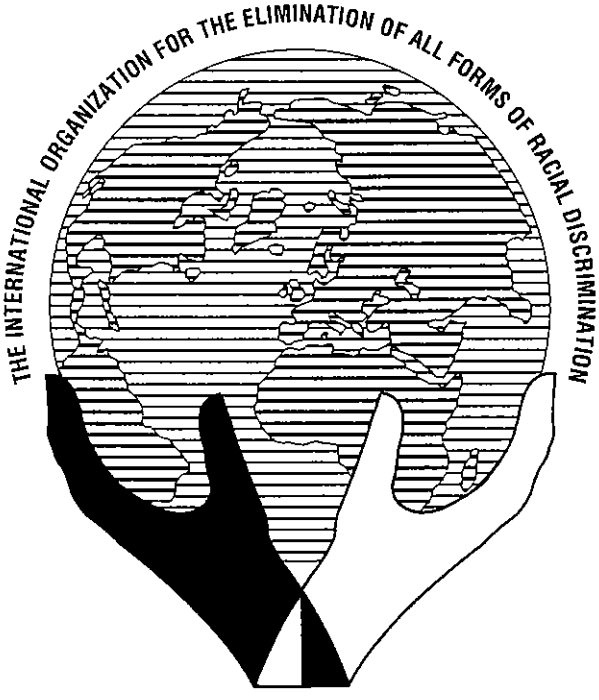
Discrimination & Conflict



TÜRKKAYA ATAÖV

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IN DEDICATION

To the following inspiring educators

HILARY SUMNER BOYD

DAVID A. GARWOOD

CHARLES S. MACNEAL

SARAH S. MACNEAL

GEORGE W. WILLIAMS

On my behalf and

On behalf of the Class of RC'51

T.A.

PREFACE

All the United Nations organs dealing with human rights have been actively involved in the struggle against discrimination, which is permanently dealt with in the General Assembly, the Economic and Social Council, and the Commission on Human Rights as well as in the latter's Sub-Commission on Prevention of Discrimination and Protection of Minorities. The United Nations has been successful in the elimination of such institutional forms of discrimination as colonialism and *apartheid.* However, not only *all* forms of discrimination are not yet eradicated, but the international community is experiencing new, mounting waves of bias, exclusion, racism and violence. Hence, the need to struggle against all forms of discrimination is more obvious now than before.

The International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD) is an international human rights organization, whose philosophy and activities are grounded in the principle of equality in dignity and rights for peoples and individuals. Calling for a return to the rule of international law and its progressive development along the lines of equity and justice, EAFORD pays special attention to the analysis of and struggle against all forms of racial discrimination.

EAFORD has been active for more than two decades as an independent, non-governmental international organization dedicated to the upholding and promotion of the International Convention on the Elimination of All Forms of Racial Discrimination, adopted by the United Nations General Assembly (1963). It derives both its name and inspiration from that International Convention. Since its establishment, EAFORD has engaged in a number of activities and projects, often in cooperation with the United Nations or non-governmental organizations concerned with the elimination of racial discrimination.

EAFORD convened conferences, participated in seminars, published books, journals and bulletins, granted Fellowship Awards to doctoral students, and presented several annual International Awards for the Promotion of Human Understanding in recognition of outstanding published works. It has taken as its mandate to conduct, support and publish scholarly research on racial discrimination as it related to South Africa, Palestine and the indigenous peoples in general. In recognition of its activity in this field, EAFORD has been granted Consultative Status (Category I) by the UN Economic and Social Council (ECOSOC) and by the U.N. Educational, Social and Cultural Organization (UNESCO). EAFORD's Executive Council received (1987) a special "*Peace Messenger*" award by the U.N. Secretary-General (Javier Pérez de Cuéllar), "*in recognition of a significant contribution to the programme and objectives of the International Year of Peace*".

The composition of EAFORD is multi-ethnic, multi-religious and international in character. Dr. Türkkaya Ataöv, the author of the present volume entitled **Discrimination and Conflict**, is a professor of international relations and a member of the central Executive Council of EAFORD, which includes distinguished persons in the field of human rights and struggle against racial discrimination. Several of this author's works were previously published by EAFORD's bureaus in London, Montreal, Paris and Washington, D.C. The Institute of African Studies of the University of Bophuthatswana (Republic of South Africa) awarded him in 1993 "Citation of Meritorious Contribution to African Scholarship" which spans three decades.

Professor Ataöv's present monograph treats various kinds of *discrimination as sources of conflicts.* It gives examples of such attitudes and behavior with actual or potential features for conflict in various regions and countries, in addition to non-geographical realms of concern. The topic of this research was initially suggested to him by the Paris headquarters of UNESCO, which has copies for office use. Several changes and additions have been made in this new text in print. Opinions expressed in **Discrimination and Conflict** and the choice of the material in it do not necessarily represent or bind

EAFORD, as it is the case with all our publications, nor are they necessarily shared by UNESCO or the United Nations. We are pleased to present this research to the perusal of the general reader as well as experts in the field.

The International Organization for the
Elimination of All Forms of Racial
Discrimination (EAFORD),
Geneva, Switzerland.

The author expresses its gratitude to the UNESCO headquarters in Paris for permitting him to print this expanded and updated version of a much shorter report originally submitted to UNESCO upon the latter's request, and acknowledges that the views expressed are his and not necessarily those of UNESCO, or anyone of the sponsors of this publication.

CONTENTS

I. INTRODUCTION

Discrimination is the denial to some members of a state or society certain rights and/or privileges which other members enjoy. Some individuals or groups are targets of "categorical discrimination" because they are socially assigned to a particular category whether "by reference to race, religion, gender or any of the criteria used to divide members of a society."[1] The term connotes an unfavorable treatment of some people based on the legal description, conviction or assumption that they are supposedly more likely to possess negative attributes. The others enjoy more rights and/or privileges because of their "allegedly superior birth or their economic status, education, or occupation."[2] Some of that discrimination is racial when unequal treatment is accorded by custom or law to some of the community's members on the basis of colour or other assumed racial characteristics.

Although some societies do not require what they call "identical treatment" and permit classification, provided that it is "reasonable",[3] discrimination as such, in most cases, if not in all, is a source of national and/or international *conflict.*[4] The constitutional system and its subsidiaries are built and practiced on the assumption of the superiority of some and the inferiority of others. In time, the privileged become more privileged, and the deprived become more deprived. To protect its prerogatives, options or exemptions, the dominant group may resort to more and more oppression, intensifying conflict. The antagonism may reflect various forms of clashes, including bloody confrontations. The conflict will tend to persist until the discrimination is eliminated.

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[1] E[rnest] Ellis Cashmore, **Dictionary of Race and Ethnic Relations,** London, Routledge, 1988, p. 79.

[2] Edward Conrad Smith and Arnold John Zurcher, **A Dictionary of American Politics,** New York, Barnes and Noble, 1944, p. 102.

[3] Jack C. Plano and Milton Greenberg, **The American Political Dictionary,** 8th ed., New York, etc., Holt, Rinehart and Winston Inc., 1989, p. 273.

[4] B.N. Ponomareva, **Politicheskiy Slovar,** Moscow, Gosydarstvennoe Izdatel'stvo Politicheskoy Literaturi, 1958, p. 175.

including bloody confrontations. The conflict will tend to persist until the discrimination is eliminated.

After a short reminder of the principle of non-discrimination in the U.N. system and the overlapping connection between human rights and minority rights, this research aims to draw attention to various examples of discrimination, with actual or potential features for conflict, in different parts of the world. In spite of references to numerous cases in all continents, this study purports neither to mention all instances of discrimination, nor to treat every mentioned situation in exhausting detail. Some of these many examples have caused or are likely to cause armed conflicts, with dimensions threatening international peace and security. Others may be mere antagonisms, on the strength of which conflicts may accelerate to unpredictable dimensions. Some basically non-geographical realms of concern, such as women's rights, on the other hand, remain matters worthy of attention although not necessarily alarming in terms of potential collision.

II. THE UNITED NATIONS SYSTEM

The United Nations system developed in a way upholding non-discrimination although the 1945 San Francisco meeting, which created that leading universal international organization, actually brought together mostly the representatives of the industrialized countries of the North (or the Northwest).[1] The emergence of non-discrimination, and more comprehensively human rights, as major areas of international concern, was not anticipated then.[2] One cannot think of the United Nations as an independent force in international affairs, separate from the major operative forces in world affairs. In the immediate post-war period, colonialism fell within the general international domain. It was within that framework that the drive to decolonization has been a major feature of U.N. politics, whose proceedings came to be dominated by two cold wars, one between the West and the East, and the other between the North and the South.[3]

The United Nations, becoming more and more a forum of discussions pertaining to Western colonialism, presided, in a sense, over its termination. The success of the anti-colonial forces was one of the major achievements of the United Nations. Consequently, not only the composition of the organization changed, but international affairs became de-Europeanized, and world politics became that of the whole

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[1] For a recent analysis as to how Washington dominates today's U.N. and how it all began, see: Phyllis Bennis, **Calling the Shots,** New York, Interlink Publishing Group, 1996, especially pp. 1-20.

[2] Noting that the United States Government had a contradictory impact on the emergence of human rights as a global issue in 1945 when the United Nations was established, Professor Richard Falk (Princeton University, USA) considers its relevance to foreign policy now when the ending of the Cold War created new challenges for policy-makers. See: "Refocussing the Struggle for Human Rights: The Foreign Policy Illusion," **Harvard Human Rights Journal,** IV (Spring 1991), pp. 47-67.

[3] Three decades ago, Professor Inis L. Claude, Jr. gave attention to the effects upon the U.N. of the three great "seismic" phenomena in the international political realm - the thermonuclear revolution, Cold War, and decolonization. See: **The Changing United Nations,** New York, Random House, 1967.

world. The newcomers were ex-colonial, anti-colonial, non-European, non-Northwestern, non-white, and economically underdeveloped. They had common problems, aspirations and sets of priorities. As new members of the United Nations, they acquired a formidable voting strength in the General Assembly. The newly independent states of formerly discriminated peoples, not only enhanced the significance of this U.N. organ, but also dominated it, in which international politics inevitably became involved. Much of its activity might have been speeches and non-binding recommendations, but the formerly discriminated entities have, since then, become actors on the international stage.

Consequently, belief in non-discrimination lay at the very heart of the written instruments of the United Nations system. The United Nations has undertaken the duty of drafting legal instruments containing detailed provisions.[4] Neither the Universal Declaration of Human Rights (1948), nor the International Covenants (1966) define "discrimination". Its partial definitions may be found in conventions or declarations dealing with specific kinds of discrimination. The Universal Declaration considers everyone to be equal before the law and entitled "without any discrimination" to equal protection of the law. The U.N. Charter (Article 1/3) refers to rights and freedoms for all "without distinctions to race, sex, language, or religion". It expressly mentions only these four criteria, broadened by the Universal Declaration which adds "colour, political or other opinions, national or social origin, poverty, birth or other status".

The first international treaty dealing with an aspect of racial discrimination was the Convention on the Prevention and Punishment of the Crime of Genocide (1948). Particular expressions of the same

[4] Texts in: Ian Brownlie, ed., **Basic Documents on Human Rights,** Oxford, Clarendon Press, 1981. Also: Januesz Symonides, ed., **The Struggle Against Discrimination: A Collection of International Instruments Adopted by the United Nations System,** Paris, UNESCO, 1996, pp. 79-318. For a summary of United Nations actions against discrimination: Januesz Symonides, "The United Nations System Standard-Setting Instruments and Programmes Against Discrimination: Introductory Remarks", **ibid.**, pp. 3-43; Also see: Anis Al-Qasem, **An International View of Racial Discrimination,** London, EAFORD, 1981.

concept are dealt with in a number of conventions. For instance: the Convention relating to the Status of Refugees (1951), the International Convention relating to the Status of Stateless Persons (1954), the International Convention on the Suppression and Punishment of the Crime of *Apartheid* (1973), Additional Protocol (1977) to the Geneva Conventions (1949) on the Protection of Victims of International Armed Conflicts, the Conventions against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984), the International Convention against *Apartheid* in Sports (1985), and the Convention on the Rights of the Child (1989).

It was the United Nations General Assembly that took steps to treat the subject in global terms. UNESCO supported such moves with statements and conventions. The U.N. system shouldered the responsibility of struggling against discrimination by taking one measure after another to prevent it in fields hitherto neglected. Challenges, however, accompanied the achievements.

The General Assembly adopted (1963) the United Nations Declaration on the Elimination of All Forms of Racial Discrimination and, two years later, the International Convention on the same. The latter, adopted by 106 to none, gives a definition of racial discrimination. It is "any distinction, exclusion, restriction or preferences based on race, colour, descent, or national or ethnic origin which has the purposes 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." The International Organization Against All Forms of Racial Discrimination (EAFORD), affiliated with U.N. (ECOSOC and UNESCO), was established in 1976 to help reject, uproot and remove discrimination. The ILO Convention (No. 111) concerning Discrimination in Respect of Employment and Occupation applies the same concept within the said framework.

The two U.N. Covenants (1966), besides enumerating a number of civil, political, cultural and economic rights, prohibit the advocacy of national, racial or religious hatred, and specifically mention the rights of members of ethnic, religious and linguistic minorities. The Covenants also require implementation at the

international and national levels. They foresee systems for reporting inter-state complaints. The Optional Protocol gives a right of petition to individuals. The same is true under the Convention on the Elimination of All Forms of Racial Discrimination (Article 14/1), the American Convention on Human Rights (Article 44), and the European Convention on Human Rights (Article 25). The last three, however, do not contain a minorities article, like the Covenant on Civil and Political Rights (Article 27).

The U.N. bodies most closely connected with questions of human rights and non-discrimination have been the Commission of Human Rights (created by ECOSOC) and the Division of Human Rights (of the U.N. Secretariat). A Sub-Commission on the Prevention of Discrimination and the Protection of Minorities has been created. There exists a Committee on the Elimination of Racial Discrimination to consider and comment upon reports from states as to the measures they have taken to give effect to the related convention and to receive complaints on alleged breaches. There is also a Commission on the Status of Women.

The U.N. General Assembly declared the years 1973-1983 as the Decade for Action to Combat Racism and Racial Discrimination. World conferences were held on the same subject. As a result of the second conference, the General Assembly proclaimed 1983-1993 as the Second Decade to Combat Racism and Racial Discrimination. The basic objectives of the Second Decade were to promote rights for all without distinction as to race, colour, descent or national/ethnic origin, to eliminate racial discrimination and to abolish régimes and policies based on racism.

Recognizing the importance of national legislation in combating discrimination, the second world conference recommended, *inter alia,* that governments should guarantee non-discrimination on grounds of race and equal rights in their constitutions and legislation, that they remove from existing laws all discriminatory provisions and bring legislation up to the standards set by international instruments. States are obligated not to practice, sponsor or support racial discrimination. Positive obligations are placed on them to apply standards of behaviour in addition to the enunciation of principles. The attitudes of the states are not measured

simply by reference to legislation, but also by actual practices. The compilation of national legislation against racial discrimination was one of the targets of the Second Decade. Others included the preparation of model legislation, of courses for legislative draftsmen, of seminars on community relations and a manual of existing national institutions promoting harmony and opposing discrimination.

The United Nations obtained significant results as illustrated by the independence of Namibia, the dismantling of *apartheid* in South Africa, and the ratification of the convention on racial discrimination. The international community has been concerned, however, by the rise of discrimination and other demonstrations of intolerance that engulfed "ethnic cleansing" in Bosnia as well. At the World Conference on Human Rights (1993), the need for comprehensive elimination of all forms of racism, discrimination and related intolerance was described as a "priority task". As part of this new crusade, the U.N. General Assembly proclaimed a Third Decade (1993-2003) and adopted a Programme of Action, which contains the following essential elements: action at the international, national and regional levels; basic research, coordination and reporting; and regular system-wide consultations. The U.N Commission on Human Rights appointed a Special Rapporteur mandated to study both institutionalized and indirect forms of racism and racial discrimination, to report on racist acts of violence, and to examine incidents of its contemporary forms.

UNESCO pioneered various studies that underlined the unscientific foundations of racism. The Statement on Race (1950) and the Statement on the Nature of Race Differences (1951) repudiated the theories of racial superiority. Proposals on Biological Aspects of Race (1964) explained physical differences in terms of historical, social and cultural factors. The Statement of Race and Racial Prejudice (1967) exposed prejudice behind racist theories. UNESCO's Declaration (1978) on the same topic stated that all human beings were descendants of a common stock and that discriminatory prejudice was without any justification. UNESCO's Director-General submitted several reports, based on information given by members, on the implementation of the said Declaration.

UNESCO's Convention Against Discrimination in Education (1960) aims at adopting measures to promote equality of opportunity as well as eliminating bias. UNESCO also made recommendations to surpass the difficulties that some members, especially those with federal structures, might face in ratifying the Convention. One of UNESCO's General Conferences (1978) adopted a Declaration inspiring and encouraging the mass media to contribute to eliminating misunderstanding between peoples and to make nationals of a country open to the perceptions of other peoples.

It was on UNESCO's initiative that 1995 was proclaimed the United Nations Year for Tolerance. "Active tolerance" implied to acknowledge differences and show respect for them. UNESCO's Declaration of Principles on Tolerance (1995) described that concept as "harmony in difference".

In pursuance of the Charter prohibition of distinction on religious basis and the right to belief in the Universal Declaration, the General Assembly adopted (1981) the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, which aspires to prevent intolerance in this respect, and offers some clarification concerning the contents of freedom of religion.

Since the U.N. Charter reaffirmed faith "in the equal rights of men and women", a Commission on the Status of Women was established (1946) to promote women's rights. The recommendations of the latter led to the Convention on the Political Rights of Women (1952), the Declaration (1967) and Convention (1979) on the Elimination of Discrimination Against Women, and the Declaration on the Elimination of Violence Against Women (1993). ILO's Convention (No. 200) concerns equal remuneration for men and women for work of equal value (1951). While the Convention on political rights is the first universal instrument binding members, the Declaration on violence rejects the historically unequal power relations between genders. The year 1975 was the International Women's Year, and the period 1976-85 the U.N. Decade for Women. Some progress has been achieved thanks to the Copenhagen Programme of Action (1980), the Nairobi Forward-Looking Strategies

for the Advancement of Women (1985) and the Beijing Action for Equality, Development and Peace (1995).

The General Assembly adopted two declarations and a set of principles against discriminatory treatment of disabled persons. The Declaration on the Rights of Mentally Retarded Persons (1971) accentuates their rights to protection from exploitation, abuse and degrading treatment. The Declaration on the Rights of Disabled Persons (1975) states that they have the same civil and political rights as others. The Principles for the Protection of Persons with Mental Illness and Improvement of Mental Health Care (1991) constitute a set of guidelines to define the rights of such people. The year 1981 was the International Year for Disabled Persons and the period 1983-92 the Decade for Disabled Persons.

The Declaration on the Human Rights of Individuals Who Are Not Nationals of the Country in Which They Live (1985) states that such persons should enjoy the rights to life and security, to protection against arbitrary interference, to equality before courts, to retain original language and culture, to freedom of thought and belief, and to transfer personal monetary assets.

In spite of achievements in attempts to prohibit discrimination, there are also challenges especially in the realm of implementation of international standards.[5] Some instruments, such as the 1985 Declaration mentioned above, do not contain any provisions concerning their implementation. Further, in spite of certain declarations, the program of action and adopted principles in favour of health care, peoples living with HIV/AIDS, even those presumed to be infected, continue to be discriminated against in law and practice. Similarly, although there has been progress for the advancement of women, not only the ground gained globally has been uneven, but inequalities between genders persist and major obstacles remain. Women's access to education is still restricted in many corners of the world, measures to prevent violence against them have not been globally implemented with success, trafficking in women is far from

[5] Rudiger Wolfrum, "The Implementation of International Standards on Prevention and Elimination of Racial Discrimination: Achievements and Challenges", **The Struggle Against Discrimination, op. cit.,** pp. 45-78.

having been eliminated, and discrimination in employment still lingers.

While some conventions are not legally binding for lack of minimum number of ratifications, or many parties have deposited reservations, discrimination persists and even grows adopting new forms, including instances of violence principally based on religious or ethnic intolerance.

Generally speaking, the implementation of international human rights instruments is the responsibility of the parties themselves. There exists in some instruments, however, an implementation system for the review of fulfilment of obligations on the parties. For instance, the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination consists of a reporting procedure, state-to-state complaints and the right of petitions by individuals or groups, who are presumably victims of violations. While parties submit to the U.N. Secretary-General reports on adopted measures within a year after the entry into force of the Convention, and thereafter every two years, monitoring is done by a committee of eighteen experts who collect facts and make recommendations. However, some parties do not recognize the existence of national groups apart from the dominant one, and some periodic reports are excessively overdue.

Examples illustrate that the implementation system has improved in the last few decades. While some existing procedures such as fact-finding have no room for further improvement, individual complaints may evolve to something better if more states accept the procedure. Nevertheless, no matter which existing system is pursued, the fact that reaction is possible only after violations occur is an inherent weakness. The implementation system to eliminate discrimination should also include early warning measures to prevent the build-up of conflicts.

III. HUMAN RIGHTS, MINORITY RIGHTS AND INDIGENOUS PEOPLE

The protection of minorities became an international concern only after the First World War.[1] Treaties supervised by the League of Nations put emphasis on the right to life and liberty of the minorities, their equality before the law, the free exercise of their religion, and their freedom to organize educational programs ensuring elementary instruction of children in their mother tongue.

Although non-discrimination was one of the basic principles of the United Nations Charter, the concept of explicit minority protection was not enshrined in it. It was then believed that the best way to safeguard minorities was to encourage respect for the human rights of all. With the influence of the "countries of immigration", mainly those in the Americas, active in the San Francisco Conference (1945), there was a move from the League of Nations minority rights régime to the concept of general human rights on a non-discriminatory basis. Nothing can be found in the text of the U.N. Charter to separate the two concepts. The principles in the Preamble and Article 1/3 are repeated in Articles 13, 55 and 76, making the achievement of human rights on a non-discriminatory basis one of the main aims of this international organization.

Likewise, the Universal Declaration of Human Rights (1948) refers to the principles of "non-distinction", entitling everyone to

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[1] In certain parts of the world, however, even during the Middle Ages and after, there had been some recognition of minority rights especially pertaining to religious groups. In the Ottoman Empire, for instance, in contrast to the Spanish, German and Roman Inquisitions, the Turkish sultan assured the Greek Orthodox people of his domain, of religious freedom and gave their patriarch civil authority as well, creating the "nation" (*millet)* system, on the basis of his Islamic law and practice, of autonomous self-government under their own leaders, later extended to the Armenians, the Jews, the Catholics and the Protestants. The laws of the non-Muslim *millets* were elaborated and enforced by their own representatives. Stanford J. Shaw, **History of the Ottoman Empire and Modern Turkey**, Vol. I, Cambridge, Cambridge University Press, 1977, pp. 58-59, 134-135, 161-173, 315-316.

rights and freedoms "without distinction of any kind" (Article 2). Although there was an attempt to include an article on minorities, on the part of the Eastern European states (supported by Belgium, India and, with reservation, Turkey), the overwhelming majority at the time thought that the best way was to respect and promote human rights in general. But the debates proved that minority rights were a part of and condition for human rights.

The Convention on the Prevention and Punishment of the Crime of Genocide (1948) was the first of the post-war general convention with a bearing on minority protection. The word "genocide" occurs in the indictment (1945) against major German war criminals, accusing them of conducting "deliberate and systematic genocide," particularly against Jews, Poles and Gypsies.[2] The first international agreement relating to the right of persons belonging to minorities was the UNESCO Convention against Discrimination in Education (1960), which stated (Article 5) that it was essential to "recognize the right of members of national minorities to carry on their own educational activities, including...the use or the teaching of their own language".

The absence of reference to minority rights in the U.N. Charter did not prevent that international organization, however, from acting on the issue. The concepts of "discrimination" and "minorities" may well be considered as the two sides of the same coin.[3] As mentioned above, the United Nations formed a Sub-Commission that included in its title a reference to the "protection of minorities" as well as to the "prevention of discrimination". At its first session, the Sub-Commission defined the former as the protection of non-dominant groups which wish to preserve basic characteristics that distinguish them from the majority, and the latter as the prevention of any action which denies to individuals or groups of people equality of treatment. The two concepts were complementary, although one required positive action such as the right to publish in the minority tongue, and

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[2] **Trial of the Major War Criminals before the International Military Tribunal, Nuremberg. November 14, 1945 – October 1, 1946,** Vol. I, pp. 406 ff.

[3] W. McKean, **Equality and Discrimination Under International Law,** Oxford, Oxford University Press, 1983, p.159.

the other promoted equality by a negative approach through the elimination of unequal treatment.[4]

The four UNESCO statements referred to in the previous section underlined the most important means of preserving the identity of a group. It was the specific study (1977) of the Special Rapporteur of the Sub-Commission dealing with the minorities that analyzed the concept of minorities, evaluated their protection since 1919 and suggested how their rights could be safeguarded in contemporary times. The UNESCO Declaration on Race and Prejudice (1978) referred to the forced assimilation of members of disadvantaged groups. Although not a binding treaty, but nevertheless adopted unanimously, it stated that all groups and individuals had a right to be different (Article 1), condemned religious intolerance (Article 3), and criticized the practice of some states which considered the existence of only one culture on their land (Article 5). Similarly, although the International Convention on the Elimination of All Forms of Racial Discrimination is concerned with racial groups and not necessarily with minorities, the latter are the victims of racial discrimination in most cases. There is also overlapping between the issues of minorities and indigenous groups.

Although some states and experts seemed committed to the view that a régime of non-discrimination was sufficient to ensure human rights, others asserted that there existed some difference between "prevention of discrimination" and "protection of minorities". The U.N. Commission of Human Rights, composed of the representatives of member states, reflected the tendency of states which considered assimilation as necessary for nation-building and for security. Consequently, interest in minorities subsided until Article 27 was inserted into the International Covenant on Civil and Political Rights (1966), and further developments took place on that basis. Article 27 states that the minorities should not be denied the right to enjoy their own culture, to profess and practice their own religion, or to use their own language. In the meantime, the Sub-Commission on the Prevention of Discrimination and Protection of Minorities started a

[4] Scholarly work on the protection of ethnic, religious and linguistic groups as a concern of international law by Patrick Thornberry, **International Law and the Rights of Minorities,** Oxford, Clarendon Press, 1991.

series of studies on discrimination, involving education, employment, political rights, religious rights, residence, immigration movement, justice, racial discrimination and slavery.

The ILO Convention (No. 169) concerning Indigenous and Tribal Peoples in Independent Countries (1989) provided that they would "enjoy the full measure of human rights and fundamental freedoms without hinderance and discrimination." The study of the Sub-Commission, completed in 1993, of the problem of discrimination against such people[5] cannot be transmitted to the General Assembly for adoption because some articles of the draft declaration concerning self-determination or land rights proved to be controversial. However, the General Assembly proclaimed 1993 as the International Year for the World's Indigenous People and further declared an International Decade starting with 1994, accompanied with a program of Action for the Decade. A major objective of the Decade is the adoption of the Declaration already drafted.

[5] Anis Al-Qasem, **Racist Regimes and the Land of the Indigenous Peoples,** London, EAFORD, n.d.

IV. NORTH AMERICA

Indigenous peoples had settled in North America,[1] and in the whole of the Americas, thousands of years before the Europeans came and dispossessed them, establishing their own communities and governments. Millions of the original inhabitants were either killed or died of disease, and the rest put in reservations in parts of what later came to be known as Canada and the United States of America. In Mexico, on the other hand, the Spanish conquerors mixed with the indigenous people creating the *mestizos.* The first Europeans might not have survived had it not been for the assistance of the original inhabitants of the new continent.

Various minorities were pressured, sometimes assentingly, into a "melting pot" in the United States, and Canada allegedly pursued a policy of harmony between the founding peoples. The original inhabitants of this vast continent, namely the so-called "American Indians", were pushed to reservations or slums with occasional mixing with other races. The Inuits ("Eskimos") of Canada also faced the destructive effects of colonization on aboriginal societies, the Afro-Americans, still receive unequal treatment, and the Catholic French-speaking Canadians, representing a minority culture, are coerced under the dominance of the Anglo-Saxon one. Mexico has been home to fewer immigrants and moreover exported its own people to the north. More than half of the U.S. residents and the inhabitants of the large Canadian cities will probably be members of the new minorities in the first half of the next century.

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[1] Alex Roslin and Carl Wilson, "North America", **World Directory of Minorities,** London, Minority Rights Group International (hereafter MRG), 1997, pp. 2-52. MRG is an international research and information unit to secure justice for groups suffering discrimination, to help prevent such problems from developing into dangerous conflicts and to foster international understanding of the factors which create prejudiced treatment.

The United States is a "nation of immigrants".[2] But the system favoured those most who had the good fortune of being white Protestants.[3] Politics, including the two-party system, constituted the major leverage enabling the white majority to secure its dominating role practically in all aspects of life, and in almost all parts of state machinery. The element of rivalry between the contending forces is one within a single complex. The question of alternative is not one to the system as a whole but in terms of selecting the means to sustain the existing order. For this common purpose, most Democrats may stand for increased use of government while most Republicans would restrict it. If there is a new upsurge of mass protest movements, the ruling party, usually the Democrats, make some concessions, and when the wave of protest recedes, the governments are less inclined to make concessions. Consequently, the stands of the two parties on racism and discrimination inevitably converge in time.

Many U.S. minorities, therefore, continue to suffer alienation, discrimination, disease, disenfranchizement, dispossession, poverty and unemployment. Catholics like the Irish, Italians and Poles no longer face prejudice, but there are more Native Americans, blacks and Latino convicts in prisons than whites, and these three community members receive death sentences more often than whites. There is even organized anti-Semitic violence in spite of the overwhelming weight of the Jewish pressure group.

While the "American Indians" (or the "Redskins"), inaccurately so named by the white immigrants, had scattered all over the American land mass from the very north to the southern tip, reflecting the diversity of the pre-Columbian tribes or Nations,[4] have nevertheless a common identity in relationship to white America, there is an expansion of the Hispanic communities throughout the United States. In addition to more than a million original inhabitants in the United States, there are more than eight million Mexican

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[2] John F. Kennedy, **Nation of Immigrants,** New York, Harper Collins, 1994.

[3] Henry Steele Commager, **The American Mind,** New Haven, Conn., Yale University Press, 1950. Also: Ronald Walters, **White Racial Nationalism in the United States**, London, EAFORD, 1987.

[4] A general source on history: Angie Debo, **A History of the Indians of the United States**, Norman,Okla., University of Oklahoma Press, 1970.

Americans, more than two million Puerto Ricans, about 800,000 Cubans and groups of others, identified as "Hispano", "Latino" or "Spanish Americans", some of whom are targets of discrimination in terms of race and socio-economic status.

Much reduced by warfare and disease in the past, the "American Indians" are very poor and discriminated against. While the white authorities are not responsive enough to their grievances and recommendations, the tendency among the tribes to create and move towards their own goals in their own way strengthens. There is conflict, not only between some whites and the original Americans, but also between the traditionalists and the assimilated Indians.[5]

Probably the descendants of nomadic hunters who crossed, during the last Ice Age, the land then between Alaska and Asia, they are now the most depressed ethnic group in the United States, their average *per capita* income being lower than those for Afro-Americans and Hispanics. "These pernicious creatures", so described by the Puritan Cotton Mather, were hunted down mercilessly almost to the degree of total obliteration. Reduced to about a tenth of its pre-Columbian population and expected to disappear completely, they are now on the rise by half a dozen-fold. In addition to deaths caused by diseases that the white immigrants had brought to the New World, the competing European colonialists, such as the British and the French, allied one or the other tribes causing the extinction of many Indians in the hands of their brethren.

