism, their rejection of democracy and the multiparty system, their use of violence and their glorification of the principles, symbols and methods characteristic of the fascist party now dissolved'.
- (132) V.M. LINKLATER, I. HILTON and N: ASCHERSON, The Fourth Reich: Klaus Barbie and the Neo-Fascist Connection (London: Hodder and Stoughton) 1984 p. 203 et seq.
- (133) Mr Aniasi also mentioned the Ludwig group ('the last heirs of nazism' 'swearing death to those who betray the true God'), which, since 1979 has claimed responsibility for the murder of 28 people, including priests, rabbis, homosexuals and prostitutes. In his report to the Council of Europe Mr Kriepps noted that: (in Italy) 'It is difficult to distinguish between the extreme left and the extreme right where violence and anti-semitism are concerned. The results are the same: the death and mutilation of hundreds of innocent victims, the latest example being the senseless bombing of the railway station in Bologna. Their short-term aim - the overthrow of the institutions of the democratic state - is also the same' (p.13).
- (134) See also Tiempo, 13 May 1985.
- (135) Claudio Mutti who was expelled from the MSI in 1973 had established the newspaper Lotta di Popolo which is frankly sympathetic to the Libyan regime. He has translated 'The Little Green Book', one of the sources of the 'Terza Posizione'.
- (136) See Mr May's table, footnote 171 below, for antisemitic incidents in Italy.

LUXEMBOURG

- (137) Fédération internationale des Résistants - Résistance Unie, No. 1/2/1985, p.30. See also Le Républicain Lorrain, 28 November 1984.
- (138) See footnote 199 below

THE NETHERLANDS

- (139) For a more comprehensive and detailed description of Dutch extreme-right groups, see J. Van Donselaar, H. Smeets, M. van Weezel, in The Extreme Right, p.29 et seq.; see also J. Kniesmeyer, Hearing, p.3 et seq., FIR, 40 Ans après, p.30, 31, G. GADDI, Neo-fascism in Europe, (Greek translation by B. Vaclepoulou-Giuliano), Athens, 1975, p.208, 209.
- (140) Van Donselaar, Smeets, Van Weezel, The Extreme Right p.29.
- (141) Van Donselaar, Smeets, Van Weezel, The Extreme Right, p.29.
- (142) Van Donselaar, Smeets, Van Weezel, The Extreme Right, p.29.
- (143) Van Donselaar, Smeets, Van Weezel, The Extreme Right, p.29, 30; J. Kniesmeyer, Hearing, p.3.
- (144) J. Kniesmeyer, Hearing, p.3, 4, Van Donselaar, Smeets, Van Weezel, The Extreme Right, p.33.
- (145) J. Kniesmeyer, Hearing, p.4, 5.
- (146) J. Kniesmeyer, Hearing, p.7.
- (147) Van Donselaar, Smeets, Van Weezel, The Extreme Right, p.37.
- (148) The Extreme Right, p.33.
- (149) J. Kniesmeyer, Hearing, p.9.
- (150) Ph. Essed, Alledaags Racisme, Amsterdam, 1984.
- (151) Ph. Essed, Hearing, p.1 et seq. 8.

UNITED KINGDOM

- (152) OJ C 117 of 15.7.1985, p. 211 et seq. Rapporteur: M. Haagerup (Doc. 1-1526/83)
- (153) The Race Relations Acts of 1965, 1968 and 1976 and the nationality laws defining the communities which have de jure right to British citizenship, e.g. the 1981 British Nationality Act
- (154) S. TAYLOR. The National Front in English Politics, London, Macmillan 1982, p. 5
- (155) Ann Dummett noted that the 1904 Aliens Act was the first measure of immigration control systematically adopted in the UK in peace time and was specifically directed against the entry of Jews from Russia, Poland and Rumania - 'another instance of the anti-semitism that has been endemic in Europe for a thousand years.'
- (156) A Conservative splinter group formed the National Party in 1917 with a programme based on chauvinist imperialism. Most of them rejoined the Conservative Party at the 1918 elections and the party was disbanded in 1921. D. BUTLER and J. FREEMAN British Political Facts 1900-1967 (London: Macmillan) 1968.

- (157) R. BENEWICK. The fascist movement in Britain, London, Allen Lane 1972 as quoted in S. TAYLOR. op. cit.
 Sir Oswald Mosley (Conservative, the Independent MP 1918-1924, Labour MP 1926-1931) formed the New Party with 6 other MPs who resigned the Labour Whip, after his Memorandum for dealing with unemployment had been rejected by the Cabinet. Having lost three of the six founders within days of its founding, and gained a Conservative and Liberal, the new Party contested 24 seats at the 1931 General Election and won none. The party was named the British Union of Fascists in 1932, did not contest the 1935 General Election and was proscribed in 1940 having contested by-elections in 1939 and 1940. Sir Oswald Mosley formed the Union Movement in 1947, contested its first parliamentary seat in the 1959 General Elections (lost deposit). It was unsuccessful electorally up to 1966. See C. CROSS The Fascists in Britain and D. BUTLER and J. FREEMAN British Political Facts 1960-1967 2nd Edition (London: MacMillan) 1968 and R. MCKENZIE British Political Parties (London: Mercury Books) pp. 438-439
- (158) One of the fascist groupings formed in the UK after the Italian fascist revolution in 1922, the Stamford Fascists (East London based), did manage to win three local authority elections, two in 1924 and one in 1927. The other groups, the British Fascisti, the National Fascisti and the Imperial Fascist League remained small, marginal splinter groups.
- (159) TAYLOR, S. op.cit. p. 18 and Paul WILKINSON The New Fascists (London: Pan Books) 1983, p. 74
- (160) Ivor CREWE and Anthony FOX British Parliamentary Constituencies : A Statistical Compendium (London: Faber & Faber) 1984
 The most successful result was in fact in Leicester where in a three-cornered fight the NF candidate came within about 18 votes of winning the seat. The result in Blackburn - where Kingsley Read and another former NF member won - occurred in a multi-member ward, where the local Conservative Party did not field as many candidates as there were seats available. See Michael STEED, 'The National Front Vote' Parliamentary Affairs, Vol. XXXI, 1978 pp. 282-93, Chris HUSBANDS and J. ENGLAND 'The Joker in the Pack: The Efforts of National Front Intervention' New Statesman 20 April 1979, pp. 542-45 and 'The Hidden Support for Racism' New Statesman 11 May 1979, pp. 674-6 and also C. HUSBANDS as well as S. TAYLOR op.cit. pp. 111-140. Some evidence suggests that electoral support for extreme right wing candidates is highest not necessarily in areas with high immigrant populations but in those neighbouring such areas. While this would suggest familiarity breeds tolerance, it does not exclude possible points of extreme tension arising in such areas. Membership and electoral support have collapsed since 1977; but in October 1985 certain Anti-Racist organizations suggested that extreme right-wing organizations are enjoying a revival in comparison with the recent past: recruitment efforts are being stepped up, and visible signs of their presence are reported more frequently. See Searchlight October 1985.
- (161) ANNE FRANK STICHTING The Extreme Right in Europe and the United States Amsterdam, 1985.

- (162) J. TOMLINSON, Left, right, the march of political extremism in Britain, London, Calder p.61 et seq. The anti-semitic caricatures published in Socialist Worker (November 1982) Socialist Worker (No 937) Militant (August 1982) etc. appear remarkably similar to the themes in Nationalism Today (November 1982 and 1983) or New Nation (Autumn 1980). Compare also the extremist participation in the anti-zionist demonstration of September 1983 as described in National Front News No. 51. The role of the Iranian Embassy in the UK in publishing and distributing the hoax Protocol of the Elders of Zion in Imam illustrates the similarities and was raised by a number of experts.
- (163) H.W. DEGENHARDT (compiler) and A.J. DAY (ed.) Political Dissent : An International Guide to Dissident, Extra-Parliamentary, Guerilla and Illegal Political Movements (London: Longman) 1983 p. 494 and 495.
- (164) Paul WILKINSON The New Fascists (London: Pan Books) 1983 p. 165 et seq.
- (165) See Harold WILSON The Labour Government 1964-1970 : A Personal Record (London: Weidenfeld and Nicolson) 1971 p. 525 et seq.
- (166) See R. COCHRANE and M. BILLIG, 'Extremism of the Centre: the SDP's young followers' New Society, 20 May 1982.
- (167) ANNE FRANK STICHTING op. cit. pp. 92-3; Searchlight March 1985 p.6; Nationalism Today and other publications cited above.
- (168) In an ITV 'World in Action' interview in July 1981 Willi Kraus, facing a four-year prison sentence in the Federal Republic of Germany for nazi activities, explained how former member of the NF Directorate, Anthony Read Herbert of the British Democratic Party was ready to provide weapons, through a third party. The programme also linked the League of St. George to the provision of safe houses for Italian right-wing terrorists in London.
- (169) H.W. DEGENHARDT, Political Dissent, p.494 links Column 88 with active terrorist right-wing groups in Italy, with Palestinian groups and with the Vlaamse Militantenorde in Belgium.
- (170) See ANNE FRANK STICHTING op. cit. and Paul WILKINSON The New Fascists. Also See Ray Hill's statement at the Socialist Group Conference, London 29 March 1985