The United States had dedicated Indian-fighters like Andrew Jackson for president, who challenged Chief Justice of the Supreme Court for his judgment that the Indians retained their original natural rights, by exclaiming: "John Marshall has made his decision–now let him enforce it". Colonel Chivington struck (1862) without warning a Cheyenne encampment, flying the Stars and Stripes, scalping even screaming women. Army fire (1890) on the Oglala Sioux dancers at Wounded Knee ended the armed conflict that had begun three centuries ago.

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[5] On American Indians' emancipation drive: Alvin M. Josephy, Jr., **Red Power: The American Indians' Fight for Freedom,** New York, American Heritage Press, 1971.

Asserting that they had no capacity to own property and hoping that they would somehow disintegrate, the American Government took much of their land even after the settlement at the end of the Indian Wars of the 1880s. To the Indian, the government-sponsored Bureau of Indian Affairs (BIA) looked unsympathetic and even oppressive, bent on keeping the original inhabitants of this land submissive. As evident in the case of land rights pertaining to Northern Cheyenne coal or water-rights related to Lake Winnemucca, the Indians were the losers in virtually all conflicts.

While the Dawes Act (1887) opened Indian lands to white settlement, awarding in the process only the racketeers and speculators, the Merriam Report (1928) shocked the nation by its realistic descriptions. In spite of a new (1933) Commissioner for Indian Affairs (John Collier) and a sympathetic legalist (Felix S. Cohen) who confirmed the Indians' original natural rights, the dominant thinking was to absolve them in the general population even if that meant to force them to plunge, unprepared, into urban life. President Johnson's Economic Opportunity Act (1964) gave only $4 million during the first year. President Nixon could restore only the Blue Lake to them, after a long legislative fight. The Alcatraz occupation (1969), the "Trail of Broken Treaties" (1972) and the resistance at Wounded Knee (1973) were all Indian protests striving to remind the public of accumulated grievances. While nearly half of them now live in the alien atmosphere of cities, the conditions on most reservations, several of them restricted in economic potential, are shocking.

After centuries of warfare and ethnocide, recent American administrations helped introduce some legislation which give the Indians greater control over their lives but still only skin-deep failing to protect the average men and women against insolent majority attitude. The BIA was later headed by the natives themselves, but the U.S. Congress can limit or eliminate tribal sovereignty rights. Even the American Indian Religious Freedom Act, supposedly to "preserve and protect" the rights of the Native people to pursue their spiritual beliefs, has no enforcement mechanism. One may also bear in mind that almost all of the uranium in the United States is under the Native land.

In addition to the Indians, the Mexican American people constitute the other indigenous national minority[6] in the United States. For more than a century, the Mexican Americans were the "forgotten people" or the "step children". *Paso por aqui.* As they became known as *Chicanos,* the recognition was more on account of growing numbers. There are about eight million Mexican Americans who live in the United States, another eight million maintaining in the meantime Mexican citizenship. They have claims, not only to history, but also to large areas of the land. Many Mexican Americans felt that they had become minorities in their own former lands. The Simpson-Rodino Immigration Reform and Control Act (1986), which increased the powers of the border guards, led to the escalation of abuse of that new authorization. The insistence of the Mexican Americans on their national identity, on the one hand, and ability to integrate with an opposing culture, on the other, led them to achieve a synthesis of cultures. The conflict may be solved either by defining themselves as a national minority with a particular identity or joining a pluralistic people who form a unique nation.

The Puerto Ricans are one of the most disadvantaged among the Hispanic peoples.[7] More Puerto Ricans live in New York City than in San Juan, the island's capital. With three million people on the island and more than two million in the United States, Puerto Rico is at times described as a divided nation. Almost half of those living in the United States were born there. There are income differentials, which reflect discrimination in hiring and promotion. They made little headway in some trade unions. Their voting rate is less than the non-Spanish electorate. They have not achieved parity of office holding commensurate with their population size.

The Afro-Americans, who make up about 12% (30 million) of the population of the United States, are descendants of slaves imported in the 18th century. White prejudice against the blacks did not begin in America, but in the British Isles, dramatic evidences of

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[6] Leo Grebler **et al.**, **The Mexican-American People,** New York, The Free Press, and London, Collier MacMillan, 1970.

[7] A U.S. official approach to the Puerto Rican dilemma: Comptroller General of the United States, **Report to Congress: Puerto Rico's Political Feature: A Divisive Issue with Many Dimensions,** Washington, D.C., U.S. General Accounting Office, 1981.

which may be seen in some of Shakespeare's plays, including **Othello**. But to the white Americans, after expanding into places with "darker natives", such as the Mexican territories, Hawaii and the former Spanish colonies, racism not only became dominant in an objective sense, but there was an explicit ideology of such dominance.[8]

Some brutal men from Western civilization tore more than 100 million blacks from their native soil, stacked them in the unhealthy holds of ships, threw the sick and the dead into the ocean, and hurled them into a hostile environment where they are still experiencing a new birth. They tilled the cotton, rice, sugar-cane and tobacco for the few "Lords of the Land", and they worked as servants and porters for the "Bosses of the Buildings".[9] While those who raised cotton to clothe the nation did not have mattresses to sleep on for generations, their exploitation brought to some others billions of super-profits. The bleeding bodies of the blacks were dragged, at times, through the streets, and swung by ropes from the limbs of the trees.

Race relations were regulated by law, which controlled the black population. The black person grew up with no belief that law would serve him. It functioned, for a long time, to ensure white domination over the blacks. This had been the case until the end of the Civil War (1865). The white society turned its back, however, on the Reconstruction, which had favoured the former black slave once military force behind it was removed. What ensued was reversion to segregation and the intimidation of the "Negro" to the extent of lynching.

For decades, the three centers of political power in the United States promoted racial discrimination or were at least indifferent to it. For instance, the U.S. Supreme Court ruled (1896) in *Plessy v. Ferguson* that legislation was powerless to abolish distinctions based upon "physical differences" and that the federal Constitution could not

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[8] A classic: Gunner Myrdal, **An American Dilemma,** New York, Harper Collins, 1962.

[9] Richard Wright, **Twelve Million Black Voices,** London, Lindsay Drummont Limited, 1947.

put upon the same plane two races if one was "inferior to the other socially". In *Giles v. Harris,* it ruled (1903) not to annul the voting statute of the State of Alabama, which discriminated against the blacks, on the grounds that there would be no law under which they would qualify to vote, whether on equal terms or not. Even the cases of lynchings were considered to be beyond federal jurisdiction.

The Supreme Court began to repudiate some of the worst practices, including the notorious "voting grandfather clause" which bestowed the right to vote only to the descendants of those eligible in 1866. It was the desegregation decisions of the mid-1950s that horrified the South and shook the North. The decision (1954) in *Brown v. Board of Education* legally annulled desegregation of the races in public education. But it took federal force to admit (1962) a single student (James Meredith) to the University of Mississippi. President J.F. Kennedy chose to explain his action by reference to a court decree to avoid pledging his office to resistance against racial discrimination.

The Civil Rights Act (1964), which followed Martin Luther King's peaceful march on Washington and his "dream" speech, ended racial discrimination in most areas of public life, including job discrimination. The Voting Rights Act (1965) authorized the federal government to appoint its own officials to register black voters and to patrol polling stations. After King's assassination, the Civil Rights Act (1968) questioned discrimination in private housing. Black militancy, which helped "affirmative action" to increase the number of minorities in careers beyond tokenism, was a response to *de facto* discrimination that had survived while *de jure* segregation broke up.

With a revolutionary tradition in its short history from the War of Independence to the New Deal, the United States has not been able to change race relations in a radical way. The struggle of the Afro-Americans against slavery and racial discrimination contributed, however, glorious pages to the history of the democratic movement in the United States. The road to the shaking off of centuries of fear had to be long and hazardous. But the Afro-Americans have crossed the line the whites dared them to cross. Retreats after bold attempts were followed by anti-discrimination statutes and judicial decrees, which narrowed the gap of inequality. More crude forms of bias have been

eliminated. There has been undeniable headway in political participation. Afro-Americans vote freely and get elected or appointed to a number of high offices. Although the system of justice retreated, Colin Powell, Jesse Jackson and black mayors became successful Afro-Americans in the same country where Dr. King and Malcolm X were assassinated. The acquittal of Angela Davis[10] was as dramatic as her arrest. Racial segregation from the cradle to the grave seemed to have run its course, but an all-white jury found the police officers who beat a black man (Rodney King) not guilty, and a retrial gave them minimum sentences. Only in the 1990s did the United States ratify the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights and the Torture Convention.

Equal opportunity, however, does not mean much if the point of departure is not equal. New statutes and decrees do not redistribute wealth and narrow the other gap measured in economic terms. Some vestiges of racial segregation still remain, and unequal treatment occurs. While Afro-Americans can now be seen in every profession and the number of multiracial residential areas, the disparities of wealth, and all that they provide, continue.

In recent years, new black immigrants from Haiti, Guyana, Jamaica, and Somalia came to the United States. The free state of Haiti ("Land of Mountains"), proclaimed so in 1804 as the first black republic, was occupied (1915) by the Americans whose racist approach fueled societal divisions.[11] Especially after the Second World War, Haitians migrated to several lands in the vicinity. But, recently, an increasing number risked longer sea journeys to the United States, creating, in the process, a big illegal business. While U.S. coast guards intercepted boats, those already in the United States were discriminated against. The latter suffer the denial of rightfully earned welfare benefits and also invisible discrimination. Some of those who fled from the previous military rule faced death squads operating in the United States, reportedly with CIA awareness.

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[10] Angela Davis, **An Autobiography,** London, The Women's Press, 1988.
[11] Robert D. Heindl, Jr. and Nancy G. Heindl, **Written in Blood: The Story of the Haitian People: 1492-1971**, Boston, Houghton Mifflin, 1978.

Similarly, the Miami-based anti-Castro circles frequently intimidate Cuban refugees, who refuse to succumb to their control. The Asian-Pacific Americans now embrace the Indonesians and the Koreans in addition to the previous Chinese, Indians, Filipinos, and Japanese. All of these groups grow fast. Because Honduras and Mexico did not sign the Geneva Convention on Refugees, the U.S. Administration sought the assistance of officials from these two countries to intercept the new Chinese would-be immigrants. The prejudice against the Arab-Americans, at times extended to some non-Arab Middle Easterners as well, reached such dimensions that Arabs or Muslims in general were blamed for the Oklahoma federal building bombing (1995).

It may be instructive to remember that only a united front of white and black people had created the prerequisites for the defeat of the rebel slave owners in the Civil War and for the abolition of slavery. The end of the Cold War did not divert funds to the solution of problems of discrimination. Some minorities continue to be harassed, and newly organized racist activity escalates while the next century may see the American whites become a minority amidst the fast-growing coloured people.

The original Americans outside the United States have also begun to emerge from the shadows, demanding attention to their problems of neglect and alienation. In Canada too, where they suffered conquest, they have a marginal existence on the periphery of a larger and advanced society.[12] The aboriginals have been massacred, had intentionally killed by diseased blankets, had their lands confiscated, been forced to congregate in reserves, had their equipment destroyed, and been partly assimilated. Now living on worst land, less than 0.2% of the country's total area, they frequently face brutal treatment leading to addiction and suicide.

The native peoples in Canada are legally divided into three categories: "Status" Indians (who are under the direct responsibility of the federal government), "Non-Status" Indians (absorbed into the Canadian mainstream) and the Inuit (ethnically distinct from the

[12] Harold Cardinal, **The Unjust Society: The Tragedy of Canada's Indians,** Edmonton, Hurtig, 1969.

Indians). Canada's aboriginal peoples once owned that vast country from the Atlantic to the Pacific and from the Arctic circle to the Great Lakes and beyond. They have been unable to adjust to the white society of English and French settlers because they have been discriminated against. Amongst colossal wealth, they now live in squalor.[13] The image of the Amerindians in Canada's textbooks risk instilling into young people prejudice against them.[14] This image serves to deny rights to the native peoples and to justify attacks on them. While plans based on dogmatic theorizing about the natives have little relations with real problems, the debate on what is to become of the "Indian" in Canada is going on.

The 100,000 Inuit are the Arctic people of Canada, Alaska, Greenland and (Russian) Siberia as well as the Northern Far East. The word "Eskimo", which means "he eats it raw", is not generally accepted in Canada. The Canadian Inuit[15] (meaning "people" in their language) speak Inupiaq from north Alaska to Greenland, and Yupik from Siberia to south Alaska. The Inuit faced problems while entering, although unwillingly but inevitably, the complexities of our present-day world from their traditional semi-nomadic hunting life. In the process, they lost some hunting grounds and fishing rights on account of the James Bay hydro-electric (1971) and the Mackenzie Valley pipeline projects (1974). When the Inuit proposed division along the treeline, which ran from the Mackenzie Delta diagonally to the Northwest territories-Manibota border, separating the tundra, land of the Inuit, from the forest that were the home of the Indians and thereby establishing a new government in the eastern territory, to be called Nunavut ("Our Land"), the Canadian Government (of Pierre Trudeau) recognized that the north was going through a political ferment.

Some aboriginal rights, expressed in the constitution, exist only on paper. Facing threats to their culture in education, in the

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[13] From the pen of an activist: Charles C. Roach, **Canada's Aboriginals: The Struggle for Their Homelands,** London, EAFORD, 1983.

[14] Condensed version of the authors' prize-winning study: Sylvie Vincent and Bernard Arcand, **The Image of the Amerindians in Quebec Textbooks,** London, EAFORD, 1983.

[15] Short but pioneering: Ian Creery, **The Inuit (Eskimo) of Canada,** London, MRG, 1983.

extension of southern television service to the north and in the introduction of a mixed economy, the northern natives established (1977) the Inuit Circumpolar Conference, which has an NGO status at the United Nations. Tensions also rise between the Quebecois and the Native people over sovereignty and natural resources. The Native people and Afro-Canadians, close to 350,000 living mostly in Montreal and Toronto, are placed at the bottom of the social ladder. There are also Eastern Europeans like the Poles, Hungarians and Ukrainians, and Asians such as Chinese (one-third), Indians, Filipinos, Japanese and Koreans in Canada.

The Catholic French–speaking Canadians, who represent a minority culture, feel that they are co-founders of the country and long for equal status with the Protestant English-speaking people who constitute the dominant culture. The French are, not only a different ethnic group, but also aspire for a society unlike the one created by the English Canadians. That different sentiment led to the rise of a political party, *le parti Quebecois,* striving for an independent Quebec, as well as several terrorist groups, who exploded their first bombs in the early 1960s. This is the case of a society, in which a strong sub-culture, believing itself to be target of discrimination, asserts itself as another entity and even suggests itself to be independent, the majority favouring only greater autonomy for Quebec, where 80% of the 6.1 million French Canadians reside. They occupy, in the meantime, the bottom of the ladder, their birth-rate dropping rapidly. Their economy is controlled by the anglophone majority, and the new immigrants, (even Catholic Italians and the Portuguese) are assimilated by the English–speaking community. The future probably has a greater form of autonomy within a renewed federation in store. The pro-independence movement lost by one percentage point in the 1995 referendum.

The 56 indigenous peoples, the largest (10-20 million) of the Native population in the whole of the Latin American continent, and *mestizos,* some 55 million or 60% of the population, compose the majority of the Mexicans. However, economic and political power lies with the white elite. African Mexicans make up a little over 10% of total citizens. Having ratified the ILO Convention (No. 169), Mexico's legislation protects the indigenous people. But the latter continue to live in low economic standards, and are frequently abused

in various ways. Most African Mexicans barely survive. The Zapata movement brought this situation to world attention. It is generally asserted that environmental protection has been the central theme of this insurgency. It should also be added, however, that the Zapatista rebels started their uprising on the very day (1 January 1994) the North Atlantic Free Trade Agreement (NAFTA) was put into effect. The NAFTA favoured globalization or the interest of multinational corporations and the shifting of foreign capital to low-wage areas in Mexico. Conflict in the future may be lessened if some provisions of the Mexican Constitution, especially Article 4, are broadened to give greater rights and liberties to the indigenous communities, provided the changes are sincerely applied.

V. CENTRAL AND SOUTH AMERICA AND THE CARIBBEAN

Before Cristobal Colon (Christopher Colombus) reached the New World, the Maya and later the Aztec communities dominated North and Central America, and the nomadic groups were scattered in the south. While European conquest led to the creation of a mixed race (*mestizo*), some indigenous cultures continued to live especially in safer areas such as the Guetamalan mountains and the jungles of Honduras and Nicaragua. Afro-Central Americans constitute the other significant group.[1]

While South America also has various indigenous (*comunidad nativa*) and Afro-Latin America populations, discriminated immigrants make up the third major group of minorities. The Caribbean societies, in which isolated original peoples may also be found, are largely immigrants or their descendants.

Central America, heavily populated at the time of the Spanish conquest but lacking precious metals like gold, attracted few European settlers, leading to intermarriages from the outset. Although most of the local rulers after independence (1821) had Indian blood, and the term "native" was not always regarded as derogatory, they governed with the prevailing discriminatory ideas cultivated by the foreigners. Spanish was the only official language of politics and commerce. The "Indian" in Central America as well was at the bottom of the social ladder. As more evident in the case of the Caribs, who were treated as subhumans from the very outset, their lands shrank more and more.[2] It is not surprising under the circumstances that the Pansóz massacre (1978) in Guetamala ushered in a race war between the Indian

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[1] Patrick Costello, Lindsey Crickmay and James Ferguson, "Central and South America and the Caribbean", **World Directory of Minorities, op. cit.**, pp. 54-125.

[2] Two critical studies: T. Barry **et al., Dollars and Dictators : A Guide to Central America**, London, Zed Press, 1982; Roxanne Dunbar Ortiz, **Indians of the Americas: Self Determination and Human Rights,** London, Zed Press, 1984.

population and the Guatemalan armed forces, during which the murder of an opposition leader triggered the Nicaraguan Revolution and the establishment of the Sandinista government, inspiring in turn the convulsion in El Salvador and American intervention. The overall picture for indigenous cultures in Central America is bleak.[3]

For instance, the ethnic Africans and the indigenous peoples in Costa Rica still constitute the poorest sectors. In El Salvador, the smallest country in Central America, the Spanish-descended landowning elite was the power behind those who carried on the *matanza* (massacres), in the 1930s, of even those who wore indigenous dress. In the 1980s, about 75,000 people lost their lives during the armed conflict between the guerillas and the army supported by the United States. The majority of the people of Guatemala are indigenous, and most of the remainder are *ladino*, white Europeans and mixed people who wield economic and political power. The 21 Maya peoples, comprising more than half of the total population, were most of the 150,000 victims following the U.S.-backed coup that brought down (1954) the Jacobo Arbenz government, which was committed to more equality.[4] Lately (1995), there has been some recognition of the indigenous rights. Although minorities have been discriminated against in Honduras, the government broadly favours indigenous rights since some activists camped (1994) outside the parliament demanding justice and the release of their leaders arrested on account of land disputes. But, in the meantime, the Chorti and the Lenca languages were lost, and black Garifuna, an Afro-Carib people, continue to be an economically disadvantaged group. Since the Sandinista Revolution (1979) in Nicaragua connoted a change mainly for the Spanish part of the country, thousands of Miskito went over to Honduras, some joining the American-supported 'Contras'.[5] Although black Panamanians were targets of both U.S. and *mestizo* discrimination, it should not be overlooked that the government recently endorsed the proposal made by the National Coordination of Indigenous People (1993).

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[3] Beatrix Manz, **Refugees of a Hidden War,** New York, State University of New York Press, 1988.

[4] P. Wearne, **The Maya of Guatemala**, London, MRG, 1994.

[5] R. Dunbar Ortiz, **The Miskito Indians of Nicaragua,** London, MRG, 1988.

The Rastafarians[6] are a group concerned about the condition of black people, whose forefathers had been made slaves in the white men's Caribbean plantations. They derive their name from Ras Tafari, who assumed (1930) the Ethiopian throne as Emperor Haile Selassie ('Might of the Trinity'), reminding the Caribbean blacks of their "captivity in the new Babylon" and spurring their longing to return to Africa. They differ from the other black peoples elsewhere in their conviction that justice can be attained only if they abandon the society ('Babylon') in which they are forced to live.[7] Other black groups, in contrast, try to improve their lot, for the most part, wherever they may be. Although lacking this realism, the Rastafarians sturdily believe in equality, and in the right of peoples to develop their own culture.

The basis of their legend is the trust in the existence of a "united Africa" before the Europeans colonized it and created there a white-dominated new Babylon. The thinking of Marcus Mosiah Garvey (1887-1940), who aspired to unite, through his Universal Negro Improvement Association, the blacks in their original homeland, was a source of inspiration. Garvey advocated a total exodus from the cruel white world, which had repressed the spirit and the body of the blacks.

While other "prophets" like Alexander Bedward, who sermonized an "impending holocaust" in which the whites would perish but the blacks were redeemed, introduced new dimensions, Leonard P. Howell established the first branch of the Rastafarian movement. As followers created a stronger sense of group-belonging by growing their hair or consuming no meat, Robert Nesta Marley (1945-81) tried to express their values in musical terms, and was awarded Jamaica's Order of Merit for that effort. The Rastafarians also participated in "liberation movements" in the Caribbean islands and appeared in New York, Toronto and Amsterdam as well as among the Australian aborigines and the New Zealandan Maoris. While some groups at times resorted to guerrilla action, as they had done through association with the New York-based "First African Corps", the back-to-Africa movement

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[6] E.E. Cashmore, **The Rastafarians**, London, MRG, 1984; L. Barrett, **The Rastafarians**, London, Heinemann, 1977. Both of these sources are two of the very few pioneering works.

[7] E.E. Cashmore, **No Future,** London, Heinemann, 1984.

implies for the majority of them a lively awareness, a glistening vision rather than a practical likelihood.

The predicament of the minorities in various parts of the Caribbean depends on each country.[8] In addition to Cubans of African descent, who are between 34 - 62% of the population, there is a large ethnically mixed group (*mulatto*) and a Chinese minority. Although the 1959 Revolution benefited the majority of the Afro-Cubans, the economic embargo imposed on this largest island of the Greater Antilles in the Caribbean hit them hardest. The majority of the prison population of Cuba is reportedly black. In spite of the previous (1937) massacre (some 15,000) of Haitian migrants, there are now half a million of them in the Dominican Republic, which shares the island of Hispaniola with Haiti. While a small white elite controls most of Haiti's economy, the black majority is excluded from the administrative and economic life. Consequently, some Haitians passed over to the Dominican Republic mostly to work as *braceros* (cane cutters) and continue to be a target of racism.[9] A small white minority dominates the administration and the economy of Guadaloupe and Martinique as well. The outlook for the African descendants and Dominicans in Puerto Rico, the smallest of the Greater Antilles, is not promising either. The East Indians (40%) and the African descendants (39%) are the two dominant groups in the oil-rich Trinidad and Tobago. Not only are the two main communities different in language and religion, the East Indians are made up of Hindus, Muslims and Christians, and there was even an abortive coup (1990) by an extremist Muslim group. There are no minority issues in Montserrat, St. Lucia and the Turks and Caicos Islands.

In South America, there are close to thirty million "Indians", the descendants of the *indigena* (native) peoples who were exterminated, expropriated and enslaved by the Spanish *conquistadors*. Deprived of their own land base, they became a cheap labour supply and were pushed to the bottom of the hierarchy. Economically helpless, politically impotent and culturally isolated, the

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[8] A presentation of the "Chief of the Caribs": Hilary Frederick, **The Caribs and Their Colonizer: The Problem of Land,** London, EAFORD, 1983.

[9] S.K.S. Wilhelms, **Haitian and Dominican Sugar-cane Workers in Dominican Bateyes: Patterns and Effects of Prejudice, Stereotypes and Discrimination,** Boulder, CO., Westview, 1995.

natives have been reduced to marginalized subsistence farmers, even in Latin American countries such as Bolivia, Ecuador, Guatemala and Peru, where they are more than half of the total population. Nowhere are they equal participants in decision-making, and discrimination seems to be the order of the day for them. Brazilian "Indians", for instance, face "assimilation or extinction".[10] In 1972, for the first time in Colombian history, a group of white people was put on trial for the murder of natives. They were acquitted first, on the grounds that they thought their victims were not humans. They were convicted only at the end of a retrial.[11] The world now knows of the plight of the indigenes, and many South American governments have officially committed themselves to cooperation on this question.

Argentina may be characterized as a pluri-ethnic country with numerically significant immigrants of European origin, against whom there has been manifestations of racism in different forms such as ethnicity, social class, occupational rank and religion.[12] It should also be added, however, that the indigenous peoples of Argentina acquired a legal status in the mid-1980s. Brazil, with a population of about 165 million, has 197 forest-dwelling indigenous groups and Japanese and Jewish minorities. Believing in assimilation in the Brazilian "melting pot", citizens of African ancestry (between 65-120 million), whose socio-economic standing rather than colour determines their place, are not officially recognized as a minority.[13] The Mapuche people in Chile, about a million, who now possess a little over 1% of the land they owned at the time of the initial European invasion, were especially repressed during the Augusto Pinochet`s military

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[10]Condensed English version of prize-winning study: Roque de Barros Laraia, **New Trends in Brazilian Indian Affairs,** London, EAFORD, 1985, p. 4.

[11] Hugh O'Shaughnessy and Stephen Corry, **What Future for the Amerindians of South America?** London, EAFORD, 1977, p. 9.

[12] Esther Hermitte, "Racism Directed Towards Immigrants: The Case of Argentina", **Proceedings of the Symposium on Ethnic Groups and Racism, Brasilia, 1981**, London, EAFORD, 1983, pp. 21-30.

[13] A. Dzidzienyo and L. Casals, **The Position of Blacks in Brazilian and Cuban Society,** London, MRG, 1979. Also: Joao Baptista de Borges Pereira, "The Folkloric Process of the Black Culture in Brazil", **Proceedings of the Syposium on Ethnic Groups and Racism, op. cit.,** pp. 31-35.

dictatorship (1973-90). The same group claims rights to bilingual education since the country's return to democracy.

Although Columbia recognizes (since 1991) the rights of more than eighty indigenous peoples to land, conceding land to forest peoples under the system of communal property (*resguardo*) frequently passes under state jurisdiction once declared as "empty". While new regulations await implementation, actual legislation is needed to meet the aspirations of the large (10-30% in some areas, but 90% in the northern Chocó region) Afro-Columbian population. In Ecuador as well, indigenous peoples of the land, who lived where Texaco dug its first oil well, have since then become extinguished. French colonists and gold prospectors threaten the life of the original inhabitants of the French Guiana. There is a racial animosity between the East Indians and people of African descent in Guyana.[14] Although human rights violations against Uruguay's eighteen indigenous peoples have been shocking under General Alfredo Stroessner's régime (1954-89), activists later persuaded the World Bank to withdraw backing some projects likely to cause further loss to the disadvantaged communities. Guerilla group *Sendero Luminoso* (Shining Path), eager to maintain its violent control over the lucrative cocaine traffic, makes life for the Ashaninka, who strive to exist in the Peruvian rain forests, even more difficult. Although France and Suriname agreed (1990) for the repatriation of some 10,000 Surinamese refugees from French Guiana, a new insurgent group called the Suriname Liberation Front was formed four years after. The Afro-Uruguayans, the poorest in that society, have been able to organize (1994) a regional conference on racism in Montevideo. Venezuela's indigenous groups have been historically neglected, and those of African descent so far exhibited little awareness of their identity.[15]

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[14] M. Cross, **The East Indians of Guyana and Trinidad**, London, MRG, 1987.

[15] M.M. Colchester with F. Watson, **Venezuela: Violations of Indigenous Rights**, London, Survival International and World Rainforest Movement, 1995.

VI. WESTERN EUROPE

The countries of Western Europe are generally deemed to share well-founded values that are attributed to the societies of this region as clear and proven qualities. In the realms of thought and politics, what Bertrand Russell called "social cohesion and individual liberty"[1] existed in a state of conflict or uneasy compromise. The former was secured in ancient Greece by loyalty to the City State. Relation of the soul to God rather than of the citizen to the State provided the basis of Stoic thought and later of Christianity. The discord between the two allegiances turned into a conflict between king and Church, symbolizing an antagonism, not only between clergy and laity, but also between the Mediterranean societies and the "barbarians" of the north. Reformation had led to a multitude of sects, encouraging subjectivism in thinking and anarchism in politics. Western European societies either wished to tighten social bonds or relax them. The two extreme poles were, at times, too much disciplined, discernible in fascist or communist régimes and subjectivism that made cooperation impossible. Western Europeans believe, nevertheless, that their tradition of liberalism aims at stability without restraints not warranted for the maintenance of the society. Although the values described above make a complicated package, they may be identified with popular sovereignty, majority rule, protection of minorities, constitutional liberties, participation in decisions at every level, egalitarianism and the like.

Western Europe has, broadly expressed, three categories of minorities, some of which have frequently been objects of discrimination. They are (a) indigenous peoples such as the Sami[2] or the original inhabitants of northern Scandinavia, whose pleas for rights to the land and natural resources are still unresolved, (b) the so-

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[1] Bertrand Russell, **A History of Western Philosophy**, 3rd pr., New York, Simon & Schuster, 1945, pp. xv-xviii.

[2] H. Beach, "The Sami of Lapland", **Polar Peoples: Self-Determination and Development,** London, MRG, 1994.

called "historic" minorities[3] such as the Alsatians, Macedonians and Scots, who expect recognition, and (c) "new" minorities such as the Maghribi Arabs in France or the Turks in Germany, who are migrants or guestworkers.[4] A consequence of the termination of the Second World War was the expulsion of 14 million Germans from Eastern Europe, and the end of the Cold War led to the rise of racism as well as ethnic antagonism.

In Western Europe, some minorities, such as various Swiss communities and Swedish inhabitants of Finland, are more content than others. Some like the Italians and the Austrians have reached an accommodation among themselves recently. Some others like the Dutch solved the "old" religious denominational minorities problem, but are facing the "new" immigrant minorities. Belgium revised its constitution introducing cultural autonomy for its French-speaking and Dutch-speaking communities.

The treatment of the Swiss of each other and of the Swedish population by the Finns have been generally considered as the best handling of any minority anywhere. Switzerland is generally acknowledged as a country committed to the democratic process in its extreme forms. Every citizen, in a sense, is a member of one or the other minority group. Although there are official languages (Swiss-German, French, Italian and Romansh), German Switzerland houses the big companies and banks. Economic realities, not discrimination or persecution, explain the disappearance of Romansh. If Switzerland protects its linguistic minorities, it gives little or no protection to *fremdarbeiter* (foreign workers). Their children, who have reached their thirties, are bitter and may challenge the existing order.

There is a general consensus that the Swedish community in Finland has been treated very satisfactorily. The Swedish-speaking citizens constitute about 5.8% of Finland's population (5.1 m.). A

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[3] C. Palley **et al.**, **Minorities and Autonomy in Western Europe,** London, MRG, 1991.