(171)

Table of anti-semitic incidents for the years 1981-1983

EUROPE	1981	1982	1983
1. Austria	28	32	23
2. Belgium	28	26	19
3. Britain	314	312	221
4. Cyprus	-	1	1
5. Denmark	2	11	9
6. Finland	7	5	2
7. France	100	116	93
8. Germany	88	120	88
9. Greece	20	34	17
10. Ireland	-	1	1
11. Italy	70	95	28
12. Luxembourg	-	-	1
13. Netherlands	8	52	20
14. Norway	1	7	7
15. Portugal	-	3	1
16. Spain	16	10	10
17. Sweden	11	8	7
18. Switzerland	6	22	7
<u>TOTAL</u>	<u>699</u>	<u>855</u>	<u>554</u>

Source: M. MAY, written submission to the Third Hearing of the Committee of Inquiry, 18-20 March 1985

- (172) This last publication also appears under the title, Six Million Lost and Found, see the catalogue of Historical Review Press which divides up its publications in sections, 'Revisionist History', 'National Socialism', 'Race and Anthropology'.
- (173) The Economist 7 July 1984 p.25, C. BROWN, Black & White Britain, London, Heinemann Educational Books, 1984.
- (174) Home Office Study Group, Racial Attacks, London, HMSO, November 1981.
- (175) Racial violence deserves further discussion. See in particular C. BROWN, op.cit pp. 247-263; F. KLUG, Racist Attacks London, Runnymede Trust, February 1982. Police statistics do seem to indicate an increase in racial attacks : COMMISSION FOR RACIAL EQUALITY Annual Report 1984 pp. 26-7. C.J. TRUEBLOOD, Racial attacks and harassment in Cheetham : A brief report and case summary for Cheetham/Crumpsall Community Workers Group, January 1982. GREATER LONDON COUNCIL Racial harassment in GLC estates in Tower Hamlets - Emerging patterns (November 1983-1984), London, GLC 1985, and submissions by Dr LAYTON-HENRY on 'Racial attacks in England', April 1985, and his 'Racial attacks in Britain' Patterns of Prejudice, Vol. 16, No. 2, 1982. See also submission of the BRITISH COUNCIL OF CHURCHES (Community Affairs, Community and Race Relations

Unit) to the committee of inquiry and BBC Radio 4 programme 'World This Weekend' of 13 October 1985 - The Economist 14 September 1985 pp. 33 and 41 and ibid of 5 October 1985, pp. 24 and 29.

- (176) V. The Economist 14 September 1985 p. 33, The Times 20 October 1985 quoted a police inspector as saying: 'We are the visible presence left at the end of the day. The identifiable target. I can't imagine they will have a riot at the housing office or the education office but they will have a go at the police, which is the culmination of all their problems.' See too Karim MURTI 'Observing the Brixton Riot' New Society, 4 October 1985, pp. 6 et seq., Martin HARRIS 'Looking back on the Riot' New Society, 4 October 1985, pp. 8 et seq. and E. Ellis CASHMORE 'What lay behind the Birmingham Riots' New Society, 13 September 1985, pp. 374 - 376.
- (177) Lord SCARMAN, The Brixton disorders 10-12 April 1981, London, HMSO Cmnd 8427, November 1981. According to a study made by Sheffield University, 0.54% of HM Police Force in England and Wales are from ethnic minorities (The Times 2 November 1984). The Times Special Report on the police of 2 October 1985 stated that there were 271 officers from minority ethnic groups in the Metropolitan Police Force in 1984: out of the 10 296 who applied to join the police in 1984, 400 were from minority ethnic groups; 36 of these were recruited out of 1 219 new recruits. Leon Brittan, Home Secretary has said: 'There is no doubt at all that studies have shown that in certain parts of the police, racist attitudes do exist as they do in society as a whole. What is more surprising is finding that, for the most part, those attitudes have not affected behaviour. That does not mean these attitudes are justified or anything other than deplorable and it does mean that we have to take action to deal with it' (Daily Telegraph, 10 December 1984). See also COMMUNITY ALLIANCE FOR POLICE ACCOUNTABILITY, Annual Report 1984, London Tower Hamlets.
- (178) See OJ C 229 of 9.9.1985, pp. 99 et seq. and OJ C 175 of 15.7.1985, pp. 211 - 212.
- (179) See e.g. VS Bericht 1984 pp. 157 and 158.
- (180) See the report by the Collignon committee of 9 July 1985, p. 73 et seq. Also information supplied by Mr Nothomb, Minister of the Interior (pp. 23 and 24), Mr Brouhon, Bourgmestre of Brussels (p. 25) and General Bernaert, Commander of the Gendarmerie (p. 27)
- (181) See Committee on Inquiry into crowd safety and control at sports grounds, Interim Report (chairman: Mr Justice POPPLEWELL, London, 1985, p. 39). Also the press review accompanying the statement by Mr FORD, chairman of our committee, during his press conference in Strasbourg, 12 June 1985, Time, of 10 June 1985, Le Monde, 16-17 June 1985.
- (182) J. WILLIAMS, E. DUNNING, & P. MURPHY, Hooligans abroad: The behaviour and control of English fans in continental Europe, London, RKP, 1984; the report of the Belgian Parliament Committee of Inquiry on the Heysel tragedy; Mr Justice Popplewell's interim report on football violence and safety.

- (183) International Herald Tribune of Tuesday, 1 October 1985, p. 2
- (184) M. KING and C. MAY, Black Magistrates; A study of selection and appointment, London, Cobden Trust, 1985
- (185) SCARMAN Report; COMMISSION FOR RACIAL EQUALITY Annual Report 1984, p.31. See also footnotes 176-177 above.
- (186) S. Rose, Hearing, Annex 4
- (187) See Annual report for 1985 of the COMMISSION FOR RACIAL EQUALITY; The Policy Studies Institute and its predecessor PEP have conducted several opinion polls on aspects of race relations in the UK, on racial discrimination and immigration; see too the Social and Community Planning Research studies. Some British polling organizations have presented the results of studies concerning these questions, already discussed briefly in footnote 160. See too Michael Banton White and Coloured: The Behaviour of the British People toward Coloured Immigrants (London: Jonathan Cape) 1959. E.J.B. ROSE Coloured and Citizenship: A Report on British Race Relations (London: O.U.P.) 1968; D.J. SMITH Unemployment and Racial Minorities (London: PSI) 1981 and C. BROWN op.cit. note 173. F TEER and J. SPENCE Political Opinion Polls (London: Hutchison) 1972, chap. 5 pp. 121-126.
- (188) R. COCHRANE and M. BILLIG, 'I'm not National Front myself, but ... ' New Society 17 May 1984. Racism here should be distinguished from fascism :
- 'Traditionally, fascism has been considered the politics of personality, based on an admiration for a strong leader. These youngsters tend to know the personalities, not the policies, of the main parties; but they know the policy not the personalities of the fascist parties. Expulsion stands out as a vivid symbol against an otherwise hazy and poorly distinguished policy background.' (p.256).
- The curious phenomenon of 'reverse racism' was raised: 'Asians were thought to be getting ahead better than white children. It was often acknowledged that this was based on more serious application at school, harder graft and longer hours put into work, and even (surprisingly) intellectual superiority.' (ibid.).
- The mixture of facetious and serious remarks in the racist views expressed is striking: 'Make someone happy: kill a Paki', 'BM boys are big and brave, and all deserve a nigger slave', replaced among girls by a relative rationalization of the views felt: 'I've got friends who would like to stay in this country, but if it was either get them all out or keep them all in, I'd rather get 'em all out' pp. 256-257. See also M. BILLIG, Fascists: A social psychological view of the National Front, London, Academic Press, 1978.
- (189) R. JOWELL and C. AIREY, British Social Attitudes: the 1984 Report, London, Gower, 1984