[4] S. Collinson, **Europe and International Migration**, London, Royal Institute of International Affairs, 1994; D. Jolly with C. Nettleton and L. Kelly, **Refugees in Europe,** London, MRG, 1997. For the life of the Suryanis in Sweden: Ulf Björklund, **North to Another Country**, Stockhom, University of Stockholm, 1981.

great majority (over 95%) lives in the Åland Islands, which enjoy autonomy. Like the French in Canada or the Turks in Cyprus, the Swedes in Finland consider themselves as the co-founders of the state. The Swedes had dominated Finland beginning with the 12th century until its cession (1809) to Russia, administering it even beyond that date. Finnish and Swedish became national languages two years after the Bolshevik Revolution, which had given the chance of independence to the country.

Most of the Swedish-speaking population live in the Åland Islands, and the rest in western and the southern coasts of mainland Finland. Communes with at least 5000 citizens belonging to the minority are bilingual. In addition to four leading Swedish papers, there are daily radio and television programs for the minority. The Autonomy Act (1952) created a 27-member Parliament, a 7-member provincial Executive Council and a local Governor for the Ålands, in response to Swedish claims of sovereignty over the island. The islanders, exempt from military service, govern themselves from maintenance of public order and education to agriculture, housing and health. The laws of the Åland parliament have to be ratified in three months by Finland's President, who may withhold his approval on grounds of security or excess of competence. Sweden, which withdrew its claim in 1921, has never pursued it since then. The mutual tolerance would have been better tested, however, had the islands not been demilitarized (1856) and thus still possessed a strategic significance, or had a natural resource of economic importance such as oil been found there.

It is apparent that Finnish laws adequately protect the Swedish minority. But the Finnish Sami still face difficulties maintaining their culture.[5] Likewise, the Sami in Sweden, who suffer language loss, gained some legal right to land, nevertheless disregarded in practice. Migrants from Finland, Greece, Turkey and former Yugoslavia, who work in low-paid jobs, experience everyday racism in Sweden. Although the Kvens, the Finnish-speaking community in Norway, were totally assimilated, the Sami Rights Commission (1980) helped establish the Norwegian Sami Assembly (*Sameting*). Some

[5] S. Aikio, U. Aikio-Puoskari and J. Helander, **The Sami Culture in Finland,** Helsinki, Lapin Sivistysseure, 1994.

discrimination was established against foreign workers such as the Danes, Swedes, Turks and Yugoslavs, all attracted by the North Sea oil. For instance, Norwegian authorities prohibited Turkish names for the newly-born children of Turkish families. The Inuit (mistakenly called "Eskimos") run into a variety of social and environmental problems in Denmark, but the two parallel (Bonn-Copenhagen) declarations (1955) secure non-discrimination in respect to the German minority in Denmark and the Danish minority in Germany.

On account of the legacy of the French Revolution and Napoleonic rule, France is perhaps the most centralized of all European states. The Alsatians, Bretons and Corsicans have fallen behind the average French citizens economically. Those who speak one or the other Alsatian dialect and who daily go to Germany to work founded there (1969) an association favouring decentralization. The leading Breton nationalist organization (*Union Démocratique Bretonne*) works for an elected local parliament, and Corsicans, 86% of whom speak Corsu, seek official status for their language. In Alsace, which had, for centuries, maintained an entity outside the central French administration, significant French nationalist groups support Le Pen's *Front National*. Some Bretons, whose ancestors had come from Britain speaking a language related to Welsh, only recently abandoned terrorist activity in support of their cause. Resettled French people formerly from Algeria *(pieds noirs)* dominate the economy of Corsica, where some armed groups had formed (1976) the *Front de Libération Nationale de la Corse* demanding independence. Further, Occitan, spoken in parts of southern France, enjoys neither public nor official status. The position of the Jews is perplexing as well. Not only the wartime Vichy government had introduced anti-Semitic legislation deporting 74,000 Jews and the French army confirmed Captain Dreyfus' innocence only in 1995, Le Pen asserts that the gas chambers were no more than a myth, and the anti-Semitic *l'Ouvre Française* is becoming more aggressive. The French extreme right is likewise anti-Muslim when it comes to the 3.5 million new minorities. The Maghribi Arabs, or the Algerians (614,000), Moroccans (572,000) and Tunisians (208,000), constitute the bulk of the estimated 3.5 million members of new minorities in France. With French citizenship withdrawn (1993) even from those born on French soil, and a new center established (1994) to control immigration, the members of the

new minorities are either more and more treated as aliens or encouraged to abandon their cultures and languages.

Neither France, nor Holland entertains ideas incorporating any of Belgian territory, where there are three communities (Flemish, French and German-speaking) at the federal level and three regions (Flemish, Walloon and Brussels). Apart from the linguistic and cultural divide in Belgium, now unequally affected by various degrees of prosperity as well, an aggressive anti-immigrant Flemish *Vlaams Blok* ("Our Own People First") is growing in popularity. About 900,000 new minorities, including Italians, Turks, Magribis and Zaireans, confined to low-status jobs, are targets of racist attacks.

The minorities of the Netherlands have neither been of ethnic nor of national origin. The "old" (traditional) minorities were based on religious denominations (Catholics and Protestants). The "new" (ethnic) minorities came from the Mediterranean countries and the former Dutch colonies as workers. Although the Netherlands has a reputation of being a relatively tolerant society, the high percentage of the loss of Jewish lives during the Second World War may be a reminder as to how far tolerance in peacetime can pass the test of emerging conditions. There is a rise in racist attacks in the Netherlands as well.

The Basque[6] and Catalan[7] nationalism are two of the local ethnic movements in Spain. The demands of both, which emerged from distinctly constituted societies, taking different forms, had contributed to the collapse of the Spanish republic in the 1930s. Both have to be evaluated within the process through which Spain attained political unity. Although these two nationalities are usually referred to as twin problems, they are not identical phenomena. Their roots were in different societies, also geographically apart, and took distinct forms. Local loyalties survived while unification was realized. Both Basques and Catalans have a sense of belonging to oppressed national groupings going back to the pre-Civil War years (1936-39), further complicated by the Franco régime. An analysis of the question has to be understood in the context of Spain's quest for political unity.

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[6] J. Caró Baroja, **Los Vascos**, Mádrid, 1971.
[7] M. Garciá Venero, **Historia del Nacionalismo Catalan**, Mádrid, 1967.

Military conquest and dynastic marriages leading to repeated unions and separations, unifications were almost always imperfect. Even after the *Reconquista* and the fall of the Muslim caliphate of Cordoba, there were three Christian Spanish nations, not one, in the peninsula, in addition to the Muslim people. In this sense, the word "Spain" was a geographical rather than a national term. It was used in the plural as "*las Españas*" even in the 18th century. There was also in the corner, where the Pyrénée Mountains met the Atlantic Ocean, the Basque people, who believed in a historic homeland (*Euskadi*) and who spoke a language different from the Celtic, Latin or Germanic ones. Although there was a systematic effort to centralize administration, the Basque region retained special legal and financial arrangements (*fueros*). Close to 2.5 million inhabitants of the Spanish Basque country and their 200,000 fellow Basques in France were, on the whole, aware of their distinct personality.

Catalan nationalism as well has to be understood within the framework of a process in which Spain tried to achieve its unity. It is only natural that Catalan nationalism, led by its own elite and emerging middle class, should resist the initial effort for centralization. It is also a simple truth that Catalan industrialization creates conflicting loyalties. Economic development in Catalonia, promoted by local entrepreneurs, sharply contrasted with some other parts of Spain. The people of some regions resent that they have to share their income with those living in the less developed parts of the country. Not only the wealth of the Catalans created in them a sense of "alienation", but they also had a tradition of political consciousness and more or less efficient local government. Many municipalities offered good services even to the aged and the sick. Knowing the discrepancy between Catalonia (and the Basque region), on the one hand, and the rest of the country on the other, the Spanish Government perhaps had no other alternative than channeling available resources to backward places. The republican régime had given an autonomous government (*Generalidad*) to this area, but Franco's victory after the Civil War (1936-39) meant the destruction of autonomous institutions everywhere.

After Franco's death (1975), one of the first acts of his successor, King Juan Carlos, was to recognize the Basque and the Catalan languages. The centralist period lasted until the 1978

Constitution. Then, provinces with common historical, cultural and economic characteristics (such as the Basque country, Catalonia, Andalusia and Galicia), the island territories (the Balearic and Canary archipelagos) and provinces with regional historical identity (such as Asturias and Navarra) had the right to be autonomous communities. In addition, single provinces (such as Madrid or Ceuta and Melilla) which have no regional identity, or territories not yet included in the current organization (such as Gibraltar) could also be autonomous. The Spanish state thus organized into 17 autonomous communities, each region with a legislative assembly (elected by universal suffrage), a governing council (with executive and administrative powers), and a High Court of Justice. Control of various activities of the local organs is exercised by the state through a number of central institutions, including foremost the Constitutional Court and the Council of State. Spain having opted for a program of gradual liberalization, separatist impulses were weakened.

Portugal, Spain's neighbour, traditionally had no discrimination problems, except perhaps the case of migrants, who came from the former African colonies following the fall (1974) of fascism and who still try to exist in the shanties outside Lisbon. The people of Gibraltar chose (1967) to continue as a part of the United Kingdom. But, their laws prevent the permanent residence in the case of the Moroccan workers.[8]

There is a political, social and religious conflict behind the terrorism, death and damage caused on account of the Irish issue between Northern Ireland, the Irish Republic and Britain. The Protestant people of the six counties of Northern Ireland have a siege mentality as much as those who have created the Irish Free State. Although the Protestants of Ulster[9] outnumber the Catholic Irish in their own enclave by two to one, they are outnumbered by three to one in the whole of Ireland. River Bann divides the six counties, not only geographically, but also politically and economically, the three eastern countries being overwhelmingly Protestant and more prosperous than

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[8] Joint Council for the Welfare of Immigrants, **Between a Rock and a Hard Place**, London, 1992.

[9] R. S. P. Elliot and John Hickie, **Ulster: A Case Study in Conflict Theory**, London, 1972.

the underdeveloped western ones having more Catholics. The source of the conflict is in the western side of the Bann. The Protestants of the Republic of Ireland, on the other hand, feel as threatened as the Catholics of Northern Ireland.[10] The solution may lie in the European community, where the economic interests of all the Irish will be the same. In the meantime, Articles 2 and 3 of the Irish constitution, claiming Northern Ireland, may be eliminated for the purpose of a lasting peace. Article 44 of the same constitution, which referred to the "special position of the Catholic Church", had been repealed (1972) following a poll indicating such a choice.

The Scots had united with the English through the Act of Union (1707). Some Scots, nevertheless, continue their fight for political independence. Moreover, Plaid Cymru, the Welsh nationalist party, is campaigning for an independent Wales. Mec Vannin, the Manx nationalist movement in the Isle of Man, also works for an independent state.

Britain also has coloured and new minorities. Slave trade had brought the first blacks to England. They were later joined by others from India, Pakistan, Bangladesh, the Caribbean and Guyana. In addition, more than 100,000 Roma, Chinese and Asians of Uganda came over, the former after the Communist Revolution in China and the latter following Idi Amin's expulsion (1972) of them. Greek and Turkish Cypriots are generally employed as white collar workers.[11]

Even after the Austrian State Treaty (1955), the De Gasperi-Gruber Agreement (1946) and the Autonomy Statute (1948) remained the basis for the treatment of the German-speaking Tyrolese (Bolzano) minority within the Italian state. When the central Italian Government, however, twinned this province with a neighbouring region, the South Tyrolese turned into a minority. Consequently, while the vast majority of the German-speaking people support the *Sudtrilor Volkspartei* (SVP), Italian speakers in the same region mostly voted for the neo-

[10] Garret Fitzgerald, **Ireland: Our Future Together,** Dublin, Fine Gael, 1979.

[11] T. Jones, **Britain's Ethnic Minorities**, London, Policy Studies Institute, 1993.

fascist *Alleanza Nazionale*, which aims at abolishing the Autonomy Statute.

The separatist *Partidu Sardu Indipendentista* in Sardinia has links with Corsicans and Basques. The renewal of the territorial dispute between Italy and Yugoslavia (now Slovenia) may lead to discrimination against the Slovene minority (50,000-100,000). After the disintegration of the former Yugoslavia, some former Italians question the validity of the border, agreed upon in 1954 and confirmed in 1975, and claim the Istrian Peninsula. Albanians (100,000) do not enjoy legal language status. There have been racist attacks on the non-European Union nationals (less than a million), coming from Italy's former African colonies of Eritrea, Ethiopia and Somalia. Perhaps more significant than above, the southern half of Italy suffered from general poverty since the unification of the country regarded as *"una et indivisible"*. Beginning with the 1980s, cultural regionalism of both south and north carried with it centrifugal tendencies.

Although Austria does not sympathize with the terrorist methods that some of the elements of the South Tyrolese have resorted to, that country, nevertheless, expects an equitable solution acceptable to the German-speaking majority as well. The idea of an autonomous region of South Tyrol allowing for reunification within Europe but leaving certain matters like foreign and defence policies to the central Italian Government, attracts some interest. In Austria, on the other hand, some Burgenland Croats believe that they are gradually losing their identity, and the Slovenes presume that the government unnecessarily bowed to nationalistic trends in respect to Carinthia. Although the pan-Germanic *Freiheitliche Partei Österreichs*, which increased its voting strength to about a quarter of the electorate, has exhibited enmity towards all minorities, the Austrian Ethnic Groups Center, founded in 1983 with official support, tries to serve the interests of minorities, and several NGOs, including the International Progress Organization which has a high worldwide standing, help to promote equality.

The indigenous inhabitants of a region in the far north of Western Europe are the Sami of Lapland, better known as Lapps (in Finnish) or Finner (in Norwegian). Outnumbered in the northern areas, once inhabited only by them, the Sami, some 60,000 people,

live mainly in Norway,[12] Sweden,[13] and Finland,[14] with some in the north-western tip of Russia. Belonging to the Finno-Ugrian ethnic group, they are believed to be of Asian origin. The great part of their territory lying north of the Arctic Circle, their homeland cannot support a large human population, but they have been increasing steadily because of a high birthrate, and they happen to form either a majority or a substantial minority in the Sami heartland. Some conceal their identity and others leave their family homes to live in an overwhelmingly Nordic environment leading to assimilation and the reduction of their number.

However, there is a striking revival of Sami consciousness, mainly in response to various kinds of pressures on them. The southerners began to penetrate the inland fjords and take land for farming when there was a drastic fall in the price of fish and a steep rise in the price of grain. The introduction of guns lead to more intensive hunting and a reduction in the numbers of wild reindeer, one of the sources of Sami food and income. The southerners, then, pursued their northward expansion and discovered silver at Nasa, solidly Sami in character. Soon, they found iron-ore at Kiruna, again on Sami territory. A hydroelectric project brought about extensive changes: land was flooded to create artificial lakes; fish disappeared from the rivers; rivers no longer froze as before making crossing difficult; and reindeer routes were blocked. The pipelines of offshore oil threatened to pass through the heart of the Sami territory. Large tracks of their land were used for military purposes. Tourists started forest fires and gathered berries or killed animals–all essential for Sami livelihood.

The Sami people want to be recognized as a national minority. As in Finland, they want to have elected bodies representing them. They ask for positive powers for the Sami parliaments. They demand the right to veto a hydroelectric project, a forest clearance or a tourist

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[12] Harald Eidheim, **Aspects of the Lappish Minority Situation,** Oslo, Oslo University Press, 1971.

[13] Tom G. Svensson, **Ethnicity and Mobilization in Sami Politics,** Stockholm, University of Stockholm, 1976.

[14] Erkki Asp **et al.**, **The Lapps and the Lappish Culture,** Turku, University of Turku, 1980; Ernst Manker, **People of Eight Seasons: The Story of the Lapps**, Gothenburg, Nordbok, 1976.

development. Finally, they want the ownership of the land, a test case having arisen in Jamtland (Sweden) when the Sami inhabitants claimed it by right of care and usage.

Distributed throughout Europe (and the globe), the leaders of the ten million Roma/Gypsies try to form an integrated community of many groups.[15] Originally from India, they are rejected in almost every part of Europe. Constituting the first "blacks" in Europe, they were discriminated against in a number of ways. Nazi Germany killed some 300,000 of them.[16] Their condition caught international attention in 1968 when the Council of Europe investigated their situation and resolved that all steps in legislation and administrative practice should be taken to stop discrimination.[17] There was some improvement in former Yugoslavia, the Netherlands, Britain and Sweden. Formerly treated better in the socialist countries, they are now worse off after the revolutions in Eastern Europe. In general, most Roma are either rejected or grow up unprepared to live in contemporary society.

The case of Germany may be described as *sui generis*. The "neo-fascists" there carry out attacks on foreign workers, more frequently the Turks, and their children born in Germany. Recurring attacks show that prejudice, tension, discrimination and murder are reaching serious proportions. They have set Turkish houses on fire, burning alive men, women and children. The so-called "skin-heads", often from affluent backgrounds, changed into extremely violent social outcasts. They acquired an identity, mixed with the traditions of past totalitarianism or remnants of it in the present hate and enemy figures. The need for scapegoats is not the result of critical analysis but a so-called "personality requirement". The repressed content finds an outlet in discrimination and violence, as frequently demonstrated now against the Turks. Further, as the régimes in the Soviet Union and Eastern Europe disintegrated, the changes created in the minds of some Western Europeans, especially the Germans, that millions of people from the eastern part of the continent, including the

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[15] S. S. Shaski, "Roma: The Gypsy World", **India Perspectives**, New Delhi, II/9 (March 1990), pp. 28-34; Chaman Lal, **Gypsies: Forgotten Children of India**, New Delhi, Government of India Publications Division, 1969.

[16] M. Novitch, **Le Génocide des Tziganes sous le régime Nazi,** Paris, 1968.

[17] D. Wiklund, **Council of Europe Report: The Position of Gypsies in Europe,** Strasbourg, 1969.

Rücksiedler (or the Germans living abroad), were ready to storm their territory demanding jobs and residences. This anxiety cannot justify, however, the killing of foreigners in the flames of neo-fascist arson attacks. It is more an "identity" search, carried to criminal extremes with a new role assignment and solidarity. Like-minded *kamaraden*, then, nurture collective narcissism.[18]

To paraphrase an oft-quoted famous statement, "a specter is haunting Europe" -the specter of racism, expulsion and genocide, the last victims of the latter being unarmed Bosnian and Albanian Muslims. Only fringe phenomenon until recently, racism became significant, not only on account of violent attacks on minorities and immigrants, but also by the power of extremist political parties which has increased its influence on some mainstream parties to compete for the right-wing vote. The latter have adopted more nationalistic policies such as immigration restrictions, and also developed transnational contacts with like-minded organizations to coordinate plans and applications.[19] Rising unemployment, coupled with waves of refugees from the former communist bloc, led large portions of the European electorate to search for scapegoats. While foreigners and minorities were censored and denounced in various parts of Western Europe, the collapse of communism unleashed ethnocentric feeling initially in parts of Eastern Europe and then in the whole continent.[20]

Racism has reached alarming proportions in Europe. The future of the "right" in Europe is unclear. In many Western European countries, minority groups, migrants, refugees and foreigners have been attacked by racists, neo-fascists and other hate-groups. Violent activities and growing electoral support for such racist, anti-Semitic and xenophobic reactions may be pale forerunners of more to come.

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[18] For an interdisciplinary study: İlhan Başgöz and Norman Furniss, eds., **Turkish Workers in Europe,** Bloomington, Indiana University, 1985.

[19] Türkkaya Ataöv, "Rising Fascism and Anti-Semitism: A Brief Glance", **The Turkish Yearbook of International Relations: 1992**, Ankara, Faculty of Political Science, 1995, pp. 77-78; Türkkaya Ataöv, "Against Racial Discrimination in International Law", **Bulletin**, London, EAFORD, 1/3 (April 1980), pp. 7-10.

[20] Council of Europe, **Racism and Anti-Semitism: Summary**, Seminar organized by the Secretary-General of the Council of Europe, Istanbul, 19-20 January 1995.

The increase of attacks on minority groups, migrants, refugees, some selected citizens and foreigners by hate-groups is forcing world public opinion to acknowledge the dramatic fact that racism has reached alarming proportions.

It was the European continent, more than others, which experienced, decades ago, analogous acts leading to a world war. As Pastor Martin Niemoeller noted, they may first come for Jews or some other group, but they will eventually come for additional groups as well. If one does not speak out because one is not a Jew, a trade unionist, a Maghribi, a Turk, a Yugoslav or a member of another group being discriminated against, the liberals` doors may also be knocked upon one day, and no one may be left to speak out for them.

The death camps, to which the Jews were transported, became extermination centers, not only in Germany, but also in Austria, Poland and Czechoslovakia, for social democrats, trade unionists, communists and Gypsies, as well as the Jews. There are few events in history that fit into the legal description of genocide, as defined in the 1948 Convention and applied only to particular instances of mass killings. The extermination of the bulk of European Jewry was the foremost example in the 1940s. Not all researchers may agree on every particular of the issue, but documents prove the genocide beyond any doubt. Writers may offer different explanations as to why it started in Germany or as to the reasons for it. France, on account of the Dreyfus affair (1894), and Tsarist Russia, because of the *pogroms*, both close to the end of the 19th century, would have come to mind first. Germany was, after all, a *Rechtsstaat* where legality reigned, and there had been no violent anti-Semitism there before. The Jews of Alsace were happy when Germany had annexed that land, the Jews of Galacia looked up to the Habsburgs for protection, and many Jews had welcomed the German soldiers as liberators as the latter entered Polish territories in the 1914-18 War. But the Holocaust in Europe during the Second World War targeted every Jew as state policy, and, consequently, about one-third of world Jewry and two-thirds of European Jewry perished.

In addition to the Jews, the Nazi Holocaust was a fearful catastrophe for a number of others including the Roma, the first "blacks" in Europe. The Gypsies are certainly as valuable in terms of

human worth as other victims. They endured, like Jews, a long history of defamation, deportation and destruction. They were the victims, along with the others, of the same circumstances, not opponents.

The political pendulum in Europe continues to swing to the "right" although not in the same intensity as it was in the 1930s. There had been "extreme rightist" movements in Western Europe during the whole of the post-war period. Only, they represented a fringe until the 1970s. Some commentators venture to explain the new phenomenon by the impact of the demise and the disintegration of the former Soviet Union as well as the radical changes in Eastern Europe. But much earlier than the Gorbachev-led reforms, the Western European societies had reversed some of the post-1945 consensus, and "conservative forces" had already come to dominate politics, be it in Britain, France and at times even in Scandinavia.[21]

It is well-known that conservatism, basically a defensive phenomenon, emerged in response to the French Revolution (1789), desirous to bring back the *ancien régime.* As first liberalism and then socialism tried to extend the rights of the individual and the new social classes, conservatism sought to limit the effects of mass politics. While varieties of socialist thought tried to replace the liberal doctrine in the developed European societies, fascism in Italy, Germany and Spain had offered radical violent variants of the old ideology.

Contemporary conservatism, however, in some respects, is different from these earlier forms. There are, nevertheless, similarities in terms of the rise of racism and fascism. The European left had become popular for having been the spearhead of the struggle against fascism during the war, and the political right had been discredited after 1945 in all of Europe except Spain and Portugal. The British Labour Party (BLP) was voted into office (1945), and the parties of the left elsewhere participated in coalition governments. However, there was soon a shift in this balance of domestic forces. The Conservative Party in Britain came to power again (1951) to stay there until 1964. The BLP expelled five of its members, the so-called "Bloomsbury Bolsheviks", for radical views. Chancellor Conrad

[21] Simon Gunn, **Revolution of the Right: Europe's New Conservatives**, London, Pluto Press with the Transnational Institute, 1989.

Adenauer in West Germany included Hans Globke, who had helped frame the race laws of 1935, in his cabinet, and neo-liberal economists, led by Friedrich von Hayek, offered a market model ostensibly based on unfettered competition. The crushing by force of strikes in France and Italy went hand in hand with the emergence of the Cold War and the American desire to restore Europe on the basis of a market economy.

But whatever changes were introduced, they were not planned to contradict social democracy. The British welfare state was designed by liberals like Lord Keynes and Sir William Beveridge. What was important, then, was to bring capitalism up-to-date, as a way to reduce the tension around the reality of social conflict which had haunted the industrialized Western societies for decades. The "European left" offered no meaningful alternative to counter this strategy. As more conservative economic policies were pursued within this framework, social democracy tolerated unemployment and public sector cutbacks, making it easier for neo-conservatism to take the counter-offensive. The profits of the oil-producing states flooded world markets, and world banks felt themselves free to impose their preferences on independent governments.

Western European social democracy, thus, faced serious challenges already in the 1970s, before the break-up of the Soviet Union or the Eastern European régimes. The new conservatives' counteroffensive had been possible because social democratic forces had failed to offer realizable and acceptable programs to deal with the crisis. The term "new right", which at times is used to describe the re-emergence of Western European conservatism, may be misleading because there is no single variety of the new rightist movements. There are several right-wing groups in various European countries some of which are organized in the form of political parties.

Bringing the debate closer to our thesis here, one should point out that there is also a *racist new right* in European politics; the most striking example is perhaps Jean-Marie Le Pen's *Front National* in France. Although it is not the only example in the continent, Le Pen's movement has historical precedents like General Boulanger's authoritarianism (1880s), Charles Maurras' *Action Française* (1930s) and General Poujade's anti-Semitism (1950s). The present-day racist

right, not only rallies in support of an authoritarian leader and condemns democracy, but also believes in racism as a future remedy. Le Pen might have temporarily joined forces with other right-wing groups such as the *Rasseblement pour la République*, but its advance on its own in the last few elections (1984, 1992, 1997) is beyond doubt. No racist party since the 1930s has been rewarded by the electorate to such an extent. For the racists, not only in France but everywhere, this development is a major "breakthrough", which has to be watched with feelings of discomfort and worry. The racist new right is again "legitimately" taking its place in the European political spectrum.

New conservatism has a cross-class support. Although conservatism historically rested on the upper and the middle classes which are still its main supporters, not only the newly-formed salaried and technical workers, who have joined the new middle class, too lean towards the right, but also some manual labourers, traditionally the backbone of the social democratic parties, in addition to upper class workers, are attracted to the right. The latter attitude may be a protest against the inability of some labour parties to solve existing problems.

In any case, the new right, then, cuts across classes and reshapes allegiances attracting support from new bases. What is important is the fact that the new right, with the hold it has on various sectors, has an actual and potential authoritarian element in it. Foremost is the rise of racism. The electoral advance of *Front National* in France may be an example that comes first to mind, but some other French political parties had their own separate racist-oriented programs even before the emergence of Le Pen, who perhaps reflects the existence of a reality rooted in a particular understanding of "national identity". Racist sentiments find powerful political expressions in France, and not only in Le Pen's party. "Racist patriotism" expresses itself in the form of preference for French citizens over immigrant workers, police harassment of "aliens", and deportation as well as restriction applied to immigrants. Quite a number of the French now rush to support what they call "*défendre les Français*".

A similar notion in Germany is "*Heimat*", frequently identified with nationalism and attack on the "guest workers", some of whom are now citizens. Many European leaders of the right try to disavow the racist element among their support, but they seem to be tied to it politically. Racism is a special ugly face of conservative authoritarianism. But the new right has other faces, equally authoritarian, implicating the immigrants, blacks and even the non-conformists. In terms of ideology and organization, all of the three groups enumerated above maintain their own identities, but together they help to shift the electorate toward the right. On the other hand, they believe in "rolling back the state", and, on the other, they complain of the "loss of cultural identity".

Although we are half a century removed from the end of the Second World War, there have been gross transgressions against human rights in Western Europe as well, which is supposed to have learned its lesson. In addition to racially motivated violence from arson attacks against the homes of foreigners to desecrations of Jewish sites, right-wing parties such as the *Republikanische Partei* (Germany), the *Movimento Sociale Italiano* and *Lega Nord* (Italy), the *Freiheits-Partei* (Austria), the *British National Party* (UK), the *Vlaams Blok* (Belgium) and, of course, the *Front National* (France) have increased their following.

The disintegration of the communist régimes unleashed waves of violence, aggression, genocide and ethnic cleansing. While recession and unemployment hit hard in a number of Western European countries, new conditions in former communist societies, ranging from economic crisis to outright civil wars, sent refugees to the West. In several of the former Soviet and Yugoslav republics, power was usurped by radical nationalists with totalitarian characteristics, and neo-fascist movements emerged alongside the official structure of power. The national extremists now manipulate age-old antagonisms. Anti-Semitism resurfaced even in places where only a handful of Jews are living. The level of nationalist debate in parliament, the media and other fora have become louder as far-right positions have been co-opted by maintream conservative parties who appeal for votes.

The revival of a more populist anti-Semitism is one of the emerging movements. Despite the outcome of the Second World War, some Europeans maintained a strong prejudice against Jews. The years 1956-67 may be portrayed, nevertheless, as a philo-Semitic period in recent European history. Israel's 1967 war with its neighbours and the annexation of land from three Arab countries changed the "Jewish image", however. While the peace process is bound to alter this image once more, the new conditions in Europe have also loosened some of the taboos. The general trend, so far, is not encouraging.

Although de-Nazification in the Federal Republic of Germany and in Austria had been superficial, anti-Semitism did not play a significant role in either during the early postwar years. Hostility towards the Jews in France was so evident, however, that Jean-Paul Sartre felt forced to underline Jewish participation in the French resistance in his **Reflections on the Jewish Question**.[22] Many French mistakenly believe that the Vichy régime actually protected the Jews. A documentary film shown during the Istanbul international meeting (1995) on "Racism and Anti-Semitism in Europe", proves just the opposite, namely, the existence of racial laws and the deportation of Jews. The appointment (1945) of Pierre Méndés-France as (Jewish) prime minister seems an exception in the midst of nationalist and Catholic dominance no less than frequent criticism as the one advanced by the Poujadist movement which blamed the Jews for their part in finance capitalism.

Some traditional hostilities seemed to fade away between the years 1956-67. For instance, the Second Vatican Council's *Nostra Aetete* (1965) lifted the long-standing "blame" for the crucifixion of Christ from the Jewish people. The Jews generally enjoyed acceptance and security. The Jewish-born Bruno Kreisky was elected to head the Austrian Socialist Party, and West Germany's Chancellor Konrad Adenaur (1949-63) started the reparations policy towards Israel and the survivors.

The 1967 war changed the Jewish state's image to that of a conquering and occupying country. Anti-Semitism remained an active

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[22] Jean-Paul Sartre, **Reflexions sur la question Juive**, Paris, 1946.

movement in France probably more so than anywhere else in Western Europe. While Jews rose to prominence in politics under Valéry Giscard d'Estaing and François Mitterand, France became the continent's home for the largest far-right party (*Front National*). There were attacks on synagogues, cemeteries and Jewish work places. Professor Robert Faurisson claimed that the existence of the gas chambers was a "lie",[23] and the University of Nantes accepted the doctoral dissertation of Henri Rocques, who also denied the Holocaust. In France and elsewhere, even traditional forms such as Christian Judeophobia were on the rise.