SPAIN

- (190) On the transition period, see Raymond CARR and Juan Pablo FUSI AIZPURA, Spain: Dictatorship to Democracy, London, Allen and Unwin, 1981.
On the nature of the Franco régime :
G. PAYNE, Falange: A History of Spanish Fascism, Stanford University Press, 1961,
- J. LINZ, 'From Falange to Movimiento Organización: The Spanish Single Party and the Franco Régime, 1936-1968', pp. 128-203 in
S. P. HUNTINGTON and C. H. MOORE, Authoritarian Politics in Modern Society, New York, Basic Books, 1970.
- (191) The Spanish crisis of the 1930s should be seen in the context of the rise of fascist movements, but it was not due to this rise. It was not that a fascist party was growing (it existed and collected 0.4% of the vote), but that, independently of any social conflict, areas of violence were appearing which, together with the instability of the governments and the in-fighting and corruption in the political parties, prepared a favourable ground for a call to arms. Spain's political history, in fact, records several major changes which were not accompanied by a political mobilization of the masses (cf. Raymond CARR, Spain 1808-1959, Oxford University Press, 1966, also J. LINZ, El Sistema de Partidos en España, Madrid, Narcea, 1976).
- (192) For instance an article in Vorwärts of 2 February 1984 claims that there are so many Franco loyalists in the army that if the Minister of Defence wanted to take account of their political persuasion the whole system of rotation and promotion would be blocked.
- (193) P. LETAMENDIA, Les Partis Politiques en Espagne, Paris, PUF, 1983, p. 95.
- (194) For the region of Grenada, see the survey by Cambio 16 of 15 April 1985.
- (195) There is also a small group led by Antonio Tejero called Solidaridad Espanola. Its financial branch, Solidaridad y Naturaleza dabbles in real estate transactions (see EL Pais of 8 November 1984, p. 19).
- (196) Article 31, No. 7, April 1985, pp. 13-14.
- (197) For example:
'Links between Spanish right-wing extremists or neo-nazis and their counterparts in Germany and Western Europe went primarily through the "Circulo Espanol de Amigos de Europa" (CEDADE) which despatched neo-nazi propaganda material to the Federal Republic of Germany. On the 50th anniversary of Hitler's accession to power on 30 January, CEDADE published under the title "50th anniversary of national socialism" a special issue which was also distributed in the Federal Republic.'
FRG: Verfassungsschutzbericht 1983, p. 150. Estimates of numbers of CEDADE members and associates vary considerably.
- (198) Tiempo, 13 May 1985.
- (199) Discussed in Fanny CORNUAULT, La France des Sectes, Paris, Tchou, 1978. For the purposes of its propaganda the sect (at least in France) also uses the holiday travel business : the VDT ('Voyages Découvertes Traditions') organization and 'REVES - vacances' (whose advertisements

are particularly addressed to the medical world). There is also a group called Edelweis established by one Gonzalez Arenas who has a criminal record; its activities were denounced in a motion for a resolution tabled by Mrs Dury, member of the Commission of Inquiry (Doc. 2-1450/84). Gonzalez Arenas, who is currently being prosecuted in law, denies the charge of neo-nazism against his group (EL Pais, 29 July 1985).

(200) Cambio 16, 10 June 1985, p. 53.

(201) ibid, pp. 48-58 and Libération, 16 April 1985.

(202) cf. Sabino de ARANA Y GOIRI (born 1864) in Obras Completas, ed. Sabindiar-Batza, Buenos Aires, 1965: 'If at the end of this time of bondage the cry of independence resounded, it resounded for God alone.' (p. 1333).

In the ideology of the extremist forms of the independence movement (forged by a number of former seminarists) there is a fusion, as if they were one and the same entity, of the concepts of the Basque people, of the chosen people (of the Old Testament) and of the proletariat. It should also be noted that there is a strong millenarian tradition in the Basque country.

(203) Jose MIGUEL DE AZOLA, 'El Hecho Vasco', pp. 213-283, and especially pp. 230-239, in J. LINZ (ed.), Espana: un presente para el futuro, vol. 1, Madrid, Instituto de Estudios Economicos, 1984. See also Hans-Jürgen PUHLE, 'Baskischer Nationalismus', in H.A. WINKLER (ed.), Nationalismus in der Welt von Heute, Gottingen, Vandenhoeck & Ruprecht, 1982, pp. 51-81.

(204) EL Pais, 12 January 1985.

AUSTRIA

(205) B. Galanda, Hearing, p. 5, The Extreme Right, p. 69

(206) B. Galanda, Hearing, p. 7, The Extreme Right, p. 69; FIR, 40 Ans après, p. 1. In addition to the organizations referred to in the text, mention can also be made of the OTB (Oesterreichischer Turnerbund, Austrian Gymnastics Federation) whose organ Bundesturnzeitung was declared to have a neo-nazi content by a court (B. GALANDA, The Extreme Right, p. 70), as well as the AFAO (Arbeitsgemeinschaft Freiheitlicher Akademikerverbände Oesterreichs, Working Community of Liberal University Associations of Austria) (B. GALANDA, The Extreme Right, pp. 69-70). On Austrian right-wing extremists in general see Dokumentationsarchiv des Oesterreichischen Widerstandes, Rechtsextremismus in Oesterreich nach 1945, 5th edition, 1981, preface by Erwin Lanc, Federal Minister of the Interior.

(207) B. Galanda, Hearing, pp. 7, 8; The Extreme Right, p. 71.

(208) See on this footnote below.

(209) B. Galanda, Hearing, p. 8.

- (210) The action was based essentially on the State Treaty (Staatsvertrag) of 15 May 1955 between the Allied Powers and Austria on the reestablishment of an independent and democratic Austria. Article 9 of the Treaty provides that nazi and fascist-type organizations must be dissolved and banned and that the Austrian State must introduce denazification measures.
- (211) B. Galanda, Hearing, pp. 10, 11. According to research quoted below (footnote 318), the percentage of nazi sympathizers in Austria is steadily falling. The number of older nazis who still approve of the system as a whole is miniscule (0.1%). On the other hand, the number of people who consider themselves to belong to the Austrian nation as well as of those who are prepared to defend parliamentarism is constantly rising. The proportion of the population likely to be recruited by neo-nazi organizations is no more than 2%. According to Dr Heinz Kienzl, an official of the Sozialwissenschaftliche Studiengesellschaft, 'Fascism is dead' in Austria, see Tiroler Tagezeitung, Innsbruck, issue dated 5 July 1985.
- (212) B. Galanda, Hearing, p. 10, The Extreme Right, p. 76.
- (213) B. Galanda, Hearing, p. 10, The Extreme Right, p. 76. Compare, however, S. Wiesenthal, Hearing, pp. 9, 10.
- (214) B. Galanda, Hearing p. 10.
- (215) See the Committee's minutes for the meeting of 31 January. PE 95.896 and PE 96.081
- (216) B. Galanda, Hearing p. 12, The Extreme Right.
- (217) B. Galanda, Hearing p. 11.
- (218) B. Galanda, Hearing pp. 11, 12. Information on anti-semitic attitudes in Austrian society is nevertheless contradictory : according to research carried out by two Austrian social study institutions (Institut für empirische Sozialforschung and Sozialwissenschaftliche Studiengesellschaft), the proportion of those openly declaring anti-semitic attitudes fell from 13% in 1972 to 10% in 1982. Among young people in particular the proportion is 5% (see Tiroler Tagezeitung, Innsbruck, issue dated 5 July 1985). In contrast, according to information from the EEC Monitor published by BIPAC (Britain/Israel Public Affairs Committee), No. 102, January-February 1984, p. 10, a survey carried out by the University of Vienna showed the survival of much stronger anti-semitic feelings and prejudices in Austrian society. On this survey see also B. GALANDA, The Extreme Right, p. 69.
- (219) Bomb attacks, mainly on firms belonging to Jews in Vienna and Salzburg, were carried out in 1982 with the complicity of a well-known German extremist, Eberhard Weil. The trial which followed brought to light the neo-nazis' and right-wing extremists' links with the NDP and the ANR. The penalties ranged from three months' suspended sentence to five years' imprisonment for Weil. FIR, 40 Ans après, p. 2. See also S. Wiesenthal, Hearing, p. 11.

NORWAY

- (220) Frankfurter Allgemeine Zeitung, 3 March 1981.
In his 1980 report to the Council of Europe Mr Krieps stated: 'In Norway Vidkun Quisling's old party, the Natjional Samling is keeping quiet about its former adherents. The members of the neo-nazi Norsk Front found it easier to throw a bomb in Oslo on 1 May than to collect 3 000 signatures necessary for standing in the elections. This movement is trying to take over and use a party which is in existence but inactive, the Norwegian Democratic Party' (p. 15). Some other observers consider that Norsk Front has a somewhat greater following.