Viewing the revival of the old habit of hatred involving the Jews and also the evidence of violence against immigrants like the Turks, one needs to dwell on the racist inclinations in contemporary Germany. With the fall of the Berlin Wall exactly 51 years after the so-called *Reichskristallnacht* (start of the week of "Broken Glass", 9 November 1938), the two Germanies were united and the Germans seemed to get what they wanted. A divided people for decades, they crushed the Berlin Wall and opened the Brandenburg Gate.

But there was still a "psychological wall". It should be granted that the road to unification was bound to be bumpy from the very beginning. Long years of disunity had created dissimilar world–views, values and attitudes on both sides. All, whether living in the East or in the West, knew that they had a Nazi era in their recent past, an era intertwined with anti-Semitism, or a Jewish genocide. What fell to the lot of European Jewry is within the definition of the 1948 Genocide Convention. But the division of Germany into two halves gave both sides an opportunity to put themselves aside and channel their criticism against each other, accusing the two halves of dictatorship - capitalist or communist.

In the meantime, the West Germans were busy developing their economy, and the East Germans boasted that now they had created a just society. Both mass cultures created a sort of self-adoration, generally cut off from self-criticism. Both had enemy

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[23] Robert Faurisson, **Memoire en defense: contre ceux qui m'accusent de falsifier l'histoire: la question des chambres a gaz**, Paris, la Vieille Taupe, 1980.

images at home and abroad. Being members of different political and military alliances, they rationalized that "evil" could only be on the other side.

But since the late 1989, there has been no enemy - at least, not the same omnipotent one. The circumstances now permit them both to look at themselves, albeit in an environment of clash of conflicting upbringing and *Weltanschauung.* These values, within the framework of a single nation-state, are clashing anew. They may criticize each other, provided that such criticism goes to the root enabling a correct diagnosis and, therefore, a possibility of cure. One may assert that both German halves had a background of authoritarian values and that in none egalitarianism had been structured in a healthy, working way. There were differences between the idealized versions of democracy and work ethics. The dissimilarity between fact and fiction makes the Germans, whether originally from the East or the West, find a scapegoat for their own ills - it was the Jews prior to 1945, and now it is the Jews again plus the immigrants, principally the Turks.

Certainly, it is not only Germans who, unable to face their own domestic issues, deviate and turn to new victims. The French Right, for instance, blames the Maghribis for their own shortcomings. Germany is understandably a unique case. Neo-Nazism has been on the rise since unification; so have been unemployment and taxes. Deteriorating conditions affect both eastern and western Germans. Jews and *Ausländer* are more and more becoming targets. The so-called "skinheads" are the result, not the cause of the crisis.

As Madame de Stäel noted, Germany is "*le coeur de l'Europe*" and is going to affect the whole of the continent. The attacks on foreigners in Germany have been spreading like wildfire. Especially in the eastern part of the country, the state looks powerless in the case of public violence. While German democracy is put to the test, there is a whole series of explanations for the crimes as well as suggestions for remedy. The simplest "explanation" that all Germans are born Nazis is itself racist. Other reliable objective clarifications need to be attempted. Not meant to be justifications, the explanations should be sensible diagnosis without which there can be no successful therapy. Diagnosis does not necessarily bring, however, a solution. It

may only help one to "understand" the cause, which does not mean excusing it.

First, one may assess the current situation in terms of facts and figures. There are six million foreigners in Germany. Most of them are integrated into the German society. Some are welcomed, others simply tolerated, and some are assaulted. Germany accepted refugees and asylum-seekers, more than the other members of the European Union, perhaps in excess of all taken together. It contributed a high proportion to the aid fund within the OECD framework earmarked for those coming from Eastern Europe and the former Soviet Union. Although to continue this assistance is not an easy task, the German government and the opposition are committed to it.

The German fear is that they may have to host more immigrants, refugees, asylum-seekers, illegal trespassers, and now *Aussiedler,* ethnic Germans who have been living for generations in Central, Eastern and Southeastern Europe as well as in the former Soviet Union. They probably speculate that "many more millions" are waiting to go West. But these figures and worries do not give the Germans the right to racism, anti-Semitism and general xenophobia. Violence towards foreigners and groups of citizens cannot be dismissed simply as a new form of youth protest.

A diagnosis has roots in the fact that the German society has oscillated in its past between alternatives. To some observers, Germany will always be a prey to some sort of authoritarianism. Others believe that it can achieve an unbroken democracy with all attributes of pluralism. Perhaps no other major country in Europe has undergone such frequent and extreme changes. It has swung from the spiritual greatness of Kant, Goethe and Beethoven to the moral abyss of the concentration camps. While Wilhelm von Humboldt wrote the German equivalent of J.S. Mill's **On Liberty**, it was Arthur Moeller van den Bruck who expressed another German feeling when he said that a genuine German political movement should not partake of liberalism. Even romanticism for Friedrich Nietzsche was the glorification of the "will to power" of the strong individual. Hegel's views on government constituted a conservative reaction to the ideas of the French Revolution. It was this diversity of theories and this

feeling of uncertainty that contributed to the rise of Nazism, a dogmatic creed to which large masses flocked.

However, neither Germany, nor the continent lives in the days of *Der Führer.* Although today's realities are different, selected groups of citizens and foreigners become targets of intimidation and attack, frequently resulting in bloodshed. The importance of the police and the judiciary cannot be excused. Individuals, first arrested and then quickly freed, are able to take part in crimes the next day. Assuming that the authorities want to punish the offenders, punishment is a deterrent when it follows on the heel of the offense.

The remedy is both short and long term, both procedural and philosophical. In terms of short range and procedural steps, those circles which previously resisted proposed changes in the laws must have come to realize, since the recent recurring violence, that it is in the interest of democracy to adopt measures to combat crimes against which present laws may have proved powerless. The state must have the legal power to overcome the reign of terror again and again displayed on the streets. The state should certainly stay within the law, but a democracy must also ward off its internal mortal enemies as well. In the history of certain countries, such extremism and tolerance towards it brought disaster upon nations. Racists and anti-Semitists should feel the full force of the law, just like any other criminal. There is room for improvement if the fault lies also with the police, the judiciary, the implementation of the law, and the law itself.

The long-term philosophical changes are even more difficult to attain. They concern the ability of the present European generations, foremost the Germans, to interact with various cultures and the level of their maturity. It is often stated that the foreigners or immigrants like the Turks originating from a different social milieu face a different problem in accommodating their inherited culture, including religion, to modern contemporary living in Western Europe. The question also arises whether Western civilization is able to develop so as to include another culture.

In the region of Western Europe, there are no specific discrimination issues in Andorra, Iceland, Malta and San Marino.

VII. EASTERN EUROPE AND THE BALKANS

Recent history of Eastern Europe and the Balkans may also be described as abundant in attempting to create nation-states. The decline and disintegration of the Habsburg and the Ottoman Empires are closely connected with these unfolding events, including the proliferation of small nations with sizable minorities. The consequences were wars, ethnic cleansing, exiles, population transfers and reemergence of old feuds.

One of the little-known facts of South Eastern Europe and the Balkans (as well as Caucasia) is that there was, in the first quarter of the last century, a vast "Muslim land", inhabited predominantly by Turks, more than ten million of whom were killed or forced to migrate during and after several insurrections and armed clashes beginning with the Greek revolt (1821).[1] Only small pockets of Muslim or Turkish settlements were left in the new states founded on the suffering of the departed inhabitants.

In most of these areas, during the inter-war period (1919-39) and even after, the dominant national groups habitually repressed or assimilated the rest. In the process, the Sudeten Germans and the Slovaks could not accept Czechoslovak identity. Similarly, especially the Slovenes and the Croats had difficulty in finding for themselves a permanent place in post-1919 Yugoslavia. More Muslims, mostly Turks, were driven out of Yugoslavia and Bulgaria. The Macedonians were not even recognized as such by their immediate neighbours until they were given a republic status under the Tito régime. While the Soviets transferred *en bloc* various nationalities from the western part of the country to Central Asia and Siberia, the German minorities were evicted from a number of post-war European states.

The radical changes (1989-91) in Eastern Europe and the Balkans, ill-used by some politicians, encouraged local nationalist movements, eventually leading to armed clashes and gross human

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[1] Justin McCarthy, **Death and Exile: The Ethnic Cleansing of Ottoman Muslims, 1821-1922**, Princeton, The Darwin Press, 1995.

rights violations. Ethnic cleansing and forced migration, most visible in Bosnia-Herzegovina and Kosovo, may be said to have been the last links in a long chain of similar events against the Muslims in general in this part of Europe ever since the beginning of the last century.

While the conflict centering first in Bosnia-Herzegovina and later in Kosovo threatened peace and incited repression, new European documents emphasized positive rights to national or religious identity such as more participation in policy-making rather than just protection in negative terms. However, not only does discrimination continue, but also none of the European instruments yet offers workable mechanisms to enforce the principles expressed on paper.

There are obstacles to obtaining reliable statistics to be utilized in assessment of discrimination in Eastern Europe. Accurate figures are generally nonexistent. Some of the obstacles emanate from the state policies, some from individuals and still others from unfounded claims. In the past, some groups were amalgamated and others fragmented. Some were omitted, some assimilated, and new groups invented. Serbs and Croats (in Yugoslavia) as well as Czechs and Slovaks (in former Czechoslovakia) were amalgamated while the Hungarians and Szeklers (in Rumania) were differentiated. Albania, Bulgaria and Poland omitted references to the Roma people. In Greece, all those for whom Greek is the daily language are officially Greeks, not only as citizens, but also as ethnic individuals. As evident in the case of the Germans in Eastern Europe, some concealed their identity voluntarily. Finally, while the official circles sometimes minimized the size of the minorities, the ethnic groups themselves tended to inflate their numbers.

The far-reaching remodelling in the eastern part of the European continent has brought nationality issues to the top of the international agenda. Poland is perhaps the only Eastern European country without a pressing minorities problem. There are, nevertheless, some issues of abuse inherited from the earlier period.[2]

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[2] Alfred F. Majewicz and Tomasz Wicherkiewicz, **Minority Rights Abuse in Communist Poland and Inherited Issues,** Steszew, International Institute of Ethnolinguistic and Oriental Studies, 1991-1992.

Partitioned four times in its history, Poland has small minorities whose rights are guaranteed by special treaties (1991, 1992) with Germany, Ukraine, and Belarus. Ethnic Poles have been living in parts of these countries. Attempts by Poles to revive their cultures seem to be welcomed by the present Belarus and Ukrainian leadership, but some Poles are uncertain of their future in independent Lithuania.

In all the three former Soviet Baltic states, the issue is the naturalization of the large resident non-citizens enabling the ethnic minorities to participate fully in political life. According to the last (1989) Soviet census, 121 nationalities lived in Estonia's small territory (45,215 sq. km.). The Estonian Constitution (1992) prohibits discrimination, but especially in the case of the Russians, one-third of the population, continues to be a major issue. In addition to the Russian communities which lived there for a few centuries, some demobilized Russian soldiers (1994) stayed in Estonia as well. Latvia's citizenship requirements concerning residence and descendance as well as linguistic policies underlining command of the majority language (54.2%) may be interpreted as discriminatory, especially in respect to the sizeable (33%) Russian minority, the largest of the 120 ethnic groups, some of whom are residing there illegally. In Lithuania, Russians (8.5%) and Poles (17%), among the nationalities, recurrently charge that the authorities discriminate against them. The Lithuanians, who constitute the overwhelming majority (about 80%), allow the ethnic minorities to benefit from legal opportunities.

The Second World War had eliminated the Jews and the Roma from the Czechoslovak lands, and close to three million Germans had to leave after the war. In the early 1990s, Czechoslovakia has shown that change is possible without violence. Although the separation of Slovakia (1993) from the Czech lands occurred rather smoothly, their split brought forth, however, some minority issues. Slovakia seceded leaving a small (3%) minority behind. While the use of German declines, the Roma publications are not distributed by some news agencies. The present-day legislation seems to protect minorities, but the way the laws are applied may gradually assimilate them. If these complications may be tackled as peacefully as the division of Czechoslovakia, this experience may, then, become a model for the rest of Central and Eastern Europe. As to the Hungarian minority in

independent Slovakia, their condition has lately taken a turn for the better,[3] but real progress rests on the elevation of the general economy.

Over three million ethnic Magyars, i.e., Hungarians, were left in Rumania, Czechoslovakia and Yugoslavia after the demise of the Kingdom of Hungary following the First World War. In the year 1919, among all the ethnic minorities in Europe, the number of Hungarians ranked the highest. The largest single group of Hungarians outside Hungary are those in Transylvania (Rumania). Nevertheless, the majority of the people of Transylvania are Rumanian. Called "Ardeal" in Rumanian and "Erdély" in Hungarian, Transylvania is the home of seven million people, only two million of whom are Hungarians. There are also other minorities, principally Germans (400,000). The Szeklers (Székely, Secui), about 700,000, are akin to Hungarians.

There are two versions of Transylvanian history. The Rumanian version[4] considers the original inhabitants of Transylvania as Dacians, conquered by the Romans, both giving birth to the Rumanian national culture. According to this version,[5] Transylvania was part of the nation. The Hungarian version, however, believes that Transylvania was *terra inoccupata*, the Hungarian Kingdom extending its control over it. The Hungarians of Transylvania, whose charges cannot be dismissed as sheer irredentism, feel exposed to discrimination in national terms. Voyvodina within Serbia, on the other hand, has been the home of Hungarians for ages. With the expulsion of Germans (400,000) and more Serbian settlements after 1945, Vojvodina became a Serb-dominated area for the first time in history. The recent war in post-Tito Yugoslavia has caused a migration of the Voyvodina Hungarians as well.

Although Hungary tried to assimilate its minorities during the inter-war period (1919-39) and acceded to the murder of over half a

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[3] An interpretation of history different from the Hungarian one: Vladimír Mináč **et al., Slovaks and Magyars,** Bratislava, 1995.

[4] Cornelia Bodea and Virgil Cândea, **Transylvania in the History of Romanians,** New York, Columbia University Press, 1982.

[5] **Report on the Situation of the Hungarian Minority in Romania,** Budapest, Hungarian Democratic Forum, 1988.

million Jews, the new (1993) Law on the Rights of National and Ethnic Minorities prohibits discrimination and assimilation. The German minority, 200,000 of whom were expelled after 1945, needs to be better protected, along with the sizeable (perhaps more than 500,000) Roma.

Moldova's ethnic groups were formed under the influence of the former neighbouring states – the Ottomans and the Russians. The majority of this land in the upper western corner of the Black Sea was ethnically and linguistically close to Russians. Although the Moldova Ukrainians outnumbered (13.9%) the Russians (13%), they started getting Russified since the eastern part was lost to the Muscovites. During the Soviet era, the indigenous population was described as Moldavian and not Rumanian and was required to use the Cyrillic, not the Latin alphabet.

When steps for unification with Rumania intensified just before and after independence (1991), the Russians announced the Transdniester Moldovan Republic, based on the left bank of the Dniester river and the city of Bendery on the right bank, and the Gagauz (Christian Turks) their own republic, *Gagauz Yeri,* around Komrat. The ensuing armed conflict, stopped only with the intervention of the Russian 14th Army, eventually led to the new constitution (1994), which recognized Moldovans as a separate people and Moldova as a multi-ethnic union.

The Gagauz, who officially did not exist for a long time, and generally, but falsely, considered Turkish-language Bulgarians, are "culturally and linguistically...a Turkic people"[6], and their language belongs to the *Oğuz* group of the Turkish languages.[7] Having been settled in the Balkans since the 10th century as descendants of the North Turkic tribes, they became Orthodox believers. Their study being hindered because of the scarcity of written sources, there is

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[6] Olga Radova, "The Problem of the Gagauz Ethno-Demographic Development in the 19th Century", **Südost Forschungen,** München, 54 (1995), pp. 263-270. Also: O.K. Radova, "Gagauzı Bessarabii: Rasseleniye i Chislennost` b XIX v.", **Etnograficheskoye Obozreniye**, 1 (Yanvar`-Fevral` 1997), str.121-128.

[7] School texbooks for Turkish-speakers: Nikolay Baboglu and Ignat Baboglu, **Gagauz Literaturası,** Chişinâu, Ştiinţa,1997.

practically no specialized works on them. It is now known, however, that they were compelled to go beyond the Danube to Southern Bessarabia and to the Crimea. During the Soviet period, not only their population was divided between the Moldavian and the Ukrainian SSRs, they were also subject to Russification. Moreover, they were the largest Turkic group with no territorial formation. Although they originally demanded the right to a national territory, a law (1994) established the legal status of their land, and a referandum (1995) determined its boundaries. They bring out three Turkish papers (**Ana Sözü, Gagauz Sesi, İnsannık**).

With the dissolution of the S.F.R. of Yugoslavia (1991), Serbia tried to replace the former federal state with a new one dominated by the Serbs. When the latter set about conquering some of the lands of those who wanted to break away, the first war in Europe since the suppression of the Hungarian uprising (1956) had begun. This policy of acquisition of territory by force, inadmissible according to the United Nations Charter, led to "ethnic cleansing" in Kosovo as well as in Bosnia-Herzegovina and also to crimes against humanity. The international community took no credible action in defence of the Boshnaks (the Bosnian Muslims), 43.7% of the population at the mercy of a neighbouring republic which inherited the military structure of the former Yugoslav state. The conflict in Bosnia is not only a refugee issue. It is caused by aggression against the people of a sovereign republic, a member of the United Nations, and accompanied by brutalities comparable to the genocide applied to the Jews in Europe. Apart from expulsions and atrocities rarely seen in the history of mankind, there were concentration camps and prisons for the Bosnian citizens, where conditions of detention totally violated the requirements of the Geneva Conventions (1949). Humanitarian aid was important but not enough. The cause of the systematic human rights violations, namely, the aggression by Serbian forces and militia, had to be eliminated. The only serious support to the Bosnian Muslims came from the Organization of Islamic Conference, none of whose members has a permanent seat with veto power in the U.N. Security Council. The credibility of the United Nations was at stake since it could not act decisively within the framework of Chapter VII of the Charter. Aggression needed to be met by political and military approach, in addition to the humanitarian one. The international community could not accept a power game proposing the final break-

up of a sovereign and internationally recognized republic, on the basis of military aggression, ethnic cleansing and genocide. Moreover, the conflict always carried the possibility of spreading and engulfing Kosovo which eventually proved to be another explosive area.

The Bosnian tragedy was "a slur on the face, not only of Europe, but the entire civilized world."[8] The Serbs had apparently followed the idea that all of them had "to live in a single state" and, if possible, "to live in ethnic clean country."[9] Apart from bloodshed, cruelty, violence and rape, almost all of the Muslim cultural monuments, including 200 mosques in Serbian-held Bosnia, were raised to the ground. The graceful Mostar bridge, built (1566) by a great Ottoman architect (Hayreddin), was wantonly destroyed by Croat gunfire. It is natural that the Turks' long presence in the Balkans should leave, not only Muslim populations, but also strike deep roots in all aspects of life including architecture.[10] Such concrete relics from the past are part of a people's heritage which should have been preserved.

Some psychiatrists[11] asserted that a severe trauma, not successfully mourned and effectively coped with, may be passed on, mostly unconsciously, through generations and that the trauma of Serbia's defeat (1389) by the Ottomans remained "alive" through successive generations, causing revenge to be sought against Bosnian Muslims and the Kosovo Albanians six centuries later. The decline of Serbia, which covered, in the 14th century, a territory from the Croatian border to the Aegean Sea, is primarily attributed to the successes of the emerging Ottoman Empire, culminating in the Battle of Kosovo. The Serbs having no power to bring back their glorious

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[8] Salahi Ramadan Sonyel, **The Muslims of Bosnia: Genocide of a People,** Leicester, The Islamic Foundation, 1994, p. 5.

[9] Darko Göttlicher, **The Serbian Aggression Against the Republic of Bosnia and Herzegovina: Continuity of the Greater Serbia Plan,** Geneva, United Nations, 1992.

[10] Türkkaya Ataöv, "The Destruction of Common Culture", **Turkish Daily News,** 25 November 1993.

[11] For instance: Vamik D. Volkan, "Bosnia-Herzegovina: Ancient Fuel of a Modern Inferno," **Mind and Human Interaction,** Charlottesville, VA, 7/3 (August 1996), pp. 110-127.

past, that battle slowly began to evolve into a "chosen trauma" for them.

As the Serbian Orthodox Patriarch himself testified that the Turkish Sultan left complete freedom of action to his church, the Ottomans did not force the Serbs to convert to Islam. But some Slavs, especially in Bosnia, gradually became Muslims. In 1989 or the 600th anniversary of the Kosovo Battle, the defeated King Lazar's mummified body was placed in a coffin and taken "on tour" to every Serbian village and town, as if the defeat had occurred only yesterday. Slobodan Milošević gave the message that "never again would Islam subjugate the Serbs". He summoned Radovan Karadzić, the Bosnian Serb leader convicted of fraud and put (1985) in jail, to discuss the future of Bosnia-Herzegovina. The Serbs looked at the Bosnian Muslims as an extension of the Ottomans; they often referred to them as "Turks". Serbian propaganda focused on inflaming the idea that the Ottomans, now symbolized by Bosnian Muslims, would "return". The Muslim leader Alija Izetbegović had also intimated the possibility of an "Islamic enterprise" in Bosnia.[12] In the Serbian mind and action, fact and fantasy, and the past and present were violently intermingled.

Since 1996, however, Bosnia-Herzegovina has been passing through profound change. The military annex to the Dayton Peace Agreement helps to ensure that no party can feel threatened by any other. The efforts to remove mines scattered across the country, the reopening of the railway network, the repair of bridges, the confiscation of unauthorized weapons and the establishing of a reliable, democratically-controlled police force, all represent contributions to freedom of movement.[13] Some people likely to be indicted for war crimes are being transferred to the International Criminal Tribunal in the Hague. Some of the refugees are returning,

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[12] Alija Izetbegović, **The Islamic Declaration**, Sarajevo, 1990. It is also alleged that, while trying to defend the life and property of the Bosnian Muslims, there has been a growth of "Islamic fundamentalism", encouraged by some foreign irregulars who have joined the Bosnian Seventh Brigade. M. Tahir Hatiboğlu, **Bosna'ya Farklı Bakış,** Ankara, Selvi Yayınları, 1996, pp. 60f.

[13] Wesley Clark, "Building a Lasting Peace in Bosnia and Herzegovina", **Review of International Affairs,** Belgrade, 1066 (15 III 1998), pp. 10-11.

elections are being held, and thus, some of the damage has been repaired.

The circumstances in Slovenia, one the six republics of the former federal Yugoslavia, are contrastingly different. The interested parties concerning the Italians in Slovenia and the Slovenes in Italy are showing enough goodwill and stability in action. The Italian and Slovene states mutually hope to secure the legal position of their respective brethren in the other country. Sharing a common heritage in and around the city of Trieste, they seem to be co-actors with a rationale for coexistence rather than contestants. The Italian–Slovene example is in sharp contrast to the wholesale expulsions of Germans from Czechoslovakia, Hungary and Poland after the Second World War and to the attitudes against those who remained. In addition to the Italians living in three coastal municipalities as self-governing communities, the Slovene Constitution (1991) also recognizes the Hungarians concentrated in the north-western Prekmurje region (Mura-videk). On the other hand, migrant minorities, attracted by the improvement in the Slovene economy, do not benefit from collective rights for the historic minorities.

It may also be noted that while the rights given to minorities in accordance with the new Yugoslav Constitution (1992) are frequently violated in Serbia, the Montenegrin Council for the Protection of the Rights of Members of National and Ethnic Groups seems to have created confidence in the smaller Albanian community in Montenegro.

The Albanians constituted the largest "nationality" in former Yugoslavia. This term had a special meaning in the former federation. The Albanians were a "nationality" because their national home was outside Yugoslavia, followed by the Hungarians. Over two million, the Albanians lived mainly in Kosovo, part of Serbia, with no autonomous status. There are also compact Albanian communities in Western Macedonia. While for the Serbs Kosovo is the heartland of the medieval Serbian kingdom,[14] the Albanians believe that the same

[14] Živadin Jovanović, "Kosovo and Metohija-an Integral Part of the Republic of Serbia", **Review of International Affairs,** Belgrade, 1066 (15 III 1998), pp.1-2.

city is a center of their own national revival. When the young Albanian generation of the 1980s demanded republican status instead of autonomy in accordance with the 1974 Constitution, it was mainly the Serbian reaction that further fuelled Albanian nationalism. Serbia withdrew the autonomy of Kosovo as well as Voyvodina, where the Hungarians constitute a large minority. With the forced expulsion of the Kosovo Albanians, it remains to be seen how and to what extent the harm done to them may be undone.

Although the Enver Hoxha régime had declared (1967) Albania, the land of the ancient Illyrians, the first atheist state, most Albanians (67%) were Sunni Muslims while the Greeks (close to 100,000) and Vlachs (less than 50,000) were Eastern Orthodox. Muslim Macedonians (Pomaks) are probably more numerous (100,000) than Christian Macedonians. While minority rights seemed to be guaranteed in Albania, relations with neighbouring Greece and Macedonia tended to influence ethnic balance. It still does.

A People's Republic of Macedonia (Vardar Macedonia) was formed within the Yugoslav Federation on the territory of one-third of Macedonia. None other than Giorgy Dimitrov declared, then (1948), that the Bulgarians and the Macedonians were two different nations. Although the 1956 census showed that Pirin (Bulgarian) Macedonia had 93,671 declared Macedonians, the existence of the latter was denied beginning with 1958.[15] Bulgaria proceeded to claim that the Macedonians, including those living in neighbouring Greece and Yugoslavia, were also ethnic Bulgarians. The official circles in Athens considered them, on the other hand, to be originally Greeks.

The Macedonians believe, however, that they are neither. Moreover, in spite of different views on its origins, the Macedonian nationality is an established fact. Official Bulgarian denial of the distinct personality of the Macedonians coincided with the late Communist period during which almost all other minorities (including the Turks, the largest of them all), were likewise denied. In that cycle of events, the identities of the Tatars, the Gagauz, the Alawis and the Romanis, along with the Turks and the Macedonians, were also

[15] Türkkaya Ataöv, "Macedonia: Recognition and Refutation", **Macedonian Review,** Skopje, XIX/2-3 (1989), pp. 198-201.

suppressed.[16] Greece also claimed to be a country exclusively inhabited by Greeks. One may assert, however, that just before the Balkan Wars (1912,1913), even only in the Aegean Macedonia and Western Thrace, there were (in addition to Greeks), Macedonians, Muslim Turks, Muslim Pomaks, Christian Turks (the Gagauz), Muslim Cherkez (Circassians), Muslim Albanians, Christian Albanians, Christian Vlachs (Aromanis), Muslim Vlachs, Jews, Armenians, the Roma people and others.[17]

Minorities in the present independent Macedonia, on the other hand, enjoy the essential freedoms of self-identification, association, expression and political representation. Complaints that remain, in spite of radio and television programs and schooling in minority languages (Albanian, Romany, Turkish, Vlach), do not indicate a general pattern of suppression on the part of the authorities.

The subject of the very large Albanian minority in independent Macedonia dominates all other problems. Although the present situation of the Albanians does not involve the denial of any essential right, measures such as more Albanian-language broadcasts, a proper Albanian-language publishing house, improvement of higher education for the Albanians, and the provision of an Albanian teacher-training school may be taken to turn a new leaf in these important areas. Albanians, most being Muslims, are the largest (22.9%) minority assembled in the west bordering Albania. Their number may be expected to grow if more refugees flow from neighbouring Kosovo. Some Albanians support a more democratic Macedonian state, and some press for autonomy. A small group declared (1992), although on paper, an independent 'Republic of Ilirida'.

The Turks of Macedonia ask for more representation in government service and better education for their children. There are also Macedonian-speaking Muslims such as the Pomaks. While some Serbs expect separate language instruction, radical ones call for the partition of Macedonia. One should underline, however, that the

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[16] Türkkaya Ataöv, "The Bulgarian Quashing of Its Minorities", **A.Ü. Siyasal Bilgiler Fakültesi Dergisi**, Ankara, XLV/1-4 (Ocak-Aralık 1990), pp. 1-10.

[17] Türkkaya Ataöv, "The Ethnic Minorities in Greece", **ibid.,** XLVI/3-4 (Haziran-Aralık 1991), pp. 15- 33.

continuation of Macedonia as a multi-ethnic state may well be a worthwhile and an inspiring example for the rest of the Balkans.

The policy of the Greek state towards its minorities differs considerably from that of its northwestern neighbour, Macedonia. While minorities in Macedonia enjoy the essential rights, "officially, no ethnic or national minorities are recognized as existing at all" in Greece.[18] The only minority permitted to be treated as such is a religious one, referred to as "Muslim minority," which is "mainly Turkish, but members of it have been sentenced to terms of imprisonment for describing themselves as ethnic Turks," and the "basic right of people to identify themselves as members of a minority is routinely suppressed by the Greek state."[19]

The very fact that the official Greek circles, in the early 1920s, had seen the Macedonians as a separate Slav group is of particular importance. A primer called **Abecedar** (or an ABC reader), published (1925) in Athens especially for children, meant a recognition of the Macedonians as such. Although it never reached the Macedonian children, the primer, printed in the Latin characters and based on the Lerin-Bittola dialect, was a forceful testimony of a separate Macedonian identity. In general, however, the Greeks denied the existence of the Macedonians and, consequently, many of them moved out of Greece, nearly 30,000, mostly children, taking refuge in some European countries especially during the Greek Civil War (1944-46). The Greek bill (1982), now calling for the repatriation of refugees, applies only to persons of Greek origin and may be deemed discriminatory.

Similarly, no Muslim Pomak thinks of himself as an "ethnic Greek". The Vlachs, also known as Aromani or Koutsoiahs (in Greece) and Karachani (in Bulgaria) are Latin-speaking people (close to Rumanians) and one of the oldest peoples in the Balkans; they have their own tongue and culture. Most of the Muslim Albanians of Cham (in northern Greece) were forced to leave, and the Christian Albanians were "Hellenized" through the Greek control over education and the

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[18] British Helsinki Human Rights Group, **Macedonian Minorities,** Oxford, 1994, pp. 1-2.
[19] **Idem**.

Orthodox Church. The Muslim Gypsies generally lack citizenship, and, therefore, basic rights. The Jews disappeared during the wartime (1941-45) Bulgarian occupation of Aegean Macedonia.[20]

The Muslim Turks of Western Thrace[21] are the most numerous minority in Greece. The Greek Government recognizes only the religious identity of the Turks, and not the ethnic one. The basic international document regulating Greek-Turkish relations is the Lausanne Treaty (1923), still in force. It sought to create a balance in the three major areas of Western Thrace, the Aegean Sea and Cyprus. While it conceded a set of minority rights (Article 37-45) for the Muslims, the Greco-Turkish treaty, on the exchange of respective minorities, defined two special groups not to be exchanged: the Orthodox *Rum* of Istanbul and the Muslims (predominantly Turks) of Western Thrace.

The Greek authorities base their choice of terminology, i.e., "Muslim" (instead of "Turkish") on the Lausanne Treaty, signed back in 1923, when employment of the word "Muslim" was in conformity with Ottoman history and Islamic law which recognized groups as separate *religious* communities. It was in keeping with this old practice when the Turks of Western Thrace were referred to as "Muslims". But later agreements used the term "Turks" demonstrating what was actually meant.