SWEDEN

- (221) Analyses by Cas Felderer in Index on Censorship, vol. 13, No. 2, April 1984 and Searchlight, May 1983.

SWITZERLAND

- (222) KEESING'S CONTEMPORARY ARCHIVES 6 August 1982 p. 31636 and 6 July 1979 p. 29704. For the details of the system of referenda see Alois RIKLIN (ed.) Handbuch Politisches System der Schweiz Vols. I and II (Berne: publ. Paul Haupt) 1983
- (223) The Verfassungsschutzbericht (RCH) of 1984. A 'Parti National Socialiste' was set up in Zurich in August 1985 by Mr Ernst Meister, former vice-chairman of 'L'Action Nationale' of Zurich canton. This group is thought to number only half a dozen members (Le Monde, 17.8.1985)
- (224) M. MAY 'Can prejudice be measured? Two cases studies on Anti-Semitism in Switzerland', Research Report, Institute for Jewish Affairs, December 1981, No. 18, is an interesting study both in its methodology and its conclusions. The corresponding findings for the FRG are : 6 to 7% of the population strongly in agreement with anti-semitic statements and 15 to 19% displaying less pronounced anti-semitic attitudes. See S. T. ROTH, 'The German mind and right-extremism: a comment on recent findings', Encounter, September 1981.
- (225) Report by Mr Krieps, op. cit. p. 8. See footnote 52 above.

TURKEY

- (226) H. Degenhardt (ed.) Political Dissent
- (227) See Political Affairs Committee's draft report on the human rights situation in Turkey, rapporteur Mr Balfe (PE 98.572) pp. 15-17
- (228) P. Wilkinson, The New Fascists, London, Pan Books, 1983
- (229) Leo Kuper, Genocide: Its Political Use in the Twentieth Century, Harmondsworth: Penguin Books 1981, particularly chapter 6 'Genocidal Process: The Turkish Genocide Against Armenians' and also Political Affairs Committee draft report on a political solution to the Armenian question, rapporteur Mr Vandemeulebroucke (PE 97.248/B), to be debated shortly in the committee. See also: Tribunal Permanent des Peuples, Le Crime de Silence, Le génocide des Arméniens, Paris, Flammarion, 1984. G. CHALIAND et Y. TERNON, Le Génocide des Arméniens, Bruxelles, complexe, 1980. J. M. CARZOU, Arménie 1915, Un Génocide exemplaire, Paris, Flammarion, 1975.

EASTERN EUROPE

- (230) The American Jewish Committee, 'Submission to the European Parliamentary Commission of Inquiry', pp. 3-4. To this we should like to add the following excerpt from the 'Appeal from Jews in the Soviet Union to Jews in the West' (published by the Comité de Solidarité avec les Juifs d'URSS, BP 26, 75860 PARIS, Cedex 1): 'You need facts? But how can we show you the bleeding larynx of Anatoly Shcharensky after his prison hunger strike? Can we make you feel the broken ribs of Zakhar Zunshain in a Siberian goulag or feel the blindness of Yossif Berenstein of Kiev whose eyes were gouged out in prison? Who can break through the walls of the psychiatric hospitals, the courts, the prison cells and the barbed wire of prison camps to see the pain and suffering of Nadejda Fradkova, Yossif Begun, Yacov Mesh, Yuri Tarnopolski, Alexander Kholmianski, Yacov Levin, Mark Niepomniashchy or Yuli Edelstein?' (Le Monde, 12 January 1985). See also the remarkable 'dossier on the persecution of the Jews' published by the Cahiers du Samizdat in Brussels (No. 108, January 1985), reprinted in Liberation, 20 June 1985, p. 22.
- (231) Docs. 1-0115/84; 1-0023/82, 1-0810/82; 1-1024/83; 1-'536/83; 1-1117/82; 1-1364/82.
- (232) Council of Europe, Doc. 5445, rapporteur M. HUGOSSON
- (233) Political Dissent, p. 39
- (234) Report by M. HABSBURG, Doc. 1-0656/82
- (235) The European Parliament has condemned the trial of Adam Michnik, Bodgan Lis and Wladyslaw Frasyniuk in two resolutions adopted in June 1985 (Doc. B 2-450/85 and Am. 1 to Docs. B 2-479/85-508/85)
- (236) Reprinted in Liberation, 20 June 1985, p. 22
- (237) Die Welt, 22 May 1985
- (238) The Times, 20 September 1985; Political Dissent, p. 33
- (239) ibid.
- (240) Political Dissent, p. 33-34
- (241) The Sunday Times, 17 February 1985. See also draft report by Mrs Van Den Heuvel (PE 94.657/85)
- (242) Diplomats in Sofia believe that the authorities may have been spurred into the latest drastic action by deep concern at the Turkish population's rate of increase, which is 2% a year compared with the national average of 0.5%. Many Turkish schools have been closed and Turkish language courses have been ended. Islamic holidays and traditional religious ceremonies are banned. Mosques have been closed and only those of historic interest have survived demolition. Separate Muslim cemeteries have been closed. The campaign, though not mentioned in the official Bulgaria-press, is no secret to Bulgarians. One commented to me last week: 'The Turks had their turn for 500 years. Now it's ours.' Peter Godwin, The Sunday Times, 17 February 1985.

- (243) PE Doc. B 2-61/85, Council of Europe: Doc. 5446/1985
- (244) PE Doc. 2-1879/84 and draft report by Mrs VAN DEN HEUVEL
- (245) Political Dissent, pp. 60.62, Financial Times, 21 May 1981 and 5 February 1982
- (246) Overview in RENNER - 'The National Minorities in Czechoslovakia after the Second World War' - Plural Societies, vol. 7 no. 1, 1976, pp. 32-41.
- (247) Radio Free Europe Research - Hungary (18 April 1978)
General survey of the situation in Eastern Europe in Rudolf STROEBINGER, Roter Kolonialismus Zurich Interfrom, 1981.

INTERNATIONAL LINKS

- (248) The rally on 8 May 1985 in Aix-la-Chapelle 'was organized by the Pan European Movement, a joint action front uniting, as full or associated members, about a dozen European organizations, ranging from the FAP to the Wiking Jugend' (Notre Europe, June 1985; on the Dixmude rally, see ibid, July-August 1985). Motions for resolutions against the holding of reunions of former nazis in Federal Germany have been tabled in the European Parliament.
- (249) Replying to questions from Committee members, Mr Simon Wiesenthal spoke of the large number of consignments despatched to Europe by Garry Rex Lauck from Lincoln, Nebraska. Also in the United States two data banks have been set up in Idaho, West Virginia, for the dissemination of racist, and particularly anti-semitic, information by telephone. (See R. GENN, Patters of Prejudice, Vol. 19, No. 3, July 1985, and Jewish Chronicle, 29 March 1985).
The American movement is characterized by the strong influence of certain violently anti-semitic sects (e.g. the Identity Church) and by its heavy reliance on theft to finance its activities (4 to 5 million dollars were obtained by robbery by the 'Order' Group alone. See The Economist, 27 April 1985 and International Herald Tribune, 19 April 1985).
- (250) See the sections on the United Kingdom, Germany, Italy and France. On the - unclear - links between neo-nazis and the various factions in Lebanon (e.g. the smuggling by the Hoffmann Group of rebuilt German military lorries to Beirut) see, inter alia, Israelitisches Wochenblatt, No. 31, 5 August 1983, Searchlight, November 1982, Innere Sicherheit (FRG), September 1981.
Asala in the latest issue of its publication Armenia has published documents showing that at the beginning of the 1980s the neo-nazi leader Hoffmann was a member of the PLO, Agence Télégraphique Juive, 24 April 1985. Some other examples are provided by Paul WILKINSON: 'In 1969, Jean Bireault, a Belgian who was secretary of the neo-nazi La Nation Européenne served as an adviser to the Palestinian organization AL-Fatah (...). At this period also, the PFLP acquired a former nazi commander for their training camp at Basra in South Iraq. (...). In January 1970, in a trial of three captured PFLP terrorists in Winterthur (Switzerland), evidence was produced of close links between the Swiss Nazi Party, particularly one of its founders, Françoise Geroude and AL-Fathah. (...). The Yediot Aharonot correspondent in Bonn reported that in January 1978 four members of the Free Corps - Saudi Arabia and

Free Corps - Hitler groups had been arrested on suspicion of smuggling from Arab states to members of the PLO in Germany. They were caught red-handed and at least one neo-nazi was in possession of a PLO membership card'. (The New Fascists, London, Pan Books, 1983, pp. 125-126).