The official Turkish figures presented to the Lausanne Conference, not much different from the official Greek figures then, revealed that the Turks constituted the overwhelming majority of the population and owned much of the land in Western Thrace. That majority has now been turned into a minority, and the longstanding use of the term "Turkish" in titles and signboards has been prohibited. A policy of discrimination against the Turkish minority may be seen in the régime of governing property rights, selection of the Muslim religious leader (*Müftü*), administration of the pious foundations (*Vakıf*), the limits of minority education, and the former applications

[20] Türkkaya Ataöv, "The Jews of Macedonia", **Macedonian Review**, Skopje, XXX/3 (1991), pp. 153-159.

[21] Hugh Poulton, **The Balkans: Minorities and State in Conflict,** London, MRG, 1992, pp. 182-188; Hugh Poulton with MLIHRC, **Minorities in the Balkans,** London, MRG, 1989, pp. 32-33.

of the notorious Article 19 of the Greek Law of Citizenship. The last mentioned article divided Greek citizenry into two categories and established a racial element of being ethnically Greek or not. Many ethnic Turks were stripped of their Greek citizenship, forbidden to enter the country, and lost their property just for having stayed abroad too long and ostensibly "without the intention of returning". Dr. Sadık Ahmet, the foremost spokesman of the Turks of Western Thrace, was arrested and convicted several times for having referred to his people as "Turkish".

Since 1991, the official Greek circles have conceded some rights to the Turks pertaining to buying or selling land and houses, repairing dwellings and mosques, obtaining licenses for tractors and cars as well as opening shops. In the opinion of Turks, some other problems involving ethnic identity, educational facilities, discrimination in employment, provisions of services, citizenship, election of religious leaders, control of charitable foundations and police harassment remain.

Human rights groups suggest that the Greek Government abandons its policy of denying the existence of certain minorities, cease its harassment of the non-Hellenes, extend the full protection of the law to those threatened with violence by some other Greek citizens, reform the Greek legal system to end prosecution against them, permit unhindered access to the ballot box, and stop other discriminatory practices. When the Badinter Commission of constitutional lawyers considered the application of Macedonia for recognition as a sovereign state, one of the criteria was the observance of minority rights. The British Helsinki Human Rights Group stated that if Greece were to undergo the same process, "the Badinter Commission would be obliged, after considering the non-observance of minority rights by the Greek Government, to recommend against Greece as a sovereign state."[22]

Much of the outside world has certain misconceptions about the Cyprus issue. For the Cypriot Greeks, the dispute came to the fore with Turkey's military action (1974). For the Turks, it started (1963) when the Cypriot Greeks, with *Enosis* (union with Greece) in mind,

[22] The British Helsinki Human Rights Group, **idem.**

took the first steps, in defiance of the mutually accepted Constitution, to coerce the Turks of the island into the status of a minority from the level of co-founder of the independent Republic of Cyprus.[23] After some give-and-take, a bi-communal Constitution, including veto powers for each, was fashioned for the two communities. When the Turks exercised their constitutional rights, the Greeks proposed thirteen radical amendments and pushed forward a plan[24] arguing that the Constitution proved to be unworkable.

Although the Zurich and London Agreements (1959) between the interested parties took measures to be deterrents against attempts to renew the conflict, the strategic purpose of the then President (Archbishop) Mihalagis M. Makarios in accepting independence for the island was, in the words of a former high-ranking British official with long experience in dealing with both communities, to use it "as a stage in the eventual realization of self-determination in a form permitting *Enosis*".[25] Such an approach struck at the heart of the whole Zurich and London settlements. The Turks contended, on the other hand, that they were not a minority, but a separate and equal community. From their point of view, the Greek side had discriminated against them and removed all the probs to claims to be the co-founders of the Republic of Cyprus.[26]

Hence, the Turks started to migrate to safer enclaves long before the Turkish intervention more than a decade later. The conflict had already reached (1963) severe proportions, leading to the creation (1964) of a United Nations peace force. There is sufficient amount of

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[23] The Greeks claimed the island for the Greek world. For instance: **The Greek Heritage of Cyprus**, Nicosia, the Greek Communal Chamber, 1963. The Turks consider the Ottoman rule (1571-1878) a notable period, and the Turkish presence a part of reality. **Cyprus**, special issue of the **Review** by the Touring and Automobile Club of Turkey, Vol. 44-323 (October-December 1974).

[24] Later known as the "Akritas Plan", it was a conspiracy to dissolve the Republic of Cyprus, in pre-determined stages and methods, and to bring about the union of Cyprus with Greece.

[25] John Reddaway, **Burdened with Cyprus: The British Connection**, London, Wiedenfeld and Nicholson, 1986, pp. 143-144.

[26] R.R. Denktaş, **The Cyprus Triangle**, London, K. Rustem and Bro. and George Allen and Unwin, 1982.

Greek sources as well, attesting that the Greek Government, from mid-1966, began to send to Cyprus secretly an augmented brigade of the Greek army. A Western writer termed the years 1963-68 as "attempted genocide" and those for 1964-74 "as the Greek invasion of Cyprus".[27] Even President Makarios, ethnically Greek, had to declare (1974) before the U.N. Security Council that Cyprus was being invaded by Greece, and that the Cypriots, Greek and Turkish, were in danger.

The fascist coup in Nicosia, which executed some Makarios supporters as well as Turks, gave Turkey, one of the signatories of the Zurich and London Agreements and the guarantors of the Constitution "a valid reason to intervene" – in the words of an experienced U.N. mediator.[28] It was the obsession of the Greek Orthodox Church in Cyprus with "*Enosis*", coupled with EOKA's[29]violence and the Greek mainland-supported rightist coup, which roused Turkey to react. What the Turks called "Peace Operation", the Greeks described as "invasion".

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[27] Andrew Fauld, ed., **Excerpta Cypria for Today**: **A Source Book on the Cyprus Problem**, London, the Friends of North Cyprus Parliamentary Group, 1988, pp. 108ff. A British correspondent, who lived through the troubles of 1963, produced some details of Greek behaviour. H. Scott Gibbons, **Peace Without Honour**, Ankara, Ada Publishing House, 1969, **passim.** A reverend from Scotland likened the "Greek-inspired massacres" to the holocaust of 1572 that struck the Huguenots unexpectedly. Campbell McKinnon, **Turkey and Greece: Closer Unity-Now**! New York, Vantage Press, 1968, p.10.

[28] Huge J. Gobi, **Contemporary Cyprus,** Tel Aviv, Aurora, [1997], p. 39. Nicos Sampson, the coup leader, was a "well-known thug and killer... a relentless hater of Turks." Christopher Hitchens, **Hostage to History: Cyprus from the Ottomans to Kissinger**, New York, Farrar, Straus and Giroux, 1989, p. 83. A work without precedent as a study in depth of the psychology of two ethnic groups engaged in a historical conflict: Vamik D. Volkan, **Cyprus - War and Adaptation: A Psychoanalytical History of Two Ethnic Groups in Conflict**, Charlotteville, University Press of Virginia, 1980.

[29] EOKA was a group of "Hellenic heroes" to some, and an extreme rightist terror organization to others. W. Byford-Jones, **Grivas and the Story of EOKA,** London, Robert Hale Limited, 1959, p. viii and 13.

While the international community encourages a dialogue between the two parties and the solution of the conflict, some third parties state that now "peace reigns on either side of the U.N. political divide on this once shattered island."[30] It was "not the blue berets...but the line drawn across the island that brought peace to Cyprus".[31] A "Cypriot nation" was *not* constituted in a way similar to the fact that a Czechoslovak nation could not be formed in spite of the existence of much more common elements of union in the latter.

No imposed solution, by the United Nations or the European Union, can be workable.[32] While the Greek Cypriots wish to return to the kind of harassment that characterized the years 1963 and 1974, the Cypriot Turks envisage a bi-zonal confederate system.

The Bulgarian Government asserted, in the mid-1980s, that its Muslim population had "voluntarily and collectively" chosen to change its Turkish names to Bulgarian ones and likewise abandon a number of Turkish national customs or religious rituals.[33] According to the official Bulgarian explanation then, the reason for this turn of events was the "rebirth of the Bulgarian self-awareness of Muslims". Between 1984 and 1989, the Turks of Bulgaria were compelled to have their newly imposed names written on the gates of their homes, and those who addressed each other by their original names were fined. Turkish names even on tombstones were erased. Turkish schools were closed down, and Bulgarian teachers replaced the Turkish ones. Several of the religious practices such as circumcision, fasting, holy pilgrimage, daily prayers, and Muslim burial were prohibited. The Bulgarian security forces used to raid Turkish houses, destroying belongings which indicated ethnic identity. In addition, organized gathering of Turks were forcibly disrupted. Travels for the

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[30] Clement H. Dodd, **The Cyprus Issue: A Current Perspective**, 2nd ed., Cambridgeshire, U.K., The Eothen Press, 1995, p. 1.

[31] Christian Heinze, **Cyprus Conflict**, London, K. Rustem and Brother, 1986, p. 32.

[32] Pierre Oberling's booklet entitled **The Double Representation Conspiracy** has the following subtitle: "How the Greek and the Greek Cypriot Governments Are Precipitating a New Crisis in Cyprus by Using the European Union".

[33] Türkkaya Ataöv, **The Inquisition of the Late 1980s: The Turks of Bulgaria**, Washington, D.C., EAFORD, 1990.

Turkish minority were severely restricted, and curfews were imposed on quite a few blockaded Turkish villages. Consequently, close to 400 000 Turks had no choice but to migrate to Turkey in mid-1989, one-third of whom returned with the change of régime in Bulgaria.

The post-Communist governments in Sofia admitted later that the ultimate objective of the former authorities was to eradicate the identity of the Turks, who constituted that country's most numerous (about 10%) minority. In spite of some nostalgic steps backward in the case of groups of Bulgarian extremists, the condition of the Turks there has greatly improved since the new régime. They were given back their original names, allowed to speak Turkish, practice Islam and receive back their properties. The Movement for Rights and Freedoms, set up by the Turks of Bulgaria, grew to become the fourth largest political party.

VIII. RUSSIA, UKRAINE AND BELARUS

Various peoples passed through the territories of the former Soviet Union, creating nations, peoples, minorities and groups of different sizes. The Soviet régime organized them, at different levels, into a federal framework unique, and even successful, in many respects. Some peoples, nevertheless, felt that they were being assimilated by larger groups, principally the Russians, but they also faced conflicts from their own minorities. Several groups or nations were relocated *en bloc*, causing conflicts, not only with the central authorities, but also with the majority populations of the new homelands. Such conflicts are not limited only to the non-Russian republics of the former federation, but to the non-Russian peoples of the present Russian Federation. Further, the Soviet régime's clash with all religions in the near past was a cause of conflict as much as the present trend in some quarters of the Russian Orthodox Church that some religions are "enemies of Russia".

The example of the Ukrainians, the second largest Slavic people after the Russians and who survived partitions, resisting assimilation, goes to prove that the aspirations of the non-Russians have not been fully met during the Soviet period. The source of the conflict between these two Slavic peoples has been the northern neigbour's restriction of Ukrainian cultural life and the comprehensive treatment of the country as if it were a province of Russia.[1]

The Russian Federation, which succeeded (1991) RSFSR (the Russian Soviet Federative Socialist Republic), and which comprises most of the territory and population of the former Soviet Union, is still a multi-ethnic and multi-religious state. Somewhat similar to the Soviet period, there is some struggle for power between the central authorities and the non-Russian territorial units. In spite of the new federal set-up now, "ethnic autonomy" may still be a misleading concept, especially where the Russians constitute majorities.

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[1] William Henry Chamberlein, **The Ukraine : A Submerged Nation,** New York, Macmillan, 1944.

The relocations of the Soviet period are, however, still notable, not only in terms of their comprehensiveness and severity, but also their consequences which may be felt even today. The Crimean Tatars, the Volga Germans and the Meskhetian *(Ahıska)* Turks stand out in a different category among the several nationalities resettled in Central Asia and Siberia during the Second World War.[2] Unlike the others, such as the Chechen, Ingush, Kalmyk, Karachai and Balkar, they were not allowed to return to their former homes until the very break-up of the Soviet Union.

There are frequent reports in the world press that the Crimean Tatars,[3] a Muslim Turkic people, are striving more than ever to settle in their original land. They have been pushed out (1944) from the Crimea for alleged wholesale collaboration with the invading Nazi Germans during the occupation. In spite of the *en bloc* resettlement in that year, they were politically rehabilitated, that is, absolved of the charge of wholesale collaboration in late 1967. But they still criticized the former authorities for not giving them the right to settle in their original home from where they were evicted by the Soviet Government, and not the Tsarist régime. They assert that a very small percentage of the Soviet people, including not only the Tatars but also Russians, Ukrainians and some others, indeed collaborated with the enemy and that Tatar implication may be one or two percent higher. They also claim that 46% of their number died on the journey or during the first months after displacement. Such a high mortality rate does not coincide, however, with the other Tatar claim that they are now over half a million.

The confrontation today is a legacy of the past, in spite of the "Golden Age" of early Soviet rule. The earliest confrontation goes back to the Mongol Tatar invasion of Europe. The Crimean Tatars are descendants of those Mongol Tatars (of the Golden Horde) and also of the Turkic tribes which came before the Mongols. The Tatars established themselves on the Crimean Peninsula in the 13th century. Other Tatar groups controlled central and northern portions of the Russian hinterland. When the Ottoman Turks conquered Italian

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[2] Ann Sheehy and Bohden Nahaylo, **The Crimean Tatars, Volga Germans and Meskhetians,** London, MRG, 1980.

[3] Edige Kirimal, **Der Nationale Kampf der Krimtürken,** Emsdetten, 1962.

colonies on the Crimean coast, the separate Crimean Khanate recognized (1478) Ottoman sovereignty but continued to act somewhat independently. For two more centuries, their horsemen challenged the rising power of Muscovy. The Russians, who began to get the upper hand only after the second half of the 17th century, succeeded in invading (and ravaging) the Crimea during the Russian-Ottoman War of 1768-74. With the Treaty of Küçük Kaynarca (Khuchuk Kainarja), the Turks were forced to give up their sovereignty over the northern shores of the Black Sea.

This also meant that the Crimean Khanate was now independent. Under the circumstances, it implied that the Crimea would be eventually annexed by Russia. The former Ottoman protection had been a guarantee against Russian pretensions. The Tatars were now independent but helpless as well. Catherine the Great annexed the Crimea within a matter of nine years (1783). Anticipating this development, several thousand Tatars had already taken refuge (since 1774) in parts of the Ottoman Empire. This also explains the presence of Tatar settlements in the Balkans while those territories were under Turkish rule. Tatar migrations continued as their land was confiscated by the Russians. Formal Ottoman recognition (1792) of Russia's annexation of the Crimea deprived the Tatars of the last hope of regaining their independence. The new situation sparked off several other waves of migration. It also nurtured an intellectual search for "Pan-Turkic" unity, which unfolded as a reaction against Christianization and Russification.

An autonomous Crimean Republic was set up only in 1921, as part of the RSFSR. This happy interlude lasted, however, less than a decade. Almost all pre-1917 Tatar intelligentsia disappeared, thousands of Tatars were resettled beyond the Urals during the collectivization drive, and most of the Muslim clergy faced either death or exile as part of a violent anti-religious campaign. With the approach of the war, Stalin's fears about the loyalty of the non-Russians had become extreme. Six days after the last German soldier was driven out of the Crimea, all of the Tatars, without any exception, were asked to leave their homes, jobs and native land. The resettlement of the Tatars was made public two years later.

Back in the Crimea, the confiscated property of the Tatars was given to settlers from Ukraine, many of the old Tatar place names were replaced by Russian ones, and the history of the Crimea was rewritten. After Stalin passed away (1953), N.S. Khrushchev included the resettlement of whole nations in his list of Stalin's crimes during his then "secret speech" at the 20th Party Congress (1956). The special settlement restrictions had been lifted (1954) from the Crimean Tatars who had fought on the Soviet side. The same approach was applied to all Crimean Tatars by virtue of a decree (1956), officially decided upon but nevertheless unpublished. The same decree stated that the Tatars could visit the Crimea but not return there. The decree rehabilitating the Crimean Tatars was printed only in some Central Asian papers (1967). Moreover, it aimed at keeping the Crimean Tatars permanently rooted in the new areas of resettlement. All Tatar appeals ended with repression and arrest.

While the Tartars wanted to go back to the Crimea, the Soviet Germans[4] formed the largest group of emigrants from the Soviet Union after the Jews. The relocation of the Meskhetians[5] was even less justified because that mountainous region on the Soviet-Turkish border in the northwestern part of Georgia was never occupied by the Germans. Not granted even token settlements in their original homelands, their continued presence in Central Asia later led to bloody events between them and the Uzbeks.

After the disintegration of the Soviet Union and the emergence of the Russian Federation, demands for more autonomy came from the representatives of those non-Russian ethnic groups as well as Russian organizations operating in areas rich in natural resources. Colonized in the 17th century, Siberia and the Far East remained the country's producer of raw materials and energy even during the Soviet period, and a colonial form of trade continued with the rest of the U.S.S.R. The federal treaty, signed on the 31st of March 1992, by all the republics within the Russian Federation, except Tatarstan and Chechnia, states that the land and natural resources of the republics

[4] Fred C. Koch, **The Volga Germans**, Pennsylvania, The State University, 1977.

[5] Charles Blandy, **The Meskhetians: Turks or Georgians? A People without a Homeland,** Surrey, Royal Military Academy Sandhurst, 1998; Türkkaya Ataöv, "Mesket Türkleri", **Milliyet,** Istanbul, 21 Haziran 1989.

belong to the people living there. The other subjects of the federation (*oblasts, krais*, and *okrugs*) were not granted as much control over their wealth as the republics. Many of the most influential forces in Siberia and the Far East, Russian or non-Russian, strongly favour autonomy and economic rights.[6] Apart from the leading peoples who live on this vast territory, there are also various different ethnic groups,[7] a little over two dozen, with their own history, characteristics and problems, who have been facing an ethnic catastrophe following Russian colonization[8] and a need for group rights, special protection and effective action policies.

The Soviet régime did not stop at declaring church and state as separate. It intended to eradicate religion in the long term. However, the Russian Orthodox Church, holding the place of *primus inter pares* among all religions or sects, had been part of the Soviet foreign policy since the Second World War. But, in spite of religious festivals and theological publications, there was persecution of Catholics, Jews and even Buddhists, who renounced any thirst for life and anything that was earthly.

A popular, clandestine counterpart of Islam always existed with the officially recognized one. There was a call for an end to anti-religious excesses since 1965. Former unreasonable suppression had only increased the number of believers. With the Helsinki Agreements (1975), Soviet policy became more lenient to officially-recognized churches. After the collapse of the Soviet Union, the Russian Orthodox Church has exerted an influence over the lives of the Russian society and its individuals in a degree unknown during the Soviet period. Although this church claims the majority, to elevate it to the position of a "state religion" would be to transform it into a source of instability. While the Patriarchate reconciled itself with the Catholic Church and Judaism, it seems opposed to the independence of the Orthodox Church in the Ukraine and in some other former

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[6] Vera Tolz, "Regionalism in Russia : The Case of Siberia", **RFE/RL Research Report,** 2/9 (26 February 1993), pp. 1-9.

[7] **Indigenous Peoples of the Soviet Union,** Copenhagen, IWGIA, 1990.

[8] T. Armstrong, **Russian Settlement in the North,** Cambridge, Cambridge University Press, 1983.

Soviet republics. More seriously, there are trends within it denouncing some other religions as Russia's enemies.

The disintegration of the Soviet Union did not bring an automatic solution to the discrimination problem. For instance, Crimean and Ukranian resources are insufficient to relocate all of the Crimean Tatars, 250,000 of whom have so far returned.[9] Crimean laws still discriminate against them from becoming more than 20% of any region. There are occasional *pogroms* against newly-built Tatar encampments. They are still like the American Indians as trespassers on their own land. They have held, nevertheless, the second *Kurultay* (Congress) in 1993 (the first one held in 1917). The Congress demanded international recognition of their *Majlis* (Parliament) as the representative body of the Crimean Tatars.

There are Tatars outside Crimea as well. Those in Russia are the largest (5.5 million) minority in that federation. The Baskhir, related to the Tatars, also speak a Turkic language. The Balkar and the Karachai, likewise relocated in 1944, are ethnically Turkic as well. The Chuvash, who speak a Turkic language, are Eastern Orthodox, one group only having accepted Islam. Khakass, closer to the Uigur Turks, have either Shamanist or Orthodox beliefs. Some of these groups harbour sentiments against each other because of the differences already mentioned. But the dissimilarities with the Russians weigh heavier. For instance, there is a conflict between the Altai, who speak a Turkic dialect, and the richer Russians. Adygei has the highest (68%) concentration of Russians in the North Caucasus. The Chechen and the Ingush, both Sunni Muslims who have also suffered mass relocation in 1944, are ethnically close to each other, but only the Chechens have opted for complete independence.

The urge for autonomy or independence became more visible in the North Caucasus. The first non-Russian group to revolt against the central government was the Chechen, who declared (1991) independence from Russia. All ethnic units, except Chechnia, Ingushetia and Tatarstan, signed the new federation treaty (1992). Two years later 21 units were given republican status. While the new

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[9] Taras Kuzio, **Russia-Crimea-Ukraine: Triangle of Conflict**, London, Research Institute for the Study of Conflict and Terrorism, 1994, p. 27.

constitution (1993) pledged the language rights of the non-Russians, it did not clarify the division of powers between the center and the republics. Bilateral treaties aimed to define these relations.

The first power sharing treaty with Tatarstan (1994) was deplored by nationalists on both sides. While the Russian nationalists considered it a nail on the coffin of the Russian Federation, the Tatar nationalists denounced it for failing to recognize oil-rich Tatarstan as a sovereign state. The liberals, who consider the present structure a unitary one, welcome it as a step toward the genuine federalization of Russia. While Tatarstan's own constitution describes this country as a sovereign state, the treaty fails to do so. Similar treaties may be concluded with other 'independent-minded' republics of the Russian Federation such as Bashkirdistan, Chechnia, Sakha and Tuva. If the same can be repeated with some of the Soviet successor states, the result may be a *de facto* federation other than the Commonwealth of Independent States.

Ukrainian lands having been at the crossroads of various empires, its society inherited various ethnic and religious groups. Independent Ukraine is now one of the few former Soviet Republics that has so far avoided ethnic strife. Official Ukrainian policy seems to help form a melting pot, which may be stirred up by Russian nationalists and their links abroad.

The Ukrainians had come to regard themselves as *malorosy* (little Russians) and had lost Eastern Galicia and Volhynia to Poland, Bukovyna and Bessarabia to Rumania and Sub-Carpathian Ukraine to Chechoslovakia. Millions of them starved to death during collectivization, and an estimated 5.5 million people were killed during the Second World War. But when the question of independence came out, the Ukrainians were overwhelmingly in favour of it. Even in the mainly Russian-speaking Donetsk region, 83.9% of voters backed independence.

Accustomed to 337 years of union between Ukraine and Russia after the Treaty of Pereyaslav (1654), some Russians, however, found the idea of an independent Ukraine hard to accept. The "elder-younger" brother syndrome, propagation of Russian culture as "higher", and the concept of Russian *mission civilisatrice* in respect to

"country cousins" (*khokhli)* had created a paternalistic Russian view. On the other hand, the Ukrainians, who did not regard Tsarist rule as beneficial, have taken pride in their own historical accomplishments, leaving no room for an equivalent of "Slavophiles" versus "Westernisers" that one observes in the domestic Russian debate.[10]

Holding its own among Europe's largest countries in terms of its size and population and endowed with fertile soils and rich in natural resources, this 'breadbasket' and industrially well-developed republic was responsible for 16.5% of the total Soviet Net Material Product (NMP) in 1991, including about 20% of the total agricultural output, over 40% of the iron ore and coal deposits and steel production than Britain and France combined. Attempts to mobilize the inhabitants of Ukraine's southern and eastern regions to foster the vision of a small 'Novorossiya' republic carved out of that country and part of neighbouring Moldova, and further to seek 'reunification' with Russia have failed, but some Russian politicians have played the 'Russian card' challenging Ukraine's sovereignty over the Crimea or pressing for more rights for the Russian minority.[11]

According to the new constitution (1996), Ukraine is a unitary state with special provisions for the autonomous republic of Crimea, and Ukrainian is the official language, allowing, however, other languages to develop. The Law on National Minorities (1992) makes state support compulsory for the development of minorities. A year later, a Ministry of Nationalities and Migration was established. The Crimea is the only territorial-administrative unit of Ukraine with a Russian majority, the Ukrainians forming 25.75% of the population. The Crimean issue involves, however, a third nation as well–the Crimean Tatars. As noted above, the Russians, who have been traditionally dominant in administration and industry, constitute the majority (67%) there. After all, the Crimea was transferred to Ukrainian jurisdiction very recently (1954), on the occasion of the 300th anniversary of the Russian-Ukrainian union.

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[10] **Ibid.**, pp. 2-3.

[11] Bohdan Nahaylo, **The New Ukraine,** London, Royal Institute of International Affairs, 1992, p. 19.

Following Ukraine's independence, secessionist tendencies and related questions such as the ownership of the Black Sea Fleet came to the fore. There are also some Rumanian territorial claims in respect to the Chernivitski and Odessa regions in the southwest of Ukraine. Rumanians and Moldovans live in the last-mentioned areas, which is also the home of some Bulgarians. Germans from Russia and Kazakhstan were as well among those resettled in Ukraine.

The Ukrainian authorities seem justified in banning activity which undermines the country's territorial integrity or the inviolability of frontiers, but they may have to treat carefully the promotion of the Ukrainian language in 'Russian areas'. Kiev may also be expected to show concern in the future for the rights of its own co-nationals living in Russia (4.4 million), Kazakstan (900,000), Moldova (600,000) and Belarus (300,000).

In spite of the existence there of Poles and Ukranians as well, Belarus has practically no minority problems, mostly owing to the 'integration' (1996) of the country with Russia. Although the Russians are only 13.2%, there is a close cultural affinity between the two nations.

IX. CAUCASIA AND CENTRAL ASIA

Armenia and Azerbaijan, which brawled and fought over the Nagorno-Karabagh conflict, and Georgia,[1] which experienced discord and collisions in South Ossetia and Abkhazia, are situated in southern Caucasia. After the expulsion of all the Azeri community from Armenia and the inflow of Armenian refugees from Azerbaijan, very few groups have been left in Armenia who are marginalized from the political process and therefore complain over the lack of representation under the new Armenian electoral law. Most of the (Yezidi) Kurds also left Armenia along with the Azeris. The Russian-speakers are at a disadvantage because Armenian is the only language used at work and for education. While the small Jewish group has not been a target of attacks, some Christian communities faced violence and arrests.

Not a special law but a Presidential Decree (1991) aims to safeguard the rights of the minorities in Azerbaijan. The Russians (6%) enjoy religious freedom. There is some tension with the Lezgin community (4%) over land autonomy and employment. The rural Talysh, who speak an Iranian dialect, had declared a short-lived 'Talaysh Mugansk Republic'. The Kurds were forced to flee from Azeri territory on account of the armed actions by the Armenians. The latter have also tried to maintain and encourage separatist trends among the Kurds against the Azeris.

Both the Armenians and Azeris claim a historic right to Nagorno-Karabagh, which had been a part of Azerbaijan since 1921 but whose inhabitants were largely Armenians. When Nagorno-Karabagh declared (1991) its secession, this drift was exacerbated, not only by the neighbouring Republic of Armenia, but also by some Russian troops in the region. While human rights were violated by both parties during the armed clashes, (Armenian) occupation of parts of Azerbaijani territory, in addition to Nagorno-Karabagh, was criticized in strong terms by the U.N. Security Council.[2] Minority

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[1] C.W. Blandy, **Georgian Ethnic and Humanitarian Crises**, Surrey, Royal Military Academy Sandhurst, 1996.

[2] U.N. Security Council, Resolution 822 (1993), Resolution 853 (1993) and Resolution 884 (1993).

rights need to be protected by specific laws in all three southern Caucasian republics, and the conflict over the status of Nagorno-Karabagh needs to be resolved through bilateral negotiations or through the mediation of friendly states.

Georgia experienced conflicts in Abkhazia and South Ossetia since the declaration of independence (1991). President Zviad Gamsakhurdia's authoritarian rule and his policy of 'Georgia for the Georgians' led to armed conflicts. When the central Georgian Government in Tbilisi decided to send troops to Suhumi, the capital of the Republic of Abkhazia, in response to an Abkhaz (Apswa) declaration of sovereignty (1995), the Abkhaz representatives considered this act as an "invasion" and the beginning of a full-fledged war. The Russian factor was also influential in the resistance of the Abkhaz, who formed only 17% of the population of Abkhazia. The war witnessed various human rights violations. Tbilisi also opposed the declaration of sovereignty (1990) of the South Ossetians, who speak an Iranian dialect and whose brethren live in North Ossetia in the Russian Federation. Many Russians left Georgia during the war in Abkhazia. There were attempts during the Gamsakhurdia régime to Christianize the Muslim Georgians, whose dialect is influenced by Turkish and who wish to enjoy local autonomy.

The independence of the five Central Asian republics was a consequence of the disintegration of the Soviet Union.[3] Not having struggled for self-reliance of this type, they did not create a new elite for separation of this kind, but had to rely on the rule of former Communist administrators. Indigenous peoples, most of whom are Turkic, form (with the exception of Kazakhstan) the majorities in their

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[3] Shirin Akiner, **Conflict, Stability and Development in Central Asia,** Surrey, Royal Military Academy Sandhurst, 1995;____, **Central Asia: Conflict or Stability and Development?** London, MRG, 1997; P. Ferdinand, ed., **The New Central Asia and Its Neighbours,** London, Royal Institute of International Affairs, 1994; H.R. Huttenbach, ed., **Soviet Nationalities Policies: Ruling Ethnic Groups in the USSR**, London, Mansell Publishing, 1990; J.C. Oliphant, **Nationalities Problems in the Former Soviet Union**, Surrey, Royal Military Academy Sandhurst, 1992; G. Smith, ed., **Nationality and Ethnic Relations in the Post-Soviet States,** Cambridge, CUP, 1995; J. Williamson, ed., **Economic Consequences of Soviet Disintegration,** Washington, D.C., 1993.

own republics, which also contain other Central Asians, Slavic settlers and communities forcibly sent there. In spite of this, regional identities are strong. Ten million Russians live in these five Central Asian republics, mostly in the northern and eastern parts of Kazakhstan. The revival of Islam, discouraged in the Soviet period, aggravates the alienation of some new settlers. Among them, the Russian-speakers, who still hold leading positions in skilled professions, try to emigrate – so do some Germans and Tatars.

The Uzbeks, descendants of Turkic tribes, are the most populous (22 million) among the Central Asian nations. There are Uzbek minorities in neighbouring Afghanistan, Kirgizistan and Tajikistan. There has been inter-ethnic violence between Uzbeks and Meskhetian Turks in the Fergana Valley of Uzbekistan and between Kirgiz and Uzbeks in the Osh *oblast* of Kirgizistan. Although Tajiks had some conflicts with Uzbeks in the past, there is no secessionist movement among the former, but a demand for national rights such as the use of their language in areas where they congregate. Uzbekistan is a party to the CIS (Commonwealth of Independent States) joint peacekeeping forces in Tajikistan.

While more and more Uzbeks dominate the state apparatus, some Russians have left the country. The Tatars, resettled here, have a tendency to return to their native land in the Crimea. Meskhetian Turks, also resettled here, became victims of violence (1989) and had to go to other neighbouring states and to Turkey. Their return to their original homes in Georgia is not encouraged by the officials in Tbilisi. Koreans, brought (1937) from the Far East, adapted themselves to Uzbek conditions as rice and cotton growers and now as members of a new business elite. Karakalpaks (about 500,000), also a Turkic people, suffer from the ecological disaster connected with the shrinking Aral Sea. Although there has been no anti-Semitic violence, many Bukharan Jews emigrated. The present stability has been made possible by the ruling style of President Islam Karimov whose mandate has been extended to the year 2000 by a referendum.

The Kazakhs, also a Turkic people, have formed the second largest state in the former Soviet Union. There are more than one million Kazakhs in neighbouring China. In addition to the Slavic settlers, peoples like the Crimean Tatars, Volga Germans, Chechens,

Ingush and others, previously punished for alleged collaboration with the invading Germans, were also resettled in Kazakhstan. The Russians had come in several waves. There had been peace on the surface until riots took place (1986) when the Kazakh Communist chief administrator (D. Kunayev) was replaced by an ethnic Russian (G. Kolbin), not even from Almaty but from Moscow. President Nursultan Nazarbayev, whose tenure was also extended until 2000, rejected dual citizenship but agreed to abolish the visa for the Russian-Kazakh border. The drive to transfer the capital from Almaty to Akmola in the north may be interpreted as a way to assert more Kazakh presence among the Russian community there. About 200,000 Germans, who lived mainly in Karaganda, and some of the Tatars, mostly from Petropavlovsk and Kokchetau, emigrated. There has been some enmity towards those Uzbeks who better adapted themselves to market economy. Uigurs, another Turkic group (200 000), have their own language media. The sympathizers for independent Uiguristan actually have the Xinjiang area of China in mind, where close to seven million Uigurs live. Most of the Koreans (140,000), residing in Uzun Agach, are already Russified. While most of the conflict may be expected to occur between the Kazakhs and the Russians, those successful in market economy such as the Koreans, Jews and some Caucasians may also be a cause for tensions.

In the Kirgiz Republic, so renamed in 1993, the Slavs, who expect dual citizenship and proportional ethnic representation in state organs, are the largest (about 19%) minority. Although Kirgiz was mentioned in the Constitution as the only state language, Russian was to be the official means of communication in places wherever Russian-speakers constituted the majority. While no violence has been exhibited towards the Russians, there were some disagreements, and even occasional clashes between two Turkic 'cousin' peoples, the Kirgiz and the Uzbek, the latter forming 14% of the total population and living mainly in the Fergana Valley. Some Uzbeks expect readjustment of the border with Uzbekistan while the Kirgiz-Tajik border also needs a clear definition. Occasional illegal entry of the Turkic Uigurs from China bothers the Kirgiz authorities. The small German group seems to prefer emigration.

Turkmenistan, where President Saparmurat Niyazov extended his term of office to 2002, is rich in natural gas and oil. The ethnic

Turkmen, another Turkic people, constitute more than 73% of the total population. There are some indications of conflicting tribal loyalties among them. A few hundred thousand Turkmen live in neighbouring Afghanistan as well. The Russians (9.5%) are mainly employed as a part of the technical personnel in the gas and oil business. Although dual Russian and Turkmen citizenship has been granted to ethnic Russians, some of the latter are leaving the country. While there seems to be no conflict with the larger (9%) Uzbek minority, some of the very small community of Kurds (close to 0.5%) strive for an autonomous territory for themselves. In some future date, some Uzbeks may also campaign for the transfer of the Amu Derya and the Tashauya oasis to Uzbekistan.

Although the Tajiks, ethnically and linguistically close to the Iranians, make up 65% of Tajikistan's population, that country is also the land of many minorities, foremost the Uzbeks (25%). There had been conflicts with the latter when the Tajiks, who had sought refuge in neighbouring Afghanistan since 1992, attempted to return. Some Uzbeks, as a Turkic people, feel themselves repressed by the ruling Tajiks. There is some discrimination even against the 'Pamiri Tajiks', who have separate linguistic and religious affiliations and who live in the autonomous *oblast* of the Gorno-Badakhshan. This piece of land, which at times gives the impression of a *de facto* seceded area, suffers from economic blockade imposed by the central government. Tajikistan signed an agreement with Russia, on the other hand, on dual citizenship to attract the ethnic Russians whose number dwindled even before independence. The future of the Russian military detachments and the potential within the Uzbek minority to forge for secession are two of the three conflicts in that country. The third is the armed encounter between Islam and secularism. In spite of the resignation of President Rahman Nabiev, the formation of the CIS peacekeeping forces and the steps for national reconciliation, the ensuing stability may not be of long duration.

X. THE MIDDLE EAST

The Middle East is a region where discrimination led to a number of conflicts. Some origins of the discords lie in the distant past, and some in comparatively recent times. For instance, while identity during the empires of the Umayyads (661-750), the Abbasids (750-1258) and the Ottomans (1299-1923) was based on religion and not on ethnicity, Islam, like Christianity, had fragmented into mainly two branches, the majority Sunni and the minority Shi'a; Sunni Islam further divided into four traditions of jurisprudence. The (Sunni) Ottoman and the (Shi'a) Safavid Empires clashed over their quests for influence and power through the protection or enlargement of these two sects. As the Shi'a broke away from the Sunni because of difference over succession, the Isma'ilis broke away from the former for the same reason. The Crusaders (1095-1291) also split the communities, and the leading European powers interfered as self-styled protectors of the Christian minorities. The British and the French, who established Mandates in the region after the First World War, further divided the Arab world and sowed the seeds of even an almost irreparable division when Palestine was opened to Zionist colonization. As the French allowed some minorities like 'Alawis to rise in the military in Syria, the Western colonizers benefited primarily from the non-Sunnis. Most minority groups shared for centuries, nevertheless, common cultural traits until their ethnic and/or socio-economic differences came to the fore at the beginning of the 20th century. In spite of these centrifugal forces, long periods of common identities still weigh heavy. For instance, while many Shi'a and Christian Arabs share the same ethnic identity with the majority of Sunni Arabs, many Kurds feel themselves, first and foremost, as part of the larger Muslim community. Some contemporary régimes such as the ones in Iran and Saudi Arabia continue to emphasize the predominance of the religious identity.

The Middle East long endured the painful legacy of imperial fragmentation, the policy of divide and rule, neo-colonialism, the Mandate system, political subjugation, economic inequalities, discords exacerbated by the Cold War, exorbitant militarism, favouritism, double standards, repetitive aggressions, interventions and military

occupation. Following the creation of Israel (1948), Zionist Jewish leadership set up in Palestine a settlers' state over the indigenous Arabs, some of whom were either expelled or fled while the remaining ones faced discriminatory laws. The initial image of Israel as an undersized country bent only to survive has been replaced by another one prone to expansion with a plan to annex neighbouring lands. The international community came to believe that peace could not be achieved without going to the core of the problem.

While Judaism is the religion of the Jewish people, the term "Zionism" connotes a movement whose leaders and adherents perceived the Jews as a separate people to be "resettled" as a political entity in Palestine, inhabited mostly by the Arab Palestinians when the Balfour Declaration (1917) for a Jewish "national home" was made public. Orthodox Judaism adheres to an aspiration called messianic Zionism, or belief in a spiritually activated ingathering of Jews in the Holy Land. But political Zionists have identified scriptural passages with their own aims. Many Jewish leaders and writers agreed that an exclusivist state in Palestine, discriminating against indigenous Arabs, would cause conflict. The Jewish critics of Zionism can be classified into three ideological schools: the socialists, the bi-nationalists and the humanists.[1]

Criticism of Zionism is not an anti-Jewish sentiment, the latter traceable to the pre-Christian times.[2] Anti-Semitism, which is an historical accumulation starting from the Hellenic times, provided the national socialists in Germany with the opportunity to use every accusation and tool of oppression culminating in the Nuremberg Laws (1935) of full expression. It was mainly the Holocaust during the Nazi rule in Germany and parts of Europe that helped to create the general sentiment for a Jewish state in a portion of Palestine. In the assessment of some writers, however, only Israel and South Africa remained for decades, after the failure of similar efforts in Algeria and Rhodesia, as examples of settler-colonial domination over indigenous

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[1] Hatem I. Hussaini, "Jewish Critics of Zionism", **Zionism and Racism,** London, EAFORD, [1977], pp. 223-230.

[2] A full bibliography on the subject, especially in the European context: Robert Singermann, **Anti–Semitic Propaganda: An Annotated Bibliography and Research Guide**, New York and London, 1982.

populace.[3] They both created legal structures to discriminate against the natives, leading in both cases to serious conflicts.

The United Nations General Assembly resolution (1975) that described Zionism as a form of racism and racial discrimination has been a controversial issue since adoption. While some argue that to associate Zionism with any exclusivism is an attack on Judaism, others charge that its application in Israel disguises legal discrimination against non-Jewish citizens. The latter group[4] specifically criticizes three "fundamental laws", i.e., the Law of Return (conceding that all Jews have the inalienable right to immigrate to Israel), the Nationality Law (according to which the Jews have the right to claim Israeli nationality by return) and the Status Law (unifying the World Zionist Organization/Jewish Agency and the Israeli Government). The supporters of this view argue that these three fundamental laws legalize discrimination against non-Jewish citizens of Israel, the first one establishing exclusive nationality rights for Jews in Israel that are denied to Arabs, the second allowing a class of citizenship for Arabs that leaves them disadvantaged compared with Jews, and the third facilitating discrimination against Arabs by delegating national services to Zionist institutions serving only Jews.

Judging by the position of some Oriental and African immigrants in the Jewish state, there is the danger of "two Israels", the poor and backward people having been caught in the dilemmas of an advanced society.[5] While the Jews constitute powerful lobbies in North America and Western Europe, they are oppressed minorities in some African and Asian countries, to be found mostly in South Africa, Ethiopia, Iran, Morocco, Syria and India.[6] The South African Jewish community is among the richest in the world. Oppression of the

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[3] Christopher Mansour and Richard P. Stevens, **International Control in Israel and South Africa,** Washington, D.C., EAFORD, 1987.

[4] Roselle Tekiner, **Jewish Nationality Status as the Basis for Institutionalized Racism in Israel,** London, EAFORD, 1985.

[5] Alfred Friendly and Eric Silver, **Israel's Oriental Immigrants and Druzes**, London, MRG, 1981.

[6] Tudor Parfitt, **The Jews of Africa and Asia**, London, MRG, 1987.

Falashas, the black Jews of Ethiopia,[7] caused their mass emigration to Sudan (1980-84) and Israeli airlift of them.[8] Being a fringe group, their status in Israel as well cannot be expected to be on par with the white Jews, especially those who came from Europe. The Jews, who flourished under the Pahlavis (1925-79), suffered some discrimination after the 1979 Revolution in Iran. The Moroccon Jews enjoy equal rights with the rest while the Jews of Syria face some discrimination but consider the present régime as an over-all guarantor of their existence. There are three distinct Jewish communities in India (the Cochinis, the Bene Israel and the Baghdadis), some of which may disappear in the near future.

The Palestinians are the most significant minority in Israel and in the states where they are refugees. The fact that Zionist leadership took over Palestine and deprived the Arab minority of the opportunity to have its own state was the cause of a conflict of a long duration since 1948. In the past, Israel opposed several initiatives coming from the United Nations (1983 Geneva Conference), regional groupings (1982 Fez meeting), bilateral (Palestinian-Jordanian) and unilateral (Soviet) peace plans as well as actions of individuals (Jaring and Rodgers). Israel constantly rejected various United Nations resolutions, and carried out its defiance of international norms to the hills of Lebanon, the atomic reactor near Baghdad, and to Tunisia, which is neither a confrontation state, nor at war with Israel.

For decades, the Israelis felt that as long as the Arab world did not recognize even the frontiers of the state, let alone the territories occupied after the 1967 war, Israel was justified to consider its Palestinian population as a potential fifth column. The question of Palestine continued, in the meantime, as the most longstanding and difficult conflict of the century. The U.N. General Assembly resolution (1947) requesting the implementation of the Plan of Partition with Economic Union providing for independent Arab and Jewish states with a special régime for the city of Jerusalem was never carried out. Wars and flights of Palestinians followed instead. The

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[7] David Kessler, **The Falashas: The Forgetten Jews of Ethiopia**, New York, Schocken Paperbacks, 1985.

[8] Tudor Parfitt, **Operation Moses: The Story of the Exodus of the Falasha Jews from Ethiopia**, London, Weidenfeld and Nicholson, 1985.

military occupation (1967) of the West Bank, including Eastern Jerusalem, and the Gaza Strip was consolidated through a network of Israeli settlements, appropriation of land and water resources and the incorporation of Jerusalem into Israel.[9]

When the Palestinians emerged with a resolve to shake off the discriminatory occupation, the world came to know of their confrontation by its Arabic name, *al-intifadah* (the uprising). This was not an "event" or a series of "events", but a response of the indigenous people of Palestine to the anguish brought to bear on them over decades.[10] An understanding of some basic facts involved in the Israeli-Palestinian conflict was an important step for the achievement of peace in the Middle East. Israeli and Palestinian leadership found ways of starting talks, comprising and gradually burying resentments, rather than insisting indefinitely on the acceptance of irreconcilable claims.

The status of the Holy City remains the stiffest bone of contention between the two main interested parties. The historical and legal features of the city continue to persist. The city's threefold religious vocation and its former sovereignty are incompatible with its present situation as an occupied and annexed land. No matter how the distribution of power is affected elsewhere as a consequence of the "new world order", the following facts remain true: Jerusalem has been wrested away from its legitimate sovereign and endowed with an international status (1947), *de facto* divided between two neighbours (1948), the Western part proclaimed as the capital of the Jewish state (1950), the Eastern part too occupied and annexed by Israel (1967), and proclaimed a united "eternal capital" (1980) for a people other than the previous owners.

There should be wide consensus over the international law principle that occupation and annexation cannot impair the legal status

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[9] Türkkaya Ataöv, "The Status of Jerusalem as a Question of International Law", **The Legal Aspects of the Palestine Problem with Special Regard to the Question of Jerusalem,** ed. Hans Köchler, Wien, Wilhelm Braumüller, 1981, pp. 133-143; Türkkaya Ataöv, **The Question of Jerusalem in the Post-Cold War Era**, Geneva, EAFORD, 1998.

[10] Joseph Schechla, "The Past as Prologue to the *Intifadah*", **Without Prejudice**, I/2 (1988), pp. 68-99.

of Jerusalem, the metropolis of three great monotheistic religions. In many languages, even the name of the city reflects "holiness" or "sanctuary". Few cities have such emotive force. The religious fervour of the adherents of all three religions is alike. Some interested parties with religious claims also have exclusive political assertions. For instance, a number of Jewish statesmen are quoted as considering Jerusalem as Israel's "eternal capital". The followers of *Naturei Karta*, an Orthodox Jewish group, on the other hand, believed state sovereignty to be incompatible with Judaism. For Muslims, Jerusalem, now occupied and annexed, where Islamic states ruled, with short exceptional periods, for almost thirteen centuries from 638 until 1917, was always second in holiness only to Mecca and Medina. A spirit of tolerance and respect for all communities had prevailed under the former, long Muslim era whether during the Arab or Turkish centuries.

It was these peculiarities that must have forced the formulators of the United Nations partition resolution 181 (29 November 1947) to include a statement regarding a separate international status for Jerusalem. It declared, as is well-known, that this city, including the municipalities plus the surrounding villages and towns, should be established as a "*corpus separatum*" under a special international régime, to be administered by the Trusteeship Council on behalf of the United Nations.

While a number of non-Arabs who surveyed various aspects of the problem recommended some form of internationalization,[11] the Arabs did not accept such an alternative as a just solution. For instance, a seminar of Arab jurists in Algiers (1967) concluded that the régimes of internationalization presuppose the consent of the state territorially competent, surrendering its sovereignty in a treaty.[12] Nothing of the sort happened, the seminar recorded, in the case of the

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[11] An article by former Mandatory Chief Justice of Palestine: Sir William Fitzgerald, "An International Régime for Jerusalem", **Royal Central Asian Journal,** XXXVII (July-October 1950), pp. 273- 283. Also: S. Shepard Jones, "The Status of Jerusalem: Some National and International Aspects", **Law and Contemporary Problems,** XXXIII/1 (Winter 1968), pp.169-182.

[12] **The Palestine Question**, Beirut, Institute for Palestine Studies, 1969, p. 114. Also: Walid Khalidi, **Jerusalem: The Arab Case,** Amman, Hashemite Kingdom of Jordan, 1967.

internationalization of Jerusalem, where the preference of the territorial sovereign was not asked. The world organization could not decide, the seminar asserted, without the compliance of the people concerned, that a part of territory be subjected to a different régime. Internationalization would have been meaningful if there had been discrimination before 1948.

It is also well-known that the proposed international régime never saw the light, however. War broke out between Israel and Jordan, ending with a truce (1948) and an armistice agreement (1949), and creating in the process the *de facto* partition of Jerusalem. Annexing West (New) Jerusalem, Israel obtained more territory than the United Nations had granted it two years before. It is true that the truce and the armistice agreements were approved by the U.N. Security Council, but they were provisional measures which could not prejudice the rights of the interested parties.

The U.N. Mediator for Palestine Count Folke Bernadotte's progress report also stated that Jerusalem ought to be accorded special and separate treatment.[13] The General Assembly resolution 194 (11 December 1948), which formed the Conciliation Commission for Palestine on the basis of Count Bernadotte's recommendation, stated as well that Jerusalem ought to be dealt with differently.

Israel, which acquired West Jerusalem at the end of its first war with the Arabs, gave up public assurances, prior to its membership in the United Nations, that it would respect the peculiar status of the city. In fact, it was admitted to that international body following pledges that it would honour all its resolutions. Apart from promises to observe resolutions pertaining to boundaries, rights of the Palestinians and the return of the refugees, Israel was also bound to revere the status of Jerusalem. Abba Eban's promise, on behalf of his government, is in the official records of the *ad hoc* political committee. He said, "I do not think that Article 2, paragraph 7, of the Charter, which relates to domestic jurisdiction, could possibly affect the Jerusalem problem since the legal status of Jerusalem is different from that of the territory in which Israel is sovereign".[14] It may be

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[13] Folke Bernadotte, **To Jerusalem**, London, Hodder and Stoughton, 1951.
[14] U.N., General Assembly, Official Records, Session 3, Part II, *Ad Hoc* Political Committee, pp. 286- 287.

asserted that, apart from the fact that Article 25 of the U.N. Charter states that the members agree to accept and carry out the decisions of the Security Council, Israel itself is the creation of a U.N. General Assembly resolution and cannot act in breach of the resolution to which it owes its own being.

The Israeli attack of 5 June 1967, on its three neighbours shifted the focus of attention of Jerusalem from the General Assembly to the Security Council. The attack, accompanied by the Judaization of the city,[15] violated the régime in the most flagrant manner. The U.N. Security Council resolution 242 (22 December 1967) does not specifically mention Jerusalem, but it emphasizes "the inadmissibility of the acquisition of territory by war". General Moshe Dayan's order to remove the Israeli flag which an overzealous soldier had hoisted on the Dome of the Rock (*Al-Masjid al-Haram al-Shareef*) could not affect the profound change in the military, political and religious balance of power.[16]

As Israel failed to comply with the terms of the Security Council resolutions, they were generally and progressively formulated into stricter language. All resolutions deplored Israel's failure to respect the previous ones, confirmed that all legislative and administrative actions taken by that country to change the status of Jerusalem were totally invalid and called on Israel to rescind previous measures and take no further steps which might purport to change the status of the city or prejudice the rights of the inhabitants and the interests of the international community, or a just and lasting peace.

There were no General Assembly resolutions related to Jerusalem between 1967 and 1980. But when the Knesset declared (30 July 1980) in a so-called "Basic Law" that "united Jerusalem" was to be Israel's capital, the General Assembly responded by adopting resolution 35/169E (15 December 1980), with only Israel voting against it, which reaffirmed that "the acquisition of territory by force

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[15] Rouhi Al-Khatib, **The Judaization of Jerusalem,** Beirut, P.L.O. Research Center, 1970.

[16] David Hirst, "Rush to Annexation: Israel in Jerusalem", **Journal of Palestine Studies,** 12 (1974), pp. 3-31.

is inadmissible". The principal U.N. organs noted that not only the displacement of Palestine, but also the new settlements were illegal.

The starting point of the most recent debate on Al-Quds centers on the declaration of Principles (1993), agreed upon by Israel and Palestine. The 1993 agreement postpones the discussion of three crucial issues; namely, the status of the Holy City, Jewish settlements and the return of the refugees. The agreement did not solve the future status of the city but merely deferred it. Israeli policy to settle the Jewish population, especially the new immigrants from the former Soviet Union (and former Yugoslavia) in the Occupied Territories, aims to create such a situation that no future government would be able to undo.

Israel does not have the right to dispose of property on conquered and occupied land. Some of that property being Islamic *waqf* (trust), can only be utilized for a charitable purpose. As a result of the Soviet, and later Russian, desire to qualify for full membership in the so-called "free world", the Jews from Russia and the former Soviet republics, massively migrated to Israel and were directed mainly to the Occupied Territories. These settlements are illegal within the meaning of the Geneva Conventions.

The fact that they continue to be established is a telling example of the inadequacy of international law in terms of enforcement.[17] U.S. aid to Israel to facilitate these illegal activities makes the assistance itself illegal and also weakens the prospects for peace. Although most of the newcomers prefer the Mediterranean coast, and although international law does not allow the occupying power to alter the occupied territory, the Israeli Government encourages them to settle in the Occupied Territories, including Jerusalem, through material incentives. International law expects the occupied territory to be preserved the way it is until the withdrawal of the occupier.

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[17] **Towards a Strategy for the Enforcement of Human Rights in the Israeli Occupied West Bank and Gaza**, London, the Labour Middle East Council and The Conservative Middle East Council, 1986.

To rectify the illegal situation in Jerusalem is the obligation of the international community.[18] The turbulent part of Jerusalem's history must come to an end. Its present status, decided through the use of force, violates international law, the resolutions of the world community and Israel's own pledge before its admission to U.N. membership. The international community never recognized Israel's claims. Likewise, the majority of the countries still keep their embassies in Tel Aviv. Both the General Assembly and the Security Council have repeatedly emphasized the illegality of the Israeli attempt to annex the Holy City, an enforced alternative denying the legitimate interests of others as well as the consensus in the authorized organs of the world community.

Sovereignty over Jerusalem was always vested in the people of Palestine. It cannot be lost as a result of occupation or annexation.[19] Moreover, peace in the area will depend on the fate of the Holy City. Its final status should be decided in negotiations, to be conducted in accordance with the requirements of international law. The delaying of the question, ostensibly on account of complexities, makes it even more difficult to resolve.

Jerusalem may become the capital of both the states of Israel and Palestine. The Jewish sector may be recognized as the capital of the former, and the Arab sector that of the latter. Then, neither the Israelis nor the Palestinians will be deprived of considering the Holy City their capital.[20] While Jerusalem may be divided into Jewish and Arab municipal sectors, in a way reminiscent of the report of the "Fitzgerald Commission" (1946),[21] the metropoles, permanently but equitably united, should be an "open city" for the adherents of all the

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[18] Türkkaya Ataöv, "The International Peace Conference on the Middle East is a Legal Obligation and a Political Necessity", **Question of Palestine: Legal Aspects**, New York, United Nations, 1992, pp. 456-460.

[19] Henry Cattan, "The Status of Jerusalem Under International Law and United Nations Resolutions", **Journal of Palestine Studies**, 39 (1981), pp. 3-15.

[20] Sami Hadawi, **Bitter Harvest: Palestine, 1914-1979**, Delmar, New York, The Caravan Books, 1979, pp. 296-297.

[21] Sir William Fitzgerald, "The Holy Places of Palestine in History and in Politics", **International Affairs**, XXXVI (January 1950), pp.1-10.

great faiths, making it once more, and this time hopefully eternally, "The City of the Prince of Peace".

There are few states like Lebanon,[22] which are fundamentally countries of minorities. In spite of two Israeli invasions (1978 and 1982), other neighbouring non-Lebanese interests, American-Soviet competition, and ideological clashes, the conflict in Lebanon stemmed mainly from internal divisions, principally religious ones. At the end of the First World War, the Catholic Maronites of Lebanon alone had welcomed the French rule, which called the new state the Republic of Greater Lebanon, having annexed some districts from neighbouring Syria and provided it with a flag, the French *tricolore* with a cedar tree reminding one of the Maronite seat in Lebanon. Prosperity was built, especially in Beirut, by Christian entrepreneurs, only some of whom recognized the danger of the lack of Sunni participation in political as well as economic life. The conflict brewed into a civil war,[23] the effects of which may be removed only by building a basis of mutual trust. The departure of the Palestine Liberation Organization did not stop the armed clashes. There exist basically two alternatives for the future of Lebanon: either consensus on an identity or partition into mini-states.

A number of Middle Eastern states have a dominant nationality and one or more minorities, the relationship of the two sometimes leading to conflicts. For instance, the Iraqi people consist of Arabs and non-Arabs just as Iran is a country of diverse ethnic and linguistic communities. Ba'thist ideology in Iraq tried to create a "Mesopotamian" identity in which all Iraqi nationals would regard themselves as the legitimate heirs of a common cultural background. This choice for an identity was an important Ba'ath doctrine, which should be accepted as being essentially egalitarian and integrative.

In terms of ethnic and linguistic perspective, the majority of the Iraqis are Arabs, followed by Kurds, Turcomans (Turks) and others. The Kurds constitute the largest minority. Some of them who

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[22] David C. Gordon, **The Republic of Lebanon: Nation in Jeopardy**, London, 1983.

[23] Walid Khalidi, **Conflict and Violence in Lebanon**, Cambridge, Mass., 1979.

are generally regarded a people of Indo-European origin and live mainly in the uplands where Iraq, Iran and Turkey meet, may also be found in Syria and parts of Caucasia. Overwhelmingly Sunni Muslim and with a different language or languages (Kurmanji, Zaza, Sorani, Gorani), they face in Iraq a Sunni Arab and in Iran a Shi'ite Muslim majority. It was in Iran that Kurds succeeded in declaring an independent republic, crushed in a few months.[24] The Kurdish revolt (1964-75) in Iraq collapsed when Baghdad yielded part of the Shatt-al-Arab (Ervend Rud) waterway to Iran. During the Iran-Iraq War (1980-88), several Kurdish villages were bombed by chemical weapons, killing thousands and forcing others to seek shelter in neighbouring Iran and Turkey. The Second Gulf War (1990-91) enabled the two main Kurdish parties (the KDP and the PKU) to establish control over parts of northern Iraq.

Iraq also has a confessional conflict involving a long history that goes back to the days of the Khalif Ali (656-661), the patron of the Shi'a Muslims. The Sunni Muslims, whether the Ottoman Turks (1534-1918), the Hashemite dynasty (1921-58) or the present Ba'ath régime, have historically held power in their hands. The Shi'a community is mainly located in the south, in and around the Basra region as well as Karbela and Najaf, the shrine cities of Shi'ism. The failures of the Sunni administrators, who are basically urban, more exposed to secular modernization and wealthier, to eliminate vestiges of discrimination and bridge the gap between the followers of the two leading Islamic sects, will constitute the backbone of conflicts, along with the ethnic disruptive forces in Iraq, mainly represented by the Kurds in the north.

Iran is also composed of various communities with different mother tongues and denominations within Islam. While the (Shi'ite) Persians live in the central areas, the (Shi'ite) Azeri Turks are in the north and northwest, the (Sunni) Kurds in the west and northwest, the (Sunni) Baluchis in the east and the (Sunni) Arabs in the south. The small (Sunni) Turcoman community lives in the Gorgan plains. There is socio-economic inequality among ethnic communities and a

[24] Ramesh Sanghri, **Aryamehr: The Shah of Iran**, London, Transorient, 1968, pp. 118-127.

widening gap between Persians and non-Persians.[25] Industrialization and modernization have not yet created an equality in the distribution of resources among the various groups. Domination of the Persian language as well as political and industrial centralization have also contributed to the development of interethnic inequality. There are some groups, like the Baha'is, who are not recognized as a religious community, all property belonging to them collectively being confiscated or destroyed.[26] Some international bodies passed resolutions calling on the Iranian Government to end the discrimination and violence.

Syria, where rulers in the past exhibited unwillingness to accept the actual size and shape of the country they administered, probably has one of the most fractured populations in the world. Muslims include Sunnis and Shi'is, the latter consisting of Twelver (Mutawalis) and Seveners (Isma'ilis) branches. The Christians are Eastern Orthodox (split into Greek and Syrian or Jacobite branches) and Catholics (divided into five Uniate Churches, i.e., Greek Melkite, Catholic Armenian, Syrian, Maronite and Chaldean or Nestorian) as well as Christians of Latin rite, Gregorian Armenians, Nestorian Assyrians and Protestants. Jews are either (indigenous) Sephardim or (immigrant) Ashkenazim. The 'Alawis and the Druze, two breakaways from Shi'ism, and the Samaritans, a breakaway from Judaism, are more Syrian than anything else. There are also Yazidis, the Ahl-i Haq and the Baha'is. Arabic is widely spoken but many Sunni Muslims speak Kurdish, Circassian (Cherkess) or Turkish. Some Christians use Armenian, Assyrian and Syriac. Sephardic Jews resort to Hebrew, and the Ashkenazis use Yiddish.

It is generally acknowledged that the Sunnis in Syria have traditionally discriminated against the Shi'ites. Indeed, Sunnis and not Shi'a Muslims, much less Christians, ruled Syria from 636 to 1917 (with very short exceptional periods). But the Syrian minorities wanted to change that domination since the 19th century. The 'Alawis got their first important break in the French mandate through the colonial approach of *politique minoritaire*. The 'Alawi ascent took

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[25] Akbar Zghajanian, "Ethnic Inequality in Iran: An Overview", **International Journal of Middle East Studies**, 15 (1993), pp. 211-224.
[26] Baha'i International Community, **The Baha'is in Iran**, New York, 1982.

place in three stages, culminating in their domination of political life since 1970. The Syrian Sunnis interpret this as an act of "usurpation." It is understandably shocking to the majority, represented by conservative and wealthy Sunnis, to lose the monopoly of power enjoyed for so many centuries. Present Sunni resentment of the 'Alawis resemble the old 'Alawi hostility toward Sunnis.[27]

The Treaty of Lausanne (1923), which replaced the Treaty of Sèvres (1920), the only one among the Versailles system of covenants that could not be imposed on a post-1918 defeated power, formally ackowledged the Greek and Armenian Christians and Jews as minorities in Turkey. Greece and Turkey subsequently agreed to an exchange of their respective minorities, except the *Rum* (Greeks) of Istanbul and the "Muslims" (principally Turks) of Western Thrace. The Turks, as Ottomans and as Republicans, had creditable relations with the Ladino-speaking Jews, who are now around 25,000 living mainly in Istanbul.[28] Crushed under the Inquisition (1492), the Jews had found a haven in parts of the Ottoman Empire, and again in the 1930s in modern Turkey as persecuted intellectuals under the Nazi régime. The Armenians, now perhaps close to 50,000, also live in Istanbul. All three treaty-acknowledged minorities own their own press and operate their own schools.