- (251) For instance, the World Union of National Socialists is one of several groups which claim world leadership of the neo-nazi movement. Its Secretary-General, Paul Heinrich Riis-Knudsen (Denmark) wrote in an internal circular that the WUNS is essentially 'an organization of individual members (...). The WUNS has never had a staff of its own. Most of the work has been carried out by the staff of the National Socialist White People's Party in Arlington, Virginia'. He goes on to state as the short-term aim the production of 'high quality' propaganda material, but the long-term objective remains the training of 'professional organizers'.
Our assessment of the situation as regards international links conforms with the opinion expressed by Mrs Kniesmeyer of the Anne Frank Stichting when questioned by the Committee on this point.

TOWARDS AN IDENTIFICATION OF THE CAUSES

- (252) See paragraph 47 above.
- (253) Véronique DE RUDDER in Le Monde, 20 January 1981
- (254) John WILLIAMS, Eric DUNNING and Patrick MURPHY, Hooligans Abroad, London, Routledge & Kegan, 1984, pp. 12-16
- (255) Spinoza, Tractatus Theologico-Politicus, chap. 20.

THE ECONOMIC SITUATION AND THE RISE OF EXTREMIST MOVEMENTS

- (256) Werner KALTEFLEITER, Wirtschaft und Politik in Deutschland, Koln, Westdeutscher Verlag, 1968, p. 37, reprinted in J. LINZ and A. STEPAN, The Breakdown of Democratic Regimes : Europe, Baltimore, John Hopkins University Press, 1976, p. 51.
- (257) LINZ and STEPAN, ibid, p. 52.
- (258) A related point, raised before the Committee by Professor Mandel, is that of relations between industry and the world of politics, particularly extremist governments. A recent book, Henry Ashby TURNER, German Big Business and the rise of Hitler, Oxford University Press, 1985, seems to give a very complete account of the Hitler period. See also the review of Turner's book by Alan MILWARD in the Times Literary Supplement, 5 July 1985.

ARE FASCISM AND RACISM ON THE INCREASE?

- (259) Insofar as it can really be measured, the electoral potential of fascist and right-wing extremist parties in the Community is the smallest in the political spectrum, except, in some countries, for left-wing extremism, cf. Eurobarometer, No. 21 where an attempt to measure the best chances of every political grouping is made. It should, however, be remembered that the meaning of the various political labels and the political reality behind them vary enormously from country to country. An attempt

to interpret these data will be found in: R. INGLEHART, J.R. RABIER, 'The withering away of Marx: changing political cleavages in Western nations', paper presented at the XIIIth Congress of the International Association of Political Science, Paris, July 1985.

- (260) Eurobarometer No. 23, June 1985. Only in three countries a drop in satisfaction was recorded, very slight in Ireland and Italy, greater in Belgium (where however there is a clear upswing after a trough reached in 1981).

THE INTERNATIONAL DIMENSION

- (261) United Nations Charter, Preamble :

'... to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and nations large and small ...'

Article 1, para. 3 :

'To achieve international cooperation ... and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.'

Also see Articles 13, first indent (b), 55(c) and 76(c). See also International Court of Justice, 'Avis Consultatif sur Namibie', C.I.J. Recueil 1971, p. 57, para. 131.

- (262) Came into force on 12 January 1951.
- (263) Issued by the General Assembly of the United Nations on 20 November 1963.
- (264) Came into force on 4 January 1969. See para. 233.
- (265) Came into force on 3 January 1976.
- (266) Came into force on 23 March 1976.
- (267) Came into force on 23 March 1976.
- (268) Came into force on 18 July 1976.
- (269) Came into force on 15 June 1960. See also Recommendation No. 111/1958 of the International Labour Conference.
- (270) Came into force on 22 January 1952.
- (271) Adopted by the International Labour Conference on 24 June 1975.
- (272) On 14 December 1960. See C. Hadji CONSTANTINO, The UNESCO Convention prohibiting discrimination in the field of education, thesis, Thessaloniki, 1962 (in Greek).
On 14 December 1960 the UNESCO General Conference adopted a Recommendation on combating discrimination in the area of education. In 1974 a Recommendation was adopted on education for international understanding, cooperation and peace and on education in human rights and fundamental freedoms.

- (273) For a systematic list of these acts see Compilation of United Nations resolutions and decisions relevant to the struggle against racism, racial discrimination and apartheid, Second World Conference to combat racism and racial discrimination (Geneva, 1-12 August 1983), Pre-session documents A/Conf. 119/15, Part I : Security Council resolutions, p. 42, Part II : General Assembly resolutions (1946-1978), p. 200, Part III : General Assembly resolutions (1979-1982), p. 196, Part IV : Economic and Social Council resolutions, p. 71, Part V : Commission on Human Rights resolutions, p. 113.
- (274) See the list of these states in the Report of the Committee on the Elimination of Racial Discrimination, United Nations, General Assembly, Official Records : Thirty-ninth session, Supplement No. 18 (A/39/18) p. 133 et seq.
- (275) See J.D. INGLES, Study on the implementation of Article 4 of the Convention on the Elimination of All Forms of Racial Discrimination, United Nations A/Conf. 119/10, 18 May 1983.
- (276) See V.G. TENEKYDES, Study on the implementation of Article 7 of the Convention on the Elimination of All Forms of Racial Discrimination, United Nations, 1983. A/Conf. 119/19, 8 June 1983.
- (277) See, for example, the document quoted in footnote 220.
- (278) See the document quoted in footnote 274, p. 1 and 137. Among Community Member States declarations on Article 14 have so far been made by: The Netherlands, Italy and France. The committee has already received the first 'individual' communication which is in process of being studied.
- (279) See V.G. TENEKYDES, Recueil des Cours de l'Academie de droit international de la Haye, Vol. 168, p. 459 et seq.
- (280) United Nations Action in the field of human rights, New York 1983 Index; - Nazi, Nazism and above all p. 42 et seq., as well as the recent resolution 39/114 of 14 December 1984 of the General Assembly, on the measures to be taken against nazi, fascist and neo-fascist activities and all other forms of totalitarian ideologies and practices based on racial intolerance, hatred and terror, Official Records of the General Assembly, Thirty-Ninth Session, Supplement No. 51. In the words of this Resolution, the General Assembly once again condemns and expresses its determination to resist all totalitarian ideologies and practices which deprive people of their human rights and fundamental freedoms.
- (281) See, inter alia, the Universal Declaration of Human Rights, Article 21, para. 1, Article 26, para 2., Article 28, Article 29, para. 1; International Covenant on Economic, Social and Cultural Rights, Article 1, para. 1, Article 4, Article 5, para. 1, Article 13; International Covenant on Civil and Political Rights, Article 1, para. 1, Article 14, Article 21, Article 22, para. 2, Article 25, Article 26. Also see reference in the preceding footnote.

THE EUROPEAN DIMENSION

- (282) See para. 250 et seq below.

- (283) The other Member States of the Council of Europe are: Austria, Cyprus, Iceland, Liechtenstein, Malta, Norway, Sweden, Switzerland and Turkey.
- (284) Article 3 of the Statute of the Council of Europe stipulates that all Member States of the Organization must accept the principles of the primacy of law and of human rights and fundamental freedoms. In addition, Article 8 lays down that any member state which seriously infringes Article 3 can have its right to representation suspended, be asked to withdraw or, lastly, be excluded from the Organization. On this point it is worth noting the Council of Europe's attitude to authoritarian European regimes : Spain and Portugal were admitted as members only after the restoration of a democratic system. Greece, following the military coup d'état of 21 April 1967, was forced to withdraw from the Council of Europe on 12 December 1969. On the political work and numerous actions taken by the Organization in regard to the Greek military regime, see the excellent survey by Jean SIOTIS, La Grèce sur le chemin de l'Europe, Mélanges Fernand DEHOUSSE, vol. 2 (La construction européenne), 1979, p. 73 et seq and 76 et seq. Among the documents drawn up by the Parliamentary Assembly, the following reports by Mr VAN DER STOEL are particularly relevant : 1968 (Doc. 2384), 1968 (Doc. 2467), 1969 (Doc. 2525), 1969 (Docs. 2637 and 2638), 1970 (Doc. 2719) and 1971 (Doc. 2892). See also footnote 296 below on the machinery for the protection of human rights. On the Parliamentary Assembly's attitude to the Turkish military regime see, among others, the reports by Mr STEINER 29.9.1980 (Doc. 4621), 27.1.1981 (Doc. 4657), 1.10.1981 (Doc. 4784), 11.3.1982 (Doc. 4621), 30.9.1982 (Doc. 4965), 14.1.1983 (Doc. 5008), 19.9.1983 (Doc. 5117), 7.5.1984 (Doc. 5208) and 25.3.1985 (Doc. 5378), by Mr URWIN and Mr STEINER 25.1.1982 (Doc. 4841 rev.), by Mr BARDENS 24.1.1983 (Doc. 5014) and by Mr STOFFELEN 8.5.1984 (Doc. 5216), and the recommendations 904 (1980), 936 (1982), 938 (1982), directives 392 (1980), 395 (1981), 397 (1981), 413 (1982), 406 (1982) and resolutions 757 (1981), 765 (1982), 794 (1983), 803 (1983), 822 (1984) and 840 (1985). Also see the action brought before the European Commission on Human Rights against Turkey by France, Denmark, Norway and Sweden, footnote 295 below.
- (285) See the compendium prepared by the European Parliament for our Committee, Doc. PE 94.443 of 12 December 1984, to which should be added the resolutions adopted on 26 September 1985 by the Parliamentary Assembly concerning the situation of the Jews in the Soviet Union (report by Mr HUGOSSON, Doc. 5445 of 26 July 1985) and the situation of ethnic and muslim minorities in Bulgaria (report by Mr ATKINSON, Doc. 5444/1985).
- (286) See the compendium referred to above, footnote 285, p. 22.
- (287) See the document referred to above, footnote 285, p. 24
- (288) Council of Europe Parliamentary Assembly, Doc. 5107 of 12 September 1983.
- (289) Also see the European Social Charter.
- (290) Convention, Articles 8 para. 2, 9 para. 2, 10 para. 2, and 11 para. 2.
- (291) Articles 9, 10 and 11.