Although Armenian terrorism, directed indiscriminately at Turkish diplomats and almost anyone else nearby, suddenly erupted in 1975 and continued for about a decade, it was not connected with the Turkish citizens of Armenian origin or the bulk of Armenians residing in other countries. Basically two small militant groups attacked, not only Turkish missions abroad, but also other agencies doing business with Turkey or even foreign governments to coerce them to be lenient on Armenians held for various crimes.

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[27] Daniel Pipes, **Greater Syria: The History of an Ambition**, Oxford, Oxford University Press, 1990, especially pp. 149f. On the 'Alawis according to their own sources: Rıza Zelyut, **Öz Kaynaklarına Göre Alevilik**, Istanbul, Anadolu Kültürü Yayınları, 1990.

[28] Stanford J. Shaw, **Turkey and Holocaust: Turkey's Role in Rescuing Turkish and European Jews from Nazi Persecution, 1933-1945,** New York, New York University Press, 1993.

The 'Alawis (called 'Alevi' in Turkish) constitute one of the religious communities who became, a few times (1979, 1993, 1995) a target of Sunni Muslim and militant racist groups. The origins of their faith being probably in Central Asian Turkmen culture, later intertwined on Anatolian soil with other practices, they benefited from the secular principle of the Republican era, and they are therefore sincere supporters of Atatürk's progressive reforms. A smaller minority among them are ethnically Kurdish.

Although the Kurds are generally thought to inhabit southeastern Anatolia, they can now be found virtually in all parts of modern Turkey. Considered as a subdivision of the large Muslim community during the long Ottoman period, they were not singled out as "Kurds", just as no other Muslim group, including the Turks, was then designated by the ethnic epithet. It was against social ethics as well as Islamic law to probe into the racial or ethnic identity of a citizen once that person was recognized as an equal member of a religious community within the Ottoman state, the only accepted classification of that era.

While the elite of the Turkish Republic judges Kemalist 'nationalism' as expressive of the modern concept of the nation-state and not irredentism or expansionism, some Kurds at times resort to violent action to demonstrate their grievances. Although contemporary Turkey experiences some difficulties with the working of the secular democratic system, it was long assumed to be the only country with a predominantly Muslim population where democracy was introduced neither by imperialist rulers nor by victorious enemies. Apart from some ultra groups in the right and in the left, guided by a thesis of aggressive negation of reality, the separatist PKK (*Partia Karkaren Kurdistan*) conducted for two decades in the past violent activities in the rural areas, terrorism, principally in urban centers, and illicit narcotics trafficking globally.[29]

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[29] Michael M. Gunter, **The Kurds in Turkey: A Political Dilemma**, Boulder, San Francisco, Westview Press, 1990; Türkkaya Ataöv, "Some Observations on Terrorism in India and Turkey", **Democracy and Terrorism**, ed. Govind Narain Srivastva, New Delhi, International Institute for Non-Aligned Studies, 1997, pp. 125-134.

With some foreign support, largely from Turkey's neighbours like Greece and Syria (such sympathetic backing denied by both), the PKK aimed at the military, economic and social assets of Turkey, rival organizations, dissidents within its own rank, and non-cooperating Kurds. It attacked military and administrative targets, killed civilians, planted mines on roads, blew up bridges and railways, burned construction machinery, kidnapped tourists, targeted investment projects, indulged in drug trafficking, and extorted money inside and outside Turkey. The government responded to PKK outbursts, agitation and armed struggle in a number of ways, including employment of troops with occasional incursions into northern Iraq and also channelling investments such as the gigantic 'Southeastern Anatolian Project' (GAP), an important facet of an overall development scheme consisting of 22 dams, 10 hydroelectric power plants and 37 irrigation systems.

The Saudi community, where Wahhabism is a permanent ideological feature, faces some challenges from the Islamic reformists and liberals.[30] Migrant workers lack full civic rights in the United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al-Qaiwain, Ras al-Khaimah, Fujairah).[31] The mountainous interior of the Republic of Yemen is dominated by Zaydi Shi'ism (40%) while the coastal areas are predominantly Shafi'i Sunni, which has tolerant tradition compared to the purist Hannabi school in neighbouring Saudi Arabia.[32] Native citizens numbered under half of the population in Kuwait, when the Iraqi invasion created a major trauma. Unemployment already bears more upon the Shi'ites in Bahrain, where oil production is expected to come to an end in a decade or so.[33] Jordan had an impressive annual growth rate until the end (1991) to the flow of remittances from Palestinian migrants working in

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[30] Middle East Watch, **Empty Reforms: Saudi Arabia's New Basic Laws**, New York, 1992.

[31] R. Zahlan, **The Making of the Modern Gulf States: Kuwait, Bahrain, Qatar, The United Arab Emirates and Oman**, London, Unwin Hyman, 1989.

[32] Türkkaya Ataöv "Yemeni Unity", **Turkish Daily News,** 12 June 1990; _, "Yemen: Unity", **ibid**., 15 May 1993.

[33] Amnesty International, **Bahrain: Violations of Human Rights,** London, 1991.

Kuwait.[34] No conflict is expected in Oman, a predominantly Ibadi Muslim society.[35]

[34] S. Fathi, **Jordan-An Invented Nation?** Hamburg, Deutsche Orient Institute, 1994.
[35] J. Wilkinson, **The Imamate Tradition of Oman,** Cambridge, Cambridge University Press, 1987.

XI. SOUTH ASIA

Ethnic or religious conflicts are serious challenges to regional stability in South Asia. Especially in the southern portion of the Asian continent all the principal religions of the world intersect and fragmentize into sects, ethnic groups try to live side by side, and a host of languages further divide into dialects. Quite a few of these differences sow the seeds of discrimination leading to conflicts with the Adivasis and Biharis in Bangladesh, the Kashmiris and Sikhs in India, the Mohajirs in Pakistan or the two Tamil groups in Sri Lanka. In such a heterogeneous region, different determinants operate with varying degrees, in all these cases and in many more. Moreover, none of these conflicts may be analyzed together or solutions searched by way of comparison.

This manifold environment experienced colonialism with very few exceptions —Afghanistan and Nepal in South Asia and former Siam (Thailand) in South East Asia. While the new independent states were being formed in consequence of decolonization, the only dichotomy seemed to be between the foreigners and the natives. The 'indigenous' peoples were thought to be the large groups like the Hindus in India, the Muslim Bangla-speaking people of former East Pakistan or the Sinhalese of Ceylon. But in the post-colonial period, the Aimaq, Dalits, Hazara, Karen, Nagas, Nuristanis, Santal, or the Veddhas and others also assert themselves.[1]

Further, the independent states generally inherited the colonial boundaries that conformed to the interests and the capabilities of the foreign powers. The creation of new sovereign countries was preceded by conflicts, bloodshed and migrations. Transfer of political power under such conditions encouraged, at times, tendencies for secession. East Bengal eventually seceded (1971) and became Bangladesh.

Afghanistan is experiencing decades-long warfare, which destroys people, settlements, livestock, pastures, and infrastructure.

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[1] R. Barnes, A. Gray and B. Kingsbury, eds., **Indigenous Peoples of Asia**, Ann Arbor, MI., Association for Asian Studies, 1993.

Although outside intervention, guided by strategic interests and ideology, had something to do with these hostilities, some of the causes of the conflict lie within the Afghan social fabric. One significant reality is that the Pushtu-speaking Sunni Muslims, who constitute about 30% of the population, have always dominated the political life of this landlocked country. One or the other Pushtun tribe ruled Afghanistan since 1747 when it became a separate and autonomous state.[2] Hence, its history is largely the story of the Pushtuns. But very few of the educated elite reflected a single identifiable Afghan nationality. Citizens were known by their ethnic group, instead. "Afghan" was a term originally restricted for the Pushtuns, who dominated the remaining majority of the population. While this imbalance had been a source of tension before 1979, it had not caused war.

Apart from Pushtu, related to the Indo-European family, and the Persian dialect of Dari, Afghanistan has about twenty languages and various dialects. About 12 million Pushtuns also live in neighbouring Pakistan, where they were referred to in Anglo-Indian literature as Pathans.

The Pushtuns dominated the scene and events during the monarchy and the republican (1964) period until the coup (1978) of the People's Democratic Party of Afghanistan. But the latter's seizure of power caused a civil war, further aggravated when the Soviet armed forces participated (1979) in the conflict, and some other governments supported the opposing Islamists or various functions within them. The *Mujahideen* ("pious fighters") are still up in arms even after they brought down the Soviet-supported President Najibullah rule. The Civil War did not subside with the Taleban mastery over Kabul (1996).

The way Islamic rule operates from the capital city further imperilled the lives of various ethnic and religious minorities as well as women. One reason for the overthrow of the régime in 1978 had been the wide and the long-growing opposition of the Pushtun central role in Afghan politics. After all, among the numerous minorities,

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[2] Sukha Ranjan Chakravarty, **The Pashtoon National Movement**, Foreign Affairs Reports, XXV/1, New Delhi, Indian Council of World Affairs, 1976.

there were the Sunni Tajiks (30%) of Central Asian origin, the Turkic-speaking Sunni Uzbeks and Turkmen (15%) with ethnic cousins across the border to the north, the Shi'a Hazaras (16%), some of whom had escaped even to British India in the last century, as well as Aimaqs, Baluchis, Nuristanis, Panjsheris, and others, each a million or less and with an obscure future. They are mostly distinct ethnic communities with their own language or dialects. The Baluchis are divided among Afghanistan, Iran and Pakistan, some aspiring for independent Baluchistan.

The conflict derives from political and economic sources as well as ethnicity. While foreign-based power politics fuelled them, the majority suffered landlords and corrupt magistrates, on the one hand, and Pushtun predominance, on the other hand. Apart from the contradiction within Afghanistan, about five million Afghan *muhajireen* (refugees), forced into exile, need international aid so that they can get resettled in their previous dwellings. Even then, it may take decades before the *Mujahideen* and the *muhajireen* are merged into an "Afghan nation".[3]

Although the imperial overlay gave India a dimension of unity, not all peoples of this vast sub-continent shared a feeling of inseparability. Consequently, some Muslims opted for independent Pakistan while some Sikhs called for independent "Khalistan". Some Bengalis entertained the idea of a united Bengal, and some others sought for the establishment of a Dravidian state in the south. India, nevertheless, came into existence (1947), shaped only by the secession of West and East Pakistan, the latter becoming independent almost three decades later. But, smaller groups sought some sort of separate existence.

India, one of the largest (3 287 263 sq. km.) and the most populous (953 million) countries of the world, may be portrayed as a nation of minorities. It is the cradle of both Buddhism and Hinduism, and it has more Muslims than any other country in the Middle East and

[3] Alfred Janata, "Afghanistan: The Ethnic Dimension", **The Control Basis of the Afghan Nationalism**, Edwin W. Anderson and Nancy Hatch Dupree, eds., London and New York, Printer, 1991.

North Africa.[4] Indian secularism, which promoted the ideal of unity among numerous diverse communities, found its expression in "*Sarva Dharma Sambhava*" (Let All Religions Prosper). But its achievements are increasingly exposed to scrutiny while Hindu fundamentalism and communal militancy show signs to rise, and majoritarian politics fails to combat them. Not only sections of Indian Muslims, in Kashmir and elsewhere, but also other groups, including the lower classes, question the working of the political model.[5] Although there has also been guerilla activity by separatist groups along the north eastern frontiers, such as the Nagaland and Manipur, as well as among the Bodo, the most serious are the cases of the Muslims in Kashmir and the Sikhs in Punjab.

Islam initially entered India via the Arab invasion (712), simultaneously bolstered by Muslim traders, but took firm root and flourished after the establishment of the Muslim state in the 16th century, which may be more appropriately called the "Turco-Moghul" Empire.[6] The newcomers from Central Asia were a conglomeration of Afghani and Turkic groups whose army ("*ordu*" in Turkish) helped to develop a new language (Urdu) mixing with local tongues, just as the bulk of the Indian Muslims later descended from the peoples of the land. Emperor Babur, who wrote his memoirs **(Baburnama, Tuzkh-e-Baburi)** in a Turkish dialect, Akbar and others, until Aurangzeb, exhibited a striking tolerance to non-Muslim citizens of their state. With the defeat of the "1857 Mutiny" against British colonialism, the Muslims feared Hindu dominance and sought their own renaissance, culminating in the creation of the Aligarh Muslim University and the Muslim League. The ensuing Hindu-Muslim conflict produced bloodshed, the partition of India, and the creation of Pakistan, accompanied by one of the greatest refugee movements in history.[7]

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[4] Although India frequently asserts that it has more followers of Islam than those in the Islamic Republic of Pakistan, the London-based Minority Rights Group International and its **World Directory of Minorities (op.cit.)** disputes this claim (p. 557).

[5] Prakash Chandra Upathyaya, "The Politics of Indian Secularism", **Modern Asian Studies**, 26/4 (1992), pp. 815-853.

[6] Hikmet Bayur, **Hindistan Tarihi,** Vol. I, Ankara, Türk Tarih Kurumu, 1946, pp. 127ff.

[7] Ram Gopal, **Indian Muslims: A Practical History (1858-1947),** Bombay, Asia Publishing House, 1959.

Indian Muslims, the third largest after Indonesia (151 million) and Pakistan (121.5 million) constitute the majority in Kashmir and sizable minorities in Bihar, Kerala, Utter Pradesh, and West Bengal. Although the majority are Sunnis, they are heterogenous in terms of ethnicity, language and economic status. While the Hindus constitute the majority, the state takes pride that it is secular in terms of its political heritage and constitutional provisions and also having elected two Muslim presidents and several chief ministers, allowed Urdu to be the official language in Utter Pradesh (1989) and later in Bihar, and established (1977) a Minorities Commission to monitor the circumstances of some minorities.

Some publicists[8] and politicians reexamine the grounds of secularism and retreats from the actual utility of this concept. Such reconsiderations become justified when one remembers that the Muslims became the principal victims of the sterilization campaign during the emergency period (1975-77), the Babri Masjid (mosque) was destroyed (1992) with a degree of official silence, the influence of the RSS *(Rashtriya Swayamsewak Sangh)*[9] grew considerably, and sections of Muslims are increasingly becoming conscious of their reduced place in society and in government services.

The Kashmir conflict dominated Indo-Pakistani relations ever since the transfer of power in 1947. The dispute is four-dimensional: indigenous, bilateral, regional and extra-regional. The entire state of Jammu and Kashmir had been heterogeneous, with predominantly Muslim areas in the Valley, one-tenth of the total area. The issue is also bilateral between the two neighbours. The events in Punjab, the rise of Hindu militancy, alienation from the Indian political scene as well as the influences of the armed Afghan *Mujahedeen* and the example of the Tamils in Sri Lanka were among the regional and extra-regional aspects of the conflict. While some Kashmiri activists favor a supra-religious entity so as not to alienate the Hindus of Jammu and the Buddhists of Ladakh from the predominantly Muslim population of the Valley, some others stress the religious component

[8] For instance: the monthly **Secular Democracy,** New Delhi.

[9] Des Raj Goyal, **Rashtriya Swayamsewak Sangh**, New Delhi, Radha Krishna, 1979.

of the Kashmiri identity. The dispute was revived (1989) when groups of militant Muslims campaigned for independence and resorted to violence. While the governments of India and Pakistan insist that they have no intention of fighting another war on the issue, killings between Muslim and Hindu communities in Bihar (eastern India) led to the tensions over the Babri Masjid and its demolition. The political forces that organized the latter want to make India a Hindu state, imposing Hindu laws and customs, more or less in a similar way some Islamic militants seek to force upon others Muslim laws and customs. Infliction either way is a source of conflict, and deepens discrimination.

The Kashmir question, more than fifty years old, is one of the oldest international conflicts in the world.[10] India and Pakistan have already fought two wars over it. Two-thirds of Jammu and Kashmir (8.6 million) is administered by India, while most of the rest is controlled by Pakistan. In addition, there are two areas (Arunachal Pradesh and Aksai Chin) under Chinese sovereignty. The State of Jammu and Kashmir has historically remained independent throughout its long history, except during the periods when it was part of the Maurya, Moghul, Sikh and British empires.[11] Sheikh Abdullah,[12] later Kashmir's prime minister, formed the country's first political party, the All Jammu and Kashmir Muslim Conference, renamed (1939) the National Conference.

According to the Instruments of Partition of India, the rulers of princely states were given the choice to remain independent or join either India or Pakistan. When Maharaja Hari Singh (rule:1925-49) hesitated, some Muslim tribesmen from Pakistan entered Kashmir,

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[10] Alastair Lamb, **Kashmir: A Disputed Legacy, 1846-1990,** Karachi, Oxford University Press, 1992.

[11] For an outstanding comprehensive story of Kashmir revolving around the common man's political, social, and cultural life since the earliest times to the present day: P.N.K. Bamzai, **Cultural and Political History of Kashmir,** 3 vols., New Delhi, M.D. Publications, 1994.

[12] For his autobiography condensed from the much longer Urdu version (**Aatesh-i Chinar**, Srinagar, Ali Muhammad and Sons, 1986): Sheikh Mohammad Abdullah, **The Flames of the Chinar**, New Delhi, Penguin Books, 1993.

and the Maharaja, the Indian side claims,[13] signed an Instrument of Accession on the basis of which Indian troops entered the land. Although this document indeed forms the cornerstone of the ambiguities on Kashmir, some writers[14] deny even its existence. The controversy led to a war between the two neighbours, and it was India that first took (1948) the case to the United Nations.

When a cease-fire was adopted along the Line of Control, and Article 370 of the Indian Constitution bestowed a special status to Jammu and Kashmir,[15] a third of the state stayed under Pakistan's control and the rest under the jurisdiction of India, each party describing the others' domain as "occupied". The two neighbours once again (1965) went to war over Kashmir at the end of which came the Tashkent Declaration (1966) stating that both sides would end the dispute through peaceful means. The war over East Pakistan (1971) was also accompanied by a limited armed clash on the Kashmir front, which brought the Simla Accord, again obliging the parties to resolve the issue by bilateral negotiations. Although direct talks failed to bring a workable solution so far, the two states set up (1997) a Joint Working Group. In the meantime, some Kashmiris rose in revolt, and more Indian troops poured in. While India accuses Pakistan of aiding the terrorists,[16] there is room to respond more constructively to the genuine grievances of the Kashmiri people.

It is unfortunate that time has only aggravated, not healed the conflict. The uprising and the response perhaps claimed 50,000 lives and caused violations of human rights.[17] While India and some

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[13] For instance: Riyaz Punjabi, "Kashmir Imbroglio: the Socio-Political Roots", **Contemporary South Asia**, London, 4/1 (1995), pp.39-53.

[14] For instance: Alastair Lamb, **Birth of a Tragedy: Kashmir 1947**, Karachi, Oxford University Press, 1994.

[15] Mohan Krishan Teng, **Kashmir: Article 370**, New Delhi, Anmol Publishers, 1990.

[16] Afsir Karim, **Counter-Terrorism: The Pakistan Factor**, New Delhi, Lancer International, 1991.

[17] The following book contains 120 photographs with an introduction: Martin Sugarman, **Kashmir: Paradise Valley**, 1993.

circles[18] favour bilateral talks, Pakistan and others[19] insist on the mediation of the international community. Now that both of these South Asian states have acquired nuclear weapons potential, some writers[20] assert that there is a possibility of another war between them over Kashmir, with catastrophic results for the whole region. There is, therefore, all the reason to see the Kashmir issue, the core unresolved conflict between Islamabad and New Delhi, settled.

About 13 million Sikhs, the men identified by their turbans and uncut hair and beard, make up less than 2% of the total population of India, but about 80% are concentrated in the agriculturally prosperous State of Punjab situated near the sensitive border with Pakistan, constituting there a 60% majority of the Punjabi Hindus. Their religion founded by Guru Nanak (d.1539) during the Moghul period, the years after 1984 saw increasing communal violence in Punjab, the storming (Operation Blue Star) of the holy Sikh (Golden) Amritsar Temple, the assassination of Prime Minister Indira Gandhi by her two Sikh bodyguards and the subsequent mob revenge against the Sikhs.[21] While recent events increased the emotional appeal of the idea of an independent 'Khalistan',[22] the Sikhs, whose prosperity as a minority may be compared only with the generally well-to-do Parsis, can maintain their status much better as integrated with the over-all Indian economy.

The "Untouchables"[23] of India (15.8%) are the equivalent of two of the most populous European nations. Generally referred to by their caste names (such as Bhangi, Chamar, Khatik, Mahar, Pasi, etc.),

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[18] For instance, the U.S.–based Kashmir Study Group released (1992) a 72-page report, entitled **The Kashmir Dispute at Fifty: Charting Paths to Peace**, which stresses a settlement through a bilateral dialogue.

[19] For instance, the 48-page report (1998) of three Indian NGOs, entitled **Civil War and Uncivil Government**, tracks human rights violations and the need for international interest over the issue.

[20] For instance: Ishtiaq Ahmad, **India Watch: 1997-1998: State, Society and Politics**, Islamabad, Ferozsons, 1998, p. 165.

[21] M. Tully and S. Jacob, **Amritsar: Mrs. Gandhi's Last Battle**, London, 1985.

[22] R.A. Kapur, **Sikh Separatism: The Politics of Faith**, London, 1996.

[23] Michael Mahar, ed., **The Untouchables in Contemporary India**, University of Arizona Press, 1972.

the Untouchables, or the "Scheduled Castes" (so named when the British Viceroy listed them in 1935 as communities considered untouchable) or "Dalit" or "Harijans" (meaning "oppressed"), are at the bottom of the complex Hindu caste system.[24] Untouchability does not stem from a racial difference, but the kind of tainted and demoralising work (such as cleaning gutters) traditionally done by them, allowing the well-to-do to treat them as a pool of cheap labour.[25] They are discriminated against, targets of violence, and are penalized for attempts to convert to other religions.[26] Recently, however, not only a small middle class emerged within the Dalit community, but also a political party (Bhahujan Samaj Party) championed their rights, and a Dalit woman led a short-lived (1995) minority government in Utter Pradesh.

Adivasis or indigenous peoples (70 million) who live mainly in the rugged and massive mountainous areas, are conceded 7% of the parliamentary seats in India, and their difficulties are taken up by a special governmental commission, but they face nevertheless, day-to-day discrimination and violence. Although the Nagas (700,000), who had declared unilateral independence in 1947, later (1956-58) took up arms, the new State of Nagaland was founded (1963), and they laid down their weapons after the Shillong Accord (1975).

None of the Jewish communities (the Baghdadis, the Bene Israel, the Cochinis) face persecution. Anglo-Indians, of European descent on the male line, are a small prosperous community. The four distinct peoples living on the twenty-seven of the Andaman Islands, a chain of a hundred isles and atolls across the Bay of Bengal, are also part of the scheduled tribes.

While the examples above, some of which oscillate at times between bullet and ballot, are basically domestic issues of India, that country agreed to send troops to north Sri Lanka to police a ceasefire and settlement it brokered between the Sri Lankan Government and the rebel Tamils, and also intervened when a band of Tamil

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[24] Rajni Kothari, ed., **Caste in Indian Politics**, New Delhi, Orient-Longman, 1970.

[25] N.D. Kamble, **Bonded Labour in India**, New Delhi, Uppal Publishing House, 1982.

[26] Dilip Hiro, **The Untouchables of India**, London, MRG, 1982, p. 13.

mercenaries from Sri Lanka invaded the Maldives Islands and attempted to overthrow the government.

As the first state in modern history to be based on religion, Pakistan has been a unique experiment in nation-building.[27] With a variety of languages and an uncertain national identity, Pakistan faced similar problems as India. However, whereas India included virtually all Hindus in the world, the Pakistanis constituted only a peripheral section of a much wider Muslim world community, and moreover about the same number of Muslims stayed in India. Pakistan was proclaimed (1956) as an Islamic republic and lost (1971) its eastern wing when Sheikh Mujibur Rahman's call of autonomy for the Muslim Bengalis was resisted by both General Yahya Khan and Zulfikar Ali Bhutto.

After the secession of its eastern wing, the population of Pakistan fell roughly into four divisions: the Punjabis, the Sindhis, the Baluchis and the Pathans. But besides these four, there was also a fifth group, the "Mohajirs" (refugees) who came over from India in 1947, during and following the partition of the whole sub-continent. As is well-known, the mutual massacres had forced one of the biggest migrations in history, and more than five million persons passed to the Pakistan side. They were mostly from the Urdu-speaking Muslim areas of India such as Delhi, Bihar and Utter Pradesh and also from the Gujrati-speaking areas of Bombay and Kathiawar. Having no provincial bias, the Mohajirs may be recounted as being more devoted to the Pakistan ideology. Although the majority Muslim areas had their due share in the Pakistan movement, the latter idea had its focal center in regions where the Muslims were in a minority.

In addition to the original immigrants, new generations started to grow up on the soil of Pakistan. While that country might have been an "adopted land" for the immigrants of 1947, it was a motherland for

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[27] A Pakistani writer asks: "... [W]hat has gone wrong with the experiment in Pakistan wherein, despite exemplary unity demonstrated during the Pakistan movement (1940-47), the nascent state could not come to terms with the problems of ethno-nationalism". Tahir Amin, **Ethno-National Movements of Pakistan: Domestic and International Factors,** Islamabad, Institute of Policy Studies, 1988, p. xxiv.

the younger generations who knew no other. They are now estimated to be close to 20 million, or more than twice the Belgian or Portuguese populations.

A problem of discrimination, soon accompanied by coercion and bloodshed, came to the fore since those who belonged to the lands which became Pakistan considered themselves as the "sons and the daughters of the soil", and at times refused to accept those who came from outside as equals. Moreover, the children of the refugees, born on Pakistan's soil, were not accepted either. Even their grand-children are frequently treated as "refugees".

It was after repeated quests for equal treatment and persistent rejections that an All-Pakistan Mohajir Students' Organization (APMSO) was formed (1978), to be followed by the Mohajir (now Muttahida) Qaumi Movement (MQM), both seeking legitimate rights for the Mohajirs. The APMSO began to take on the lawns of Karachi University to champion what it termed the "Mohajir cause". Although the students' organization remained an entity by itself, it eventually gave rise to the MQM, which grew to become a major player in Sindh and Pakistani politics since the mid-1980s. Altaf Hussain, now in self-asylum in the United Kingdom, was able to command the loyalty of millions of Mohajirs who saw in him the symbol for whom their fathers had fought. The MQM appears to have surmounted all the odds stacked against it by the previous governments.

The MQM's decision to participate in the National Assembly and Provincial Assembly elections in 1997 paid it immediate dividends both in the center and in the provinces, where the party has shared power. Since the MQM's establishment, however, an armed action was initially launched against it. It was the "rangers" and the police, killing several party workers and forcing thousands of others to go underground, that inflicted the most damage. As ethnic tension erupted, the Mohajirs moved to the cities from rural areas for fear of violence.[28] The MQM members are not immune even in the cities, where they are molested, abducted or assassinated. In 1998, the MQM

[28] I have personally witnessed, as an international observer of the 1997 elections, the physical stand-off between the factions and the consequences of cruel torture inflicted on some MQM workers.

parted ways with the Muslim League government, following which the latter started an 'anti-terrorist' operation in Karachi.

Sindhis (30-40 million) argue, on the other hand, that the Mohajirs were given preferential treatment by the authorities, that Sindhi-language medium schools have been changed to Urdu-medium, that Urdu became the national language, and that the Sindhis were denied their traditional status in Sindh, their homeland. While the Sindhis, the descendants of the Dravidian inhabitants who voluntarily chose Pakistan, say that they want nothing more than autonomy and due rights, Abdul Ghaffar Khan and his *Khuda-i Khidmatgar* entertained the idea of an independent 'Pushtunistan' for the Pushtu-speaking Pathans (now 16 million) who inhabit the North-West Frontier Province close to Afghanistan, the country of their kinsmen. The Baluchis as well are unevenly divided between Pakistan, Iran and Afghanistan. While the Khan of Kalat declared (1947) the independence of that province, the Muslim leaders in Karachi accepted the decision of the other Baluchi leaders to merge with Pakistan. There has been, nevertheless, rebellion and secessionist trends (1973-77) among them since then, their demands lately emphasizing political and economic authority only.

As to Pakistan's religious minorities, the Hindus (1.5 million), who live in the rural parts of Sindh, are sometimes viewed as "fifth columnists". On the other hand, the Pakistan Parliament declared (1974) the followers of the reformist Ahmadiya religious movement as "non-Muslims" mainly because Mirza Ghulam Ahmad (1835-1908), their founder from whom the name is derived, claimed to be a prophet, and therefore, did not believe in the unqualified finality of "Muhammed, the last of the prophets".

The Muslim (East) Bengalis, who had formed 54% of Pakistan's total population, fought for an independent People's Republic of Bangladesh (1971) because they believed that they were discriminated against. The usurpation of the right of Bengali participation in government after the democratically held elections (1970) brought a bloody civil war[29] and another armed conflict

[29] R.K. Dasgupta, **Revolt in East Bengal**, Calcutta, Navana Printing Works, 1971.

between India and Pakistan. There was a return to democracy (1991) after a long period of military rule following the assassination of S. M. Rahman, the founder of independent Bangladesh.

Minorities in Bangladesh include some religious groups like the Hindus, indigenous peoples (Adivasis) and ethnic Biharis. Although many Hindus migrated after the creation of Pakistan and also during the Civil War, the Hindu minority still forms the largest (12%) non-Muslim group. That minority interpreted the Eighth Constitutional Amendment (1988), which elevated Islam to the position of a state religion, as a step towards discrimination against the Hindus. Although the destruction of some Hindu temples a little after (1990) may well be understood in this light, an equally acceptable hypothesis for the motive may be that it intended to force the Hindus to abandon their land and businesses, thereby leaving them to the Muslim Bengalis. After all, the Vested and Non-Resident Property Act (1974) has been applied mostly to the Hindus.

Although the Adivasis are a very small group (1%), they embody more than two dozen communities, close to half (44%) being Buddhist, about a quarter Hindus, with some (13%) Christians. The Sandals, the most populous among them, may be only 200,000, but all groups (like the Chakma, Mandi, Marma or the Tripura) share characteristics different from the majority Bengalis. Most importantly, they dwell and work in the north of the Chittagong Hill Tracts, lands immune from devastating floods down in the plains. Consequently, they sum up the Bengali rush to safer hills as "land-grabbing". The Bangladesh land area (143 998 sq. km.) for about 130 million people may be judged as undersized. The Chittagong Hill Tracts cover 10% of the total land. The Adivasi petition for autonomy was turned down (1972) even by the S.M. Rahman government, and the later (1988) demands of the *Jana Samhati Samiti* (JSS) and the *Shanti Bahini* (its military wing) were not accepted either. The latter attacked army outposts, harassed villages and murdered Bengalis, inviting retaliation of troops.[30] Some of the Adivasis, also looked down upon as "uncivilized jungle people", fled to India even before 1971 when the Kaptai hydroelectric project flooded the Adivasi cultivable land.

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[30] **Bangladesh: Unlawful Torture and Killing in the Chittagong Hill Tracts,** London, Amnesty International, 1986.