- (292) See Preamble, Article 5, para. 1, Article 6 and the provisions referred to above in footnote 290.
- (293) Additional Protocol No. 1, Article 3.
- (294) See Council of Europe, the Greek Case, Vol. I 1, I 2 (annexes), II 1, II 2 (annexes), Strasbourg 1970, The Greek case Yearbook of the European Convention on Human Rights, 1969, Kiss-Vegleris, 'L'Affaire grecque devant le Conseil de l'Europe et la Commission européenne des droits de l'homme', Annuaire Francais de droit international, SVII (1971), p. 889 et seq., Mertens, 'Les organes du Conseil de l'Europe et le concept de "Démocratie" dans le cadre de deux affaires grecques', Revue belge de droit international, VII (1971), p. 118 et seq, Siotis, loc. cit. (footnote 284 above).
- (295) These petitions (9940 to 9944/82) were filed before the European Commission on Human Rights on 1 July 1982. Declared admissible on 6 December 1983 (the Commission's Decision of 6 December 1983), they are still pending before the Commission. See the communiques of the Secretariat of the European Commission on Human Rights of 2.7.82, 6.12.83, 29.6.84, 28.1.85, 5.2.85, 15.3.85 and 14.6.85.
- (296) This petition (No. 250/57), disputing the conformity with the 'European Convention of Human Rights' of the German Federal Constitutional Court's ruling of 17 August 1956 which disbanded the Communist party of Germany on grounds of anti-constitutionality, was declared inadmissible by the decision of the European Commission of Human Rights of 20 July 1957. See the text of this decision in Documents and decisions (Annex to the Convention, 1st T.), 1955-1956-1957, The Hague 1959, p. 222 et seq.
- (297) The petitioner had founded a political movement in Italy in 1958 which based its doctrine and programme on those of the Fascist Party, even adopting its emblems. After being tried and sentenced under the Italian Law No. 645 of 20 June 1952 prohibiting the re-formation of the Fascist Party, he filed a complaint (No. 6741/74) before the Commission for violation of a number of provisions of the European Convention on Human Rights. The Commission declared the complaint inadmissible in its decision of 21 May 1976 (see European Commission of Human Rights, Decisions and Reports, Vol. 5, Strasbourg 1976, p. 83 et seq.).
- (298) The petitioners contested the compatibility with the European Convention on Human Rights of penalties imposed on them on account of their link with the NVU's racially discriminatory structures and politics. On the latter group see paragraph 125 above. The petitions (8348/78 and 8406/78) were declared inadmissible by the decision of 13 December 1979 (see the text of the decision in the European Commission of Human Rights, Decision and Reports, Vol. 18, p. 187 et seq.).
- (299) Decisions and Reports (referred to above, footnote 296) p. 205. Also see the ruling of the European Court of Human Rights in the Lawless case of 1 July 1961, part 'in jure', paragraph 6, p. 45.
- (300) See on these cases the decisions on admissibility of the European Commission of Human Rights of 10 December 1970 (Directory of the European Convention of Human Rights, 13/1970, p. 929 et seq.), of 6 March 1978 (Decisions and Reports, Vol. 13, p. 17 et seq.), and the Resolution DH (77)2 of the Council of Ministers of the Council of

Europe, in Collection of Resolutions adopted by the Committee of Ministers in application of Article 32 of the European Convention for the Protection of Human Rights and Fundamental Freedoms 1959-1979, Strasbourg 1979. Also see the decision on admissibility of 17 March 1981 concerning Petition No. 8008/17 (Digest of Strasbourg, Case Law relating to the European Convention on Human Rights, Vol. 1, p. 170). Council of Europe, European Commission on Human Rights, 'Bilan' of the European Convention on Human Rights, 1954-1984, Strasbourg 1985, p. 154 et seq. It is worth noting that the Commission observed in the aforementioned decision of 10 December 1970 that 'discrimination based on race could in itself in certain circumstances constitute degrading treatment in the sense of Article 3 of the Convention'.

- (301) On this case see the report of the European Commission on Human Rights adopted 12 May 1983 and the ruling of 28 May 1985 of the European Court of Human Rights. This case, concerning British immigration laws and in particular the right of relatives of immigrants to join them in the United Kingdom, raised questions of racial discrimination. However, this complaint was not upheld, the Commission and the Court having finally concluded that it was, rather, a matter of sexual discrimination. But see dissenting opinion of Mr Carillo, Mr Melchior and Mr Weitzel, Members of the Commission, report, p. 38, who concluded that the British laws did contain an element of racial discrimination.

Following the Court's ruling, the UK Government amended its laws to conform with the judgement. See statement of changes in immigration laws, laid before Parliament on 15 July 1985 under Section 3(2) of the Immigration Act 1971, London, HMSO.

- (302) Two other cases relating to the subject of the Inquiry are at present pending before the European Court of Human Rights (Glaserapp and Kosiek v. the Federal Republic of Germany). See the relevant reports of the European Commission on Human Rights of 11 May 1984. The petitioners had been dismissed from their teaching posts on grounds of lack of loyalty to the Constitution because the first of these two petitioners belonged to the NPD (See 47 et seq above regarding this party) and the second supported certain political theories of the German Communist Party. Also see the ruling of 25 April 1983 handed down by the European Court of Human Rights on the Case Pakelli against the Federal Republic of Germany, paragraphs 43 to 45.

- (303) See the text of the Convention in the Council of Europe, Series of European Conventions, No. 93, Vol. IV (1975-1982), Strasbourg 1983, p. 69 et seq. This collection (Vol. I to IV and Index Volumes I to II) contains other agreements relating if only indirectly to the subject of the inquiry : Convention No. 19 (establishment), Agreement No. 25 (free movement of persons), Agreement No. 31 (abolition of visas for refugees), European Convention on Terrorism (1977). For the signing and ratification of these Conventions see Council of Europe, Legal Cases, state of signing and ratification of these Conventions and Agreements of the Council of Europe, 15 May 1984 and DIR/JUR (85)1, 10.4.1985.

- (304) Council of Europe, Parliamentary Assembly, Conference on the Defence of Democracy against Terrorism in Europe : Tasks and problems (Strasbourg, 12-14 November 1980), Compendium of documents, 1981.

- (305) Council of Europe, European Youth Centre, Conference on Intolerance in Europe, 9-11 December 1980.
- (306) Council of Europe, Human Rights, Papers, Colloquy on 'the Human Rights of foreigners in Europe', Funchal - Maderia (Portugal), 17-19 October 1983, Strasbourg 1985.
- (307) Council of Europe, Parliamentary Assembly, 'Confrontation' on 'aliens in Europe : A threat or an asset?', Strasbourg, 20-21 March 1984, Minutes, Strasbourg 1984. Also, in the context of the work of the Commission on Migration, Refugees and Population, see report by M.R. Müller on xenophobic attitudes and movements in the Member States towards migrant workers (Doc. 5107 of 12 September 1983) and draft recommendation submitted by the Commission to the Parliamentary Assembly *ibid.*, adopted as Recommendation 968/1983 by the Parliamentary Assembly. Footnote 287 above.

THE COMMUNITY DIMENSION

- (308) I. Richard, Hearing, passim. Public meeting of 18 December 1984; also see address by P. SUTHERLAND in Dublin on 11 April 1985 to the Annual Congress of the Irish Episcopal Commission for Emigrants (PE 98.372).
- (309) See above, Part 4, Recommendations 4.2.
- (310) On 5 April 1977 the Council, the Commission and the European Parliament adopted a joint declaration on the protection of fundamental rights in the EEC (OJ C 103 of 17.4.1977). At the European Council in Copenhagen on 14 December 1973 a declaration on European identity was adopted (Bul. EEC 12-1973). Twelve months later in Paris the European Council was unable to act on proposals designed to create a status of European citizenship, but decided to pursue this objective by pragmatic means. This declaration led to a debate in the European Parliament on the establishment of a charter of special rights for migrants from EEC countries residing in the other Member States (SCELBA report, OJ C 299 of 12.12.1977). In anticipation of the first European elections in June 1979, the European Council adopted a declaration on democracy, 8 April 1978 (EEC Bul. 4-1978).
- (311) See SIOTIS, referred to in footnote 229a above. By the same author 'the European Parliament and dictatorship in Greece : 1967 - 1974' in 'the European Parliament'. Athens 1978, p. 179 *et seq.* Among relevant acts of the European Institutions, the European Parliament Resolution of 11 May 1967 (OJ C 103 of 2.6.1967) and that of September 1974 (OJ C 127 of 18.10.1974)
- (312) See EEC Bul. 9-180 pp. 56 and 57 quoting the Commission's declaration of 12 September 1980 and the declaration of the Ministers of Foreign Affairs meeting in political cooperation on 15 September 1980 regarding the situation in Turkey. On 18 September 1980 the European Parliament voted a resolution expressing its grave concern over this situation (OJ C 265 of 13.10.1980). In addition the Council formally approved the decision taken by the Association Council of 30 June 1980, which were reaffirmed by the Association Council on 3 December 1980, to maintain the existing links and to endeavour to see that these decisions were implemented; the Commission decided not to recommend to the Council that the fourth EEC - Turkey Financial Protocol be concluded in December 1981 following the imprisonment of the former Turkish Prime Minister, Mr Bulent Ecevit - see EEC Bul. 12-1981. On 8 July 1982, the European

Parliament adopted a resolution on the political situation in Turkey (OJ C 238 of 13.9.1982) underlining the importance of a return to pluralist parliamentary democracy for improvements in EEC - Turkey relations.

- (313) See the Commission's opinion of 23 May 1979 on Greece's application for accession to the Community, and the opinion of 31 May 1985 on the accession of Spain and Portugal and the declaration of the European Council of 23/24 March 1981 (Maastricht) on Spain.
- (314) See the acts and declarations referred to in footnote 310 above.
- (315) See inter alia the following judgements : Stauder (12.11.1969, Case 29/69, Judgments of the Court 1969.419), International Company (17.12.1970, Case 11/70, Judgments of the Court 1970.1125), Nold (14.5.1974, Case 4/73, Judgments of the Court 1974.491), Defrenne (15.6.1978, 4/73, Judgments 1974.491), Hauer (15.6.1978, Case 44/79, Judgments 1979.3727), National Panasonic (26.6.1980, Case 136/79, Judgments 1980.2033), Kent Kirk (10.7.1984, Case 63/83, not yet published in the Judgments). BEUTLER, BIEBER, PIPKORN, STREIL, Die Europäische Gemeinschaft - Rechtsordnung und Politik, Second edition, 1982, p. 198 et seq.
- (316) See references in footnote 313.
- (317) See the references in footnotes 310, 313 and 315.
- (318) See Article 27, para. 2, of the Staff Regulations, according to which officials are chosen irrespective of race, belief or sex. On religious discrimination, see the ruling of the EEC Court of Justice in the Prais Case (Ruling of 27.10.1976, Case 130/75, Case Law of the Court 1976, p. 1589). Also see the declaration of 21 March 1977 by the Governments of the Nine Member States of the Community to the Secretary-General of the UN marking the day for the elimination of racial discrimination.
- (319) See Council Resolution of 9 February 1976, concerning an action programme for migrant workers and their families, OJ C 34 of 14.2.1976, p. 2), Council Resolution of 27 June 1980, concerning an approach to a Community labour market policy (OJ C 168 of 8.7.1980, p. 1), Directive 77/486/EEC (OJ L 199 of 6.8.1977, p. 32), Final Communiqué of the Conference of Heads of State and of Government of 9 and 10 December 1974 (Paris), point 10 (phased harmonization of legislation on foreigners). European Council of 25 and 26 June 1984 (Fontainebleau), Community's medium-term social action programme (OJ C 175 of 4.7.1984, p. 1).
- (320) COM(85) 48 final / 1 March 1985.
- (321) European Parliament Resolution of 9 May 1985 on the Commission's communication to the Council concerning guidelines for a European policy on migration (OJ C 141 of 10.6.1985, p. 462) and report by Mrs MARINARO (Doc. A 2-4/85).
- (322) OJ C 186 of 26.7.1985, p. 3.
- (323) OJ L 217 of 14.8.1985, p. 25.
- (324) See part 4 above, Recommendation 4.2.1.j).

THE NATIONAL DIMENSION

- (325) See paras. 4.2.1 - 4.2.6. above.
- (326) See footnote 297 above (Case before the European Commission on Human Rights).
- (327) Also see Article 20 of the German Law on associations (Vereinsgesetz), VSBericht 1984, p. 23.
- (328) See H.H. KALINOWSKY (et al.), Rechtsextremismus und Strafrechtspflege, Federal Ministry of Justice, 1985. A heated political debate took place in the Federal Republic of Germany over a Bill to modify the Penal Law and designed among other things to 'criminalize' the denial of the acts of genocide perpetrated by the Nazi regime ('Auschwitzlüge'). The proposed provisions are intended to supplement the existing paragraph 131 of the German Penal Code which punishes acts in defence of Nazi crimes. On this Bill, see S. ROTH, Making the denial of the Holocaust a crime in Law, INSTITUTE OF JEWISH AFFAIRS, Research Report No. 1, March 1982, p. 1 et seq, Patterns of Prejudice, 19 (1985) 2 p. 41 and the literature cited ibid. Note 1, Frankfurter Allgemeine Zeitung, 1 March 1985, p. 1. In its ruling of 18 September 1979 the Supreme Court in Germany ruled that the denial of the Holocaust may constitute and insult and an act of contempt towards persons who identify with the victims of Nazi persecution. S. ROTH, ibid. p. 5, Patterns of Prejudice 14 (1980) 1 p. 32. Israel Yearbook of Human Rights Vol. 13 (1983) pp. 208 and 223 et seq.
- (329) See below, Part 4, Recommendation 4.2.2 (a).
- (330) See above, para. 257 et seq (THE INTERNATIONAL DIMENSION).
- (331) See above, para. 260.
- (332) See above, para. 264.
- (333) This followed the first and second Race Relations Acts of 1965 and 1968. Also see footnote (153).
- (334) It is not possible within the framework of this report to record and analyse the national case law relating to the subject of this inquiry and in particular the elimination of racism and racial discrimination. The rapporteur will therefore simply select certain references to illustrate the variety, topicality and importance of the question and the need for a systematic study of the legal and administrative application of the legislation governing our subject. References to the case law can be found in the periodic reports which the States which are signatories to the Convention on the elimination of all forms of racial discrimination submit to the Committee set up by that Convention (See para. 203 et seq and 207 above). The publications of the Commission for Racial Equality are also a valuable source of information in this field (see e.g. Review of the Race Relations Act 1976 : Proposals for a change, London, July 1985). Mrs Pau-Langevin, one of the experts invited by the Committee, made available to us a dossier prepared by the MRAP which contains numerous references to the French case law on racism and racial discrimination, including the following decisions : Lyon Tribunal de grande instance, ruling of 30 September 1981 (racial discrimination in regard to employment) and ruling of 20 February 1980

(racial discrimination in regard to offering of services), Reims Tribunal de grande instance, ruling of 8 March 1982 (racial discrimination in regard to the offering of services), Poitiers Court of Appeal, ruling of 31 March 1983 (discrimination in regard to housing), Montpellier Tribunal de grande instance, ruling of 9 November 1984 (case of Mr Arreckx, Mayor of Toulon, see footnote 95 above in fine), Cusset Tribunal de grande instance, ruling of 1 July 1983 (incitement to racial discrimination), Belfort Tribunal de grande instance, ruling of 5 December 1980 and Paris Tribunal de grande instance, 17th Chamber, ruling of 28 October 1982 (racist insults), also the same court, 17th Chamber, ruling of 24 June 1981 (incitement to racial hatred, denial of the holocaust), same court, 17th Chamber, ruling of 1 July 1981 (Faurisson case, public defamation against a group of persons because of their membership of a given ethnic group, nation, race or religion, denial of the holocaust, see SJR in Patterns of Prejudice 15 (1981) 4, p. 51 et seq), same court, 17th Chamber, ruling of 4 March 1981 (Frederiksen case, public defamation against a group of persons), Amiens Tribunal de grande instance, 3rd Chamber, ruling of 31 October 1984 (National Front case). Also see the case law cited by S. ROTH, in Patterns of Prejudice 17 (1983) 4, p. 49 et seq, the same author, ibid., p. 52 et seq on Dutch case law concerning the question of declarations of non-cooperation with Israel ('Non-Jew Declaration'), which firms with trade links with the Arab countries are required to produce (cf. the motion for a resolution, Art. 47 of the Rules of Procedure, by Mr de Vries, PE 97.684, 29 April 1985, and the reference to the Flakt case). - On the distinction between anti-zionism and anti-semitism see the case law cited by Mr MAY, ibid. 16 (1982) 2 p. 45 et seq. - In a ruling of the Court of Appeal in Frankfurt of 8 January 1985 (Neue Juristische Wochenschrift 1985.1720), the Court considered that a ban on people of Turkish origin entering a restaurant in the form of a notice in Turkish and German constituted racial discrimination but not an act which violated the dignity of the persons concerned in the terms of paragraph 130 of the German Penal Code. Other references to the German case law, ibid. p. 1721. - A review of national case law appears to indicate that the manner in which the judges in the Member States apply the laws relating to the subject of the inquiry is on the whole satisfactory, although there are some weaknesses and failures. Systematic study and critical evaluation of this case law is an important aspect of the fight against racism and racial discrimination. See Recommendation No. 5.21.2.a below.

(335) See Review of the Race Relations Act, referred to in the preceding footnote.

(336) See Recommendation No. 4.21.1.d above.

(337) See the 'due account' clause of Article 4 in the International Convention on the Elimination of All Forms of Racial Discrimination : 'The signatory states, condemning all forms of propaganda and all organizations which derive their inspiration from ideas or theories based on the superiority of one race (...) and to this end, taking due account of the principles laid down in the Universal Declaration of Human Rights expressly set out in Article 5 of the present Convention, they undertake in particular (...)'

(338) See the Federal Minister of Justice in the publication quoted in footnote 328 above, preface.

- (339) See KALINOWSKY, quoted above, footnote 328, p. 279.
- (340) Cf. Article 17 of the European Convention on Human Rights; the Universal Declaration of Human Rights, Article 30; International Covenant on Civic and Political Rights, Article 5, para. 1. Also see cases cited footnotes 296-298 above.
- (341) MONTESQUIEU, De l'Esprit des Lois, L.IV, Ch. 5 (quoted in : speech by Mr J.P. Chevènement at the colloquy 'Etre citoyen' on 22 and 23 November 1984 in Paris). PERICLES, Epitaph 40 : 'We regard the citizen who does not take part in political life not as peaceful but as useless'.
- (342) See European Court of Human Rights, judgment of 7 December 1976 (the Kjeldsen, Busk Madsen and Pedersen case), A Series, Vol. 23, para. 53.
- (343) See, among others, the tri-monthly UNESCO bulletin, Enseignement des Droits de l'Homme. On education in tolerance, see: United Nations Centre for Human Rights, Seminar on the promotion of understanding, tolerance and respect in areas concerning freedom of religion or opinion held in Geneva on 3 to 14 December 1984, United Nations, New York, 1984. The question of a 'European civic education' has been the subject of several motions for resolutions.
- (344) See reference given above, footnote 276.
- (345) See para. 255 and footnote 272 above.
- (346) See para. 280 and footnotes 351 - 357 below on the education of the children of migrant workers.
- (347) Cf. Alain PIERROT, 'L'Ecole française et les Etrangers', Esprit, June 1985, pp. 143-154.
- (348) The current debate going on in the USA on bilingual education is of interest here. The Secretary of State for Education, Mr William J. Bennett, has said 'As fellow citizens, we need a common language. In the United States, that language is English (...). A song of cultural pride cannot come at the price of proficiency in English, our common language ... The mastery of English is the key to individual opportunity in America'. The prospect of a possible reversal of the bilingual approach has provoked protests from a number of senators and representatives (International Herald Tribune, 27 September 1985).
- (349) For example: R. COCHRANE and M. BILLIG, 'I'm not National Front myself, but', New Society, 17 May 1984.
- (350) A bibliography has been compiled by Gillian KLEIN 'Resources for multicultural education: an introduction', Schools Council Programme 4.
- (351) The Swann report on the education of children from ethnic minorities, London, 1985. Commenting on the conclusions of this report, Sir Keith Joseph, Secretary of State for Education and Science, said. 'We shall strive to improve the position through three broad lines of policy. First, under-achievement is not confined to ethnic minorities (...). Our policies for school are designed to raise the performance of all pupils and to tackle the obstacles to higher achievement which are common to all (...). Second, we are determined to give ethnic minority pupils the same opportunity as all others to profit from what schools

can offer them. We are tackling the obstacles to opportunity, notably by promoting good practice in the teaching of English as a second language. Third, we want the schools to preserve and transmit our national values in a way which accepts Britain's diversity and promotes tolerance and racial harmony' (The Times, 15 March 1985).

See also Committee on the Elimination of Racial Discrimination (CERD), eighth periodic report, 1984, United Kingdom.

See also Commission for Racial Equality, Annual Report 1984, p. 22-24.

(352) CERD, sixth periodic report, 1982, France.

(353) CERD, eighth periodic report, 1984, Federal Germany. The work of the Bundeszentrale für Politische Bildung, Bonn, is particularly important. Among the many publications of this organization, see Die Menschenrechte eine Herausforderung der Erziehung, Bonn 1983, Bracher, Funke, Jacobsen (ed.); Nationalsozialistische Diktatur 1933-1945, eine Bilanz, Bonn 1983, 856 pages.

(354) CERD, sixth periodic report, 1984, The Netherlands.

(355) CERD, fourth periodic report, 1983, Italy.

(356) CERD, fourth periodic report, 1982, Belgium.

(357) See in particular CERD, sixth periodic report, 1983, Denmark; third periodic report, 1983, Luxembourg; seventh periodic report, 1984, Greece.

INFORMATION MEDIA

(358) See footnote 286 above.

(359) Yves MICHAUD, Violence et Politique, Paris, Gallimard, 1978, p. 47.

(360) See footnote 286 above.

ORGANIZED SOCIAL REACTION

(361) Among organizations active at the European level which have submitted documentation to the Committee, mention should be made of the Comité européen pour la Défense des Réfugiés et Immigrés (European Committee for the Defence of Refugees and Immigrants) with headquarters in Basel. The minorities' own organizations deserve more attention. In this connection, our Committee has benefited considerably from the expertise of the Board of Deputies of British Jews.

CULTURAL ACTION

(362) PASCAL, Lettres à un Provincial, Twelfth letter.

(363) A good critical review of this literature will be found in Brian BARRY, Sociologists, Economists and Democracy, Princeton University Press, 1978. The standard work is still Robert A. DAHL, A Preface to Democratic Theory, Yale University Press. Most recent comment on European literature on this subject will be found in J. LECA and M. GRAWITZ (eds), Traité de Science politique, Paris, PUF, 1985, Vol. 1 (especially the articles by Jean Leca and Georges Lavau).

GENERAL CONSIDERATIONS

- (364) The problem of illegal immigration is a factor which must be taken into account in an overall survey of the phenomenon of migration. However, the difficulty of obtaining figures on illegal entries (see COM(85) 48 final, p. 14) makes it impossible to assess their significance. Cf. the Commission's Decision of 85/381/EEC of 8 July 1985 (footnote 324 above) Article 1, para. 2 and the European Parliament's Resolution following the MARINARO report (cited footnote 322 above), paragraph 7.
- (365) See address by Mr P. SUTHERLAND of 11 April 1985 in Dublin before the Irish Episcopal Commission for Emigrants, PE 98.372/Ann. p. 5, Cf. footnote 308 above.
- (366) For elements of the debate on immigration in the United States today, see Time of 8 July 1985, 'Special Immigrants Issue: The Changing Face of America' and readers' letters in subsequent issues.

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