The Sunni Biharis (300,000),[31] originally from the Indian State of Bihar who moved into East Pakistan during Partition, remind the Bengalis of West Pakistan domination because they speak Urdu and are known to have supported the pro-Pakistan Muslim League in the 1970 elections. Some of them were distant descendants of Muslim soldiers and officials who had come from Central Asia. Others had adopted the Urdu language and Islam from Turco-Moghul conquerors to escape the Hindu caste system and to have better access to official posts. Before Partition, they defended Urdu as the symbol of their identity to be protected against the Hindu majority. But in 1971, they became Urdu-speaking targets for Bengalis as symbols of former "tyranny". Therefore, some were arrested, some killed, and a few hundred thousand now live in camps. Although Pakistan had initially agreed to take some of them, resettlements had to be suspended, and some even got deported on account of protests by some Pushtuns and Sindhis. The MQM supported the repatriation of the Biharis to strengthen its own base. Those left in the Bangladesh camps continue to face discrimination in spite of efforts to teach them Bangla to ease their assimilation. A bigger question in Bangladesh is how to pursue justice for all citizens under Draconian economic problems worsened by recurring floods.

The racial tensions between the Buddhist Sinhalese, who are the Sinhala-speaking majority, and the Hindu Tamils (18%) finally led to a civil war in Sri Lanka (formerly Ceylon).[32] Loyalty was to a group, not to the state or the nation. The country being an island, its frontiers were not contested, and one of the ethnic groups constituted the majority. On the other hand, there were two Hindu Tamil groups, one the Sri Lankan (or Jaffna) Tamils and the Indian (or Up Country) Tamils. India stood only 32 km. (20 miles) away from the northern tip of Sri Lanka, and in the State of Tamil Nadu, 56 million Tamil people lived in the southernmost part of the Indian Union. Although the strained relations between the Sinhalese and the Tamils form the cause of the conflict in Sri Lanka, there are also Muslim and Veddha minorities. While the Muslims (7.6%) try to protect themselves from

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[31] Ben Whitaker **et al., The Biharis in Bangladesh,** London, MRG, 1981.

[32] Mohan Rain, **Sri Lanka: The Fractured Island**, New Delhi, Penguin, 1989.

Sinhalese domination, they also oppose the ethnic-cleansing of the non-Tamils from the Tamil-dominated homeland. The difficulties of the Veddhas (forest-dwellers), who inhabited the main island before the Sinhalese and the Tamils came, are little known.

About 135 ethnic groups in Myanmar (Burma before 1989) make up one-third of the country's total population (44 million) and live on half of the area (676,552 sq. km.). The military rulers since 1962 created a more centralized state and suppressed democratic movements including the declaration of the 1990 elections null and void. Karens (2.5 million), largely Buddhist with some Christians, gave up the idea of the free state of Kawtholei (1949). The new Mon State Party took up arms after the ban on the Mon language. All Chin political parties are illegal. There is no possibility of secession for the Shan. There has been a cease-fire agreement with the Kachin Independence Organization. A few hundred thousand Arkanese Muslims fled to Bangladesh. The insurgency, which had started with the assassination (1948) of the Karenni leader U Bee Htu Re, continues. In short, Myanmar is a country torn by ethnic agitation.[33]

There are four ethnic groups, which make up 98% of the population in the Kingdom of Bhutan, where Buddhism is the state religion. While the Ngalongs of mostly Tibetan origin form the ruling elite, a third of the population, Hindu-believers and Nepali-speakers, are not recognized as citizens. As evident in the 1985 Citizenship Act, those who do not belong to the dominant group may not oppose government policies even by peaceful means and may be evicted forcibly.[34]

There may be a better future for the underprivileged groups of the Kingdom of Nepal (21 million), an ethnically complicated country, after the new 1990 constitution which guarantees human rights.[35] But, the Republic of Maldives, where the national language is

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[33] M. Smith, Burma: Insurgency and the Politics of Ethnicity, London, Zed Books, 1991.

[34] D.N.S. Dhakal and C. Strawn, **Bhutan: A Movement in Exile,** New Delhi, Nirala Publications, 1994.

[35] M. Hutt, ed., **Nepal in the Nineties: Versions of the Past - Visions of the Future**, London, Oxford University Press, 1994.

Dhivehi and the state religion Islam, is not even party to covenants on human rights.

XII. SOUTH EAST ASIA

With the exception of former Siam (Thailand), South East Asia experienced European colonialism. While new independent states were being formed in consequence of decolonization, the only dichotomy seemed to be between foreigners and natives, such as the French and the Indo-Chinese. That peninsula was covered, nevertheless, by a number of ethnic groups, some of which in the north underwent Chinese influence and some in the center becoming Indianized making up the basis of the Kymer and Cham peoples. A small part, especially in the center, escaped these two influences and constituted the actual Proto-Indochinese. The latter protected their identity against the Kymer and Cham, resisted French assimilation, and survived American destruction of their land.[1]

It turned out later, even after the French exit, that there could still be contradictions between the Cambodians and the Vietnamese. Not only some aboriginals such as the Dayaks of Borneo were living in the jungles, but also traders, artisans and labourers from China or India came to South East Asia bringing their language, religion and economic success nurturing conflict.

With close to 85% Thais, the Kingdom of Thailand (above 60 million) should be a homogenous country by South Asian standards. The Thai state, a constitutional monarchy, is known to have respected the rights of minorities such as the leading Chinese (about 10%), the Muslim Malays (3%) and various hill peoples. Half of the Laos population consists of the Lao and the rest of close to seventy minorities, the extremist Lao Theug, the Lao Soung and the Tai hill tribes being the most important. For the last half century, the whole country was in the midst of the Indochina wars, the North Vietnamese supporting the Pathet Lao faction, and the United States a royalist group as well as the Hmong tribe engaged in opium cultivation. About 10% of Cambodia's citizens are ethnic Khmer, the rest being linguistically Malay-Polynesian and Muslim Cham, Khmer Leou or

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[1] R.H. Barnes, A. Gray and B.Kingsbury, eds., **Indigenous Peoples of Asia**, Ann Arbor, MI., Association of Asian Studies, 1985.

indigenous tribes, ethnic Chinese and ethnic Vietnamese. Cambodia experienced civil war (1970-91) between the U.S.-supported Lon Nol and the Hanoi-backed Khmer Rouge of Pol Pot. The Muslim Cham and the Chinese were persecuted during the Pol Pot régime (1975-79). The Vietnamese, suspected as agents, were attacked, massacred or expelled. They still face persecution by ultra Cambodian nationalists. With more than 85% of the population being Buddhist Vietnamese, Vietnam is another more or less homogenous country. The rest are small but diverse peoples dispersed across the land. After the war with China, the Chinese minority was encouraged to leave. The official policy seems to push the minorities to the mainstream Vietnamese culture.

Since the minority Chinese (30%) dominated peninsular Malaysian economy at the time of independence (1987), the government granted special rights to the 'sons of the soil' (*bumiputera*), who are overwhelmingly Muslim. The Tamil-speaking Indians and the Punjabi Sikhs also feel left out. While there exists a Department of Orang Asli Affairs, governmental policy seems to be to convert (*Masuk Melayu*) the indigenous tribes to Islam, the state religion. Although the indigenous peoples constitute a small minority (4-6%) of the national population, they form the majorities in Sabah and Sarawak in Borneo.

Singapore, one of the original Asian 'tigers', is 76% Chinese. To overcome the feelings of the Malay (15%) and Indian (Tamil) minorities that they are not a part of the economic success, the government set up a Presidential Council for Minority Rights. No significant discrimination problems are expected. Brunei (300,000), whose wealth since independence (1984) is based on oil, has one of the highest standards of living in Asia. The Sultan, who is the head of state with full executive authority, has declared his country an Islamic state, and has given citizenship or permanent residence only to a few thousand of the Chinese (50,000), who are Buddhists, Taoists and Christians.

Indonesia, the largest (203,6 m.) Muslim state in the world, is linguistically diverse. While the Malayo-Polynesian family of about 250 languages forms the majority language group in the West of Java, the island of Java has more than half of the country's total population.

There is some resentment against the Chinese, on account of the latter's domination of the private sector. The Dayak, who live in the Kalimantan province of Borneo, were suppressed (before 1965) by General Suharto's army allegedly for being communist and separatist, but are now officially recognized. Although acknowledged as a distinct group with pagan or Protestant beliefs, some of them stand for independence. The Aceh separatists of northern Sumatra sought to create an independent Islamic state. There is also some tension with the Christian Batak people.

Indonesia, a nation of minorities in quest of "unity in diversity" (*Bhinneka Tunggal Ika*), took over West Irian (1963) and East Timor (1975).[2] Some of the inhabitants of both have still not accepted foreign control over them. These two areas are the main focal points of conflict within the country. West Irian among the two is about one-fifth of Indonesia's total land area and is rich in natural resources. Since 1963, there has been a rebellious tendency (*Organisasi Papua Merdeka*) in some people of West Irian (also called West Papua or Irian Jaya), the western part of New Guinea. The United Nations has agreed (1963) to its incorporation into Indonesia, provided a plebiscite was held. The central government in Jakarta suppressed the *Republik Maluku Selatan*, a Christian separatist movement of some south Molucans (about a million people living on 150 islands).

The international community generally regards Indonesian occupation (since 1975) of East Timor, one-half of the island of Timor, and its declaration as the twenty-fifth province, as a *fait accompli*. The death of about a third of the East Timorese population accompanied the occupation of this remnant of Portuguese colonialism. Today, Indonesian settlers and troops dominate four times as many (700,000) original inhabitants. Many Chinese fled, and some who remained were killed. While the East Timorese cannot bring enough weight to bear to take their future into their own hands,

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[2] Keith Suter, **East Timor and West Irian**, London, MRG, 1982. An Indonesian government publication on the process of decolonization stated that it was "initiated by the people of East Timor themselves in a manner consonant with their own historic and cultural tradition". Republic of Indonesia, **Decolonization in East Timor**, Jakarta, Department of Information, 1983.

the 1996 Nobel Peace Prize went to the exiled resistance leader (José Ramos-Horta) and a Roman Catholic bishop (Carlos Filipe Ximenes Belo). Although some of the separatist movements in Indonesia are no longer strong, there is a potential conflict between Java and the rest, between the Muslims and others, and between the state and the radical Islamists.

In the Philippines, the Lumad (collective name for the 78 communities of Mindanao) and Moro[3] (collective name for about a dozen Islamized groups of Mindanao and the Sulu archipelago) are indigenous peoples who have been systematically deprived of control over their ancestral lands, in favour of settlers from outside. The animist Lumad and the Muslim Moro, who make up 10% of the total 65 million people, have a distinct past and different aspirations which the Spanish (1521-1898) and American (1898-1946) rules have not taken into account. Western colonialism having created a majority-minority relationship, the foreigners classified the Filipinos into the "civilized Christians" and the "wild non-Christians". This division was the impetus to latter laws affecting land ownership and disposition of natural resources, bringing new settlers with plantations, cattle ranches, mining and finally projects concerning the Chico Dams, Agus and Pulangi Rivers, Lake Sebu and Mount Apo. It was this discrimination that led to dispossession of land and resources, withdrawal to forest areas and uplands and search of livelihood as well as occasional armed struggle.

Muslim armed revolt for a "Bangsa Moro" (Moro Nation) took place in Mindanao, one of the 7,000 islands of the Philippines, the only overwhelmingly Christian (Catholic) country in South East Asia. Islamic resistance, which goes back to the beginning of European colonialism, embraced in the early 1970s, the islands of Sulu and Palawan as well. While a faction of the Moro National Liberation

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[3] Alfredo T. Tiamson, **Mindanao-Sulu Bibliography**, Davao City, Ateneo de Davao, 1970; Alfredo T. Tiamson, **The Muslim Filipinos: An Annotated Bibliography**, Manila, Filipinas Foundation, 1979; For two conflicting views: Martines Danguilan Vitung and Glenda Gloria, "Terrorism: the Philippines Case", Paper presented at the International Conference on Terrorism, 11-12 December 1998, New Delhi; Zoltan Grossman, "Inside the Philippines Resistance", **Race and Class**, XXVIII/2 (Autumn 1986), pp. 1-29.

Front seems satisfied with the creation (1987) of an 'autonomous' region for the four Muslim provinces, another faction pursues guerilla warfare for independence. The constitution (1987) protects the rights of the indigenous peoples to their ancestral lands and culture.

XIII. THE PACIFIC RIM

Comprising China, Taiwan, Japan, part of Russia, and the Koreas, East Asia has potential both for conflict between authorities and minorities and for economic wealth. It is a vast territory embracing actual and prospective economic tigers and also race issues sometimes linked with land disputes. While rich in raw materials, China has 56 officially recognized ethnic communities which even taken together constitute less than 10% of the total population. While all minorities seem theoretically to enjoy full rights, there have been complaints of assimilation into Han (Chinese) culture. Japan, previously known to be a country with no minorities, and therefore no minority problems, now faces some assertion of rights. North and South Korea claim that they have no minorities. Covering a third of the earth's surface, the Pacific Ocean, divided into Micronesia, Melanesia and Polynesia, is the largest geographical entity in the world. But some of the world's smallest minorities live there. The whites of Australia and New Zealand had settled in those lands with the belief that the original inhabitants were doomed to extinction. The latter may be more than the whites in the next century.

China's minorities[1] occupy over half of the total land, live in strategic border regions and other areas which are generally rich in natural resources. While it may be asserted that the new (1949) régime removed many of the disadvantages previously imposed on the minorities, "local nationalism" was discouraged during the socialist reconstruction (1949-), the Great Leap Forward (1956-62) and the Great Proletarian Cultural Revolution (1966-69). Those members of the minorities attracted to the Special Economic Zones have become migrant workers. The Filipinos are the largest (less than 2%) minority group in Hong Kong, one of the world's leading trade centers handed back (1997) to China.

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[1] For official views: **China's Minority Nationalities**, Beijing, China Reconstructs, 1984; Ma Yin, ed., **China's Minority Nationalities**, Beijing, Foreign Languages Press, 1989.

Tibet,[2] China's largest autonomous region, is a remote territory cut off from the rest of the world. Although there have been undeniable improvements in living standards and welfare, in Tibet as well as in the other minority areas such as the home of the Uigur or the Kazakh, some minorities have difficulty in integrating with the big family. It is in the interest of the individuals, on the other hand, to join the mainstream for personal advancement. The Han (Chinese) officials, who do not learn the local language, dominated the administration, suppressed religion, partially damaged the local economy and pursued a secondary educational policy only in Chinese. Although the Muslims make up only 2.5% of the total population, the independence leanings of their brethren across the frontier, following the break-up of Soviet federalism, encourage assertion of rights. The Uigurs, a Turkic people of Sinkiang who profess Islam, are a case in point. Half of the people in Macao, mostly Buddhists and entitled to Portuguese passports, will be part of China with a degree of autonomy (Special Administrative Region) towards the end of 1999. The (Turkic) Kazakhs are the major minority (about 6%) in Mongolia, whose southern portion is a Chinese province.

When the 'Nationalists' lost the Chinese mainland to the Communists (1949) and became exiles in Taiwan (Formosa), they claimed to represent not only all Chinese, but also the indigenous people who were the descendants of the much earlier inhabitants. In contrast with former discrimination, the new Taiwan administrators tried to eliminate, after about three decades, some abuses by upgrading the status of the original inhabitants and setting up departments to assist them.

Apart from China and Taiwan, there are *Nanyang* (overseas Chinese)[3] among the different countries of South East Asia. Their number outside China exceeds 30 million, the percentages being highest in Macao, Singapore, Malaysia and Brunei. As part of a legacy of dissimilar colonial experiences and paths to independence reflected in diverse criteria of citizenship and nationality, the Chinese communities in some of these countries are deprived of citizenship,

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[2] For an evaluation of the Tibetan leader: Dalai Lama, **My Land and My People**, London and New York, 1962.

[3] M.F.S. Heidhues, **Southeast Asia's Chinese Minorities**, Melbourne, 1974.

deported, and faced with political, economic and educational restrictions. Policies of discrimination threaten to trigger the reaction, including violent ones, of the dissatisfied indigenous groups. The governments concerned may at least accept the local-born Chinese as citizens and pursue a consistent policy of non-discrimination.

Japan,[4] where 40% of the population lives on only one percent of the land area, has not signed the International Convention for the Elimination of All Forms of Racial Discrimination. Although ethnically Japanese, the Burakumin were traditionally described as "despised citizens" (*senmin*), classified into "extreme filth" (*eta*) or "non-human" (*hinin*). Perhaps now close to three million, they are led by the Buraku Liberation League (*Buraku Kaiho Domei*), but some have benefited from the central government's financial support, and many among them became wealthy citizens. There is discrimination against Okinawans, one-fifth of whose best land was occupied by American bases. Although some (300,000) Koreans have been admitted to Japanese citizenship on account of their presence since Japan's colonization of Korea (1910-45), even fourth generation Koreans are still registered as aliens (750,000). The Ainu, or the indigenous people of Hokkaido and northern Hanshu, were given Japanese citizenship and gradually assimilated. Japanese minorities may be expected to continue to assert their rights, especially parallel to the growth of recession.

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[4] George A. DeVos and William Wetherall, **Japan's Minorities: Burakumin, Koreans, Ainu, Okinawans,** London, MRG, 1983. A case study of Korean residents: Kenzo Sendai, **Ethnic Minorities in Japan**, West Yorkshire, master's thesis, Department of Peace Studies, University of Bradford, 1994. The word *buraku* means 'a small village community' in Japanese and *min* connotes person or people. Although the language itself does not contain any sign of a conflict, the word is "highly sensitive to use". It discloses "a legacy of the caste system in Japan's history and a significant archetype of discrimination by the majority Japanese against the minority Japanese". Sendai, **op.cit.,** p.7; Also: Buraku Liberation Research Institute, **The Reality of Buraku Discrimination in Japan**, Osaka, 1994.

The potential wealth[5] and geopolitical significance[6] of the Pacific are attracting the attention of the industrialized states. Adding the contributions of the powerful economic centers in the periphery as well, the year 2000 may mark the beginning of the "Century of the Pacific". But the issue concerning this vast area, namely, the creation of dependencies, the exploitation of people and resources, environmental destruction, militarization and nuclear tests, are problems for the whole of humanity.

The whites in this part of the world settled here in the hope that the original inhabitants would either bow to suppression or fade away. These expectations did not materialize. For instance, the change in Australia occurred when the Labour government (under Gough Whitlam) was elected (1972). The latter tried to find the means to ratify the International Convention on the Elimination of All Forms of Racial Discrimination, which required a review of all legislation, at the Federal and the State level, and to identify which were not in agreement with the said convention. For the Aboriginal Australians, the major issue is their right to land, which has religious significance as well as resources. In terms of infant mortality, life expectancy, indicators of health and possibilities of arrest, discrimination is still a reality for them.[7] The Maori people of New Zealand,[8] one of the Polynesian peoples of the Pacific, whose best lands were taken over by the *Pakeha* (white people) and who faced near extinction, are growing much faster than the close to 90% white majority and will probably be more numerous than the latter in the next century. The whites are awakening to the issue of Maori grievances. The growing restlessness of the latter was a surprise to the self-satisfied whites, who had long seemed convinced that an unusually just society had been created in New Zealand. The Maoris, on the other hand, are

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[5] Jim Anthony, **Conflict Over Ocean Resources in the Pacific**, Paper for the Conference on Disarmament, Security and Cooperation in the Asia-Pacific Region, University of Melburne, 4-8 July 1990.

[6] Ron G. Crocombe and Ahmed Ali, eds., **Foreign Forces in Pacific Politics**, Suva, University of the South Pacific, 1983.

[7] H.C. Coombs, **Australia's Policy Towards Aborigines: 1967-1977**, London, MRG, 1981.

[8] Joan Metge, **The Maoris of New Zealand**, London, Routledge and Kegan Paul, 1976.

"reappearing", even to the extent that New Zealand had its first Governor-General of Maroi descent (Sir Paul Reeves) in 1985.

Some outside powers resorted to a variety of forms to conceal the limitations on the sovereignty of the Pacific islanders, who are powerless when they face the great powers. The vast distances and the sparse populations of the Pacific provided stronger outside nations with favourable circumstances for the testing and disposal of nuclear, chemical and biological weapons as well as the exploitation of natural resources. During the Cold War, the Pacific became a staging ground of war games, often timed to influence domestic political processes of allied countries as well. More importantly, it was used as a nuclear testing ground by some great powers. After the Los Alamos tests in Nevada, American testing at home caused so much opposition within the country that the U.S. Navy staged an "atomic attack" on the Bikini Atoll in the Marshall Islands.[9] Britain, which had not allowed Argentina to control the Falklands (Malvinas), denied the Ilois people of the Chagos islands the right to live on their own homelands and sent them into exile in Mauritius, so that the whole island could be turned into an American military base.[10] After losing its Sahara test sites following Algeria's independence (1962), France too switched to the Pacific. Brought now into closer economic proximity with united Germany, France, which prefers to keep the military option open, shows no willingness to cease testing. The "*Grande Terre*", the main islands in the Pacific, are two-thirds the size of Belgium. Recognizing the growing importance of the Pacific region and having created a nuclear testing center in French Polynesia (*Centre d'expérimentation du Pacifique*), France pursued a transmigration program to outnumber the Kanaks and prevent their self-determination.

The nuclear tests had proceeded with the full knowledge that the winds would contaminate populated islands. But even the "peaceful" uses of nuclear energy found in these waters and small islands a resting place for deadly wastes. Palau is a Micronesian

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[9] Jane Dibblin, **Day of the Two Suns: U.S. Nuclear Testing and the Pacific Islanders,** London, Virgo Press, 1988.

[10] John Madely, **Diego Garcia: A Contrast to the Falklands**, London, MRG, 1985.

island administered by the United States since 1947.[11] Being the sole employer, the United States linked the island's self-determination and economic aid to acceptance of nuclear wastes. Johnston Atoll has become the major site for the disposal of chemical weapons for the Western world. Presidents Bush and Gorbachev agreed (1990) to destroy all existing stockpiles of chemical weapons by the year 2002. This operation involves transporting artillery shells and nerve gas, which arouses furors among the native peoples. Moreover, mining (nickel in New Caledonia, copper in Bourgainville, phosphorus in Nauru and others elsewhere) is causing erosion, pollution of rivers and the depletion of topsoil.

The conflict in Fiji, which consists of about 320 islands spread over some 100,000 square miles of ocean and with an ethnically diverse population, is a classic case where the rights of longer residence clash with those of sheer numbers and where political power is exercised by members of one ethnic group claiming an inherent right to domination.[12] The descendants of Indian labourers, brought here in Victorian days, try to co-exist with the children of those who had come earlier.

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[11] Roger Clark and Sue Rabbit Roff, **Micronesia: The Problem of Palau**, London, MRG, 1984.

[12] K.L. Gillion, **The Fiji Indians: Challenge to European Dominance: 1920-1946**, Australian National University Press, 1977.

XIV. AFRICA

Africa is a continent particularly rich with extensive mineral wealth, productive agricultural land, water resources and a favourable climate. Yet, almost three-fourths of the countries classified as least developed in the world are in Africa. They constitute about half of the states in the continent. This ancient piece of land, which was the original home of *Homo erectus*, experienced less than half a century of national independence. Colonial policies of divide and rule left the legacies of ethnic diversities that need to be transformed into national states and uneven development within countries. The former created an acute crisis of political identity making it difficult for a person to decide whether he or she is first an African, an Ugandan or a Kikuyu. The legacy of uneven development brought about provincial tribal or ethnic conflicts that some African leaders also manipulated to gain or keep power. The costs were intermittent wars, damage, waves of refugees and famines. The high population growth rates, environmental degradation, and huge dept burden also aggravated the continent's economic situation. The lack of democratic practice, which allows for corruption and abuse of power, also contributed to poor economic policies.

The end of the Cold War reduced the strategic significance of much of the Third World, including Africa, for the industrialized Northern countries. The United States and Russia no longer have serious interests in Africa. Consequently, the evolution of the peoples of Africa reached a new phase. The road ahead is weighing heavier on account of ethnic problems inherited from the pre-colonial, colonial and post-independence periods. With no less than 7,000 tribes[1] the ethnic issues occupy an exceptional place among the uphill work.

In addition to differences of development manifested in various African regions in antiquity, colonial exploitation may be singled out as the main cause for backwardness in the continent. Although the unique Egyptian civilization on the banks of the Nile,

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[1] G. P. Murdock, **Africa: Its Peoples and Their Culture, History**, New York, 1950.

other states such as Ethiopia, Aksum and Ghana in other parts, and the Muslim Empire of the Middle Ages played immense roles in the development of the continent, subsequent progress was retarded by the slave trade, European conquest and colonialism. While the penetration of Arabic and a new culture, along with Islam, in the northern half of the continent, modified the ethnic geography, it was colonial partition that cut across ethnic territories and dismembered many African societies. Although the growth of urban centers, mass migrations, the widening of export crops and the broadening of commodity-money relations exerted some unifying role, the colonial powers fanned racial, ethnic and religious animosities wherever possible.

The independent African states were established within the colonial frontiers, whose legitimacy was guaranteed by the OAU as one of its earliest acts. They became, nevertheless, sources of friction between neighbouring states such as Ethiopia and Somalia over Ogaden. It may be asserted that each African country projects its own ethnic characteristics, but some representative features may perhaps be grouped according to certain regions.

The North African countries, for instance, profess Islam and are composed of Arabs and Berbers. Most of them like Egypt, Libya and Tunisia enjoy a uniform ethnic formation while Algeria and Morocco contain large groups speaking Berber tongues. The Ethiopian nation grew on the basis of Amhara nationality and the Amharic language, which commands about a third of the citizens. In addition to regional centrifugal tendencies, the Amhara assimilated smaller peoples like the Gurage. Somalia was a homogenous country in terms of race, ethnicity and religion, but it no longer has a state.

The middle of Sudan is more or less a dividing line between the Mediterranean Arab world in the north and Tropical Africa in the south. A little over half of the Sudanese population is made up of Muslims who are assimilating some other nationalities such as the Nubians. The southern peoples, who are negroid in physical appearance, are different also in religion, language, traditions, and economic development. Equatorial Africa is a large area where peoples speak Bantu-related languages.

While Swahili is the common language of about 40 million people in East Africa, the ethnic structure of the West African population is more composite, further aggravated by artificial fragmentation caused on the part of the colonial powers. As in the case of Cameroun, related peoples were separated in accordance with the foreign division of spheres of influence. While separate nationalities, such as the Hausa, the Ibo and the Yoruba, consolidate their communities in different areas in Nigeria, some others such as the Guineans, Senegalese and Togolese have been able to develop national commonwealths.

Apartheid, or legalized racist rules, previously predominated and controlled South Africa and neighbouring areas, which had experienced mass European colonization. The white racist dictatorship in Pretoria put under its own monopoly most of the fertile land, including the big towns, and tried to squeeze the remaining four-fifths of the population into the so-called Bantustans, or the 'national homelands' for the indigenous peoples. This scheme aimed to isolate the Blacks from each other and, at the same time, perpetuate *apartheid.*

The people of Angola and Mozambique, former Portuguese colonies, are mostly Bantu. The Bambundu and Bakongo in the northern coastal area of Angola are related to the Ovimbundu in the center and Waluchazi, Wambundu and Waluimbe, in terms of language and general culture. Similarly, the Bantu peoples of Makua, Lomwe, Malawi, and Tsonga are related in Mozambique. Certain economic processes such as migration and the growth of towns alter traditional structures keeping alive only the sense of belonging to one group or another. In Nigeria, the neighbouring Angas, Ankwe and others are assimilating into the Hausa, and in Togo small communities like the Adele, Akehu and Akposo are uniting with the Ewe. The European languages are still widely used, and regional or commercial *lingua franca* such as Hausa or Lingala are sometimes added.

The Blacks and the Whites have reached the end of an era *(apartheid)*, first in Namibia (1990) and then in South Africa (1993), and the democratic process is now irreversible. The time for nation-building has commenced, offering all a common destiny and a shared life, although these two conflicts, which were until very recently in the

front-line of the world's trouble spots, have been finally resolved, there are other regions in Africa where groups of people continue to be subjected to varying degrees of discrimination, or worse treatment. Various peoples living in Somalia, Liberia, Burundi, Uganda, Sudan and Botswana may be considered among them.

Somalia, ceased to be a functioning society as a result of internal persecutions and external wars. Essentially a homogenous nation, Somalia is divided into six main clans (Darrood, Hawiye, Isaaq, Dir, Digil and Rahanwayn), that confront each other and create a minority situation for the other groups. There are also Somalis in Ethiopia's Ogaden region,[2] in northern Kenya and in Djibouti. Although one of the most homogeneous people in Africa, the Somalis got partitioned into mini-lands among the British, French, Italians, and the Ethiopians, and later there have been tribal brawls that started with General Siyaad Barre's systematic persecution of the Majeerteen, Isaaq and Hawiye clans. Some were denied water, others buried in mass graves and still others dumped into the Shabeelle river to feed the crocodiles.[3] Discrimination amidst disintegration continued in spite of a multilateral presence under the United Nations' flag.

In Liberia, a very small elite, the descendants of freed American slaves, were superimposed upon a West African tribal society. The Afro-Americans were always at the top. The Congoes, the people rescued from slave ships and who had never been to America, were below them. The indigenous people were at the very bottom. When the colonists proclaimed independence (1847), the True Whig Party, the organizing force of the settlers, came to govern every aspect of the country to their benefit. After decades of deepening discrimination, which eventually led to a civil war, the country was

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[2] Ethiopian views: The Imperial Ethiopian Government, **Ethio-Somalian Relations**, Addis Ababa, the Ministry of Information, 1962; Mesfin Wolde-Mariam, **Somalia: the Problem Child of Africa**, Addis Ababa, Addis Ababa University, 1977. Somali views: Somali Democratic Republic, **Background to the Liberation Struggle of the Western Somalia**, Mugadishi, the Ministry of Foreign Affairs, 1978. Also: Göran Melander, **Refugees in Somalia**, Uppsala, the Scandinavian Institute of African Studies, 1980.

[3] Africa Watch, **Somalia: A Government at War with Its People**, New York, 1990.

almost totally destroyed. The parties in the conflict nevertheless represent a small percentage of the population.[4]

The Hutu in Burundi twice indulged in the indiscriminate killing of Tutsis in the southern provinces and reprisals followed instantly. Burundi's four million population consists of three very different ethnic groups, i.e., the Tutsi (16% of Ethiopian stock), Hutu (83% of Negroid origin) and Twa (1% of the Pygmoid kinship). The minority Tutsi ruled Burundi for four centuries, apart from a 60-year colonial interlude. The only other African state with a system of minority government imposed on the majority has been South Africa. In 1972 and in 1988, the Hutu rebellion erupted leading to a small scale massacre of the minority Tutsi, whose reprisals were many times more severe. Since the Tutsi still cling to the idea of their own supremacy, in spite of some concessions to the Hutu majority, both tribes fear more trouble in the future.[5]

The conflict in Uganda, where there are three distinct language families, i.e., the Bantu, Nilotic, and Central Sudanic, cutting across over forty ethnic boundaries, is that northerners (like Milton Obote and Idi Amin) governed southerners and resorted to repression to do so. The conflict will die out when the government offers the same protection to all areas of the country.[6] The problem in Sudan, which reached the extreme of civil war, is not only a conflict between the "Muslim Arab" north and the "Christian and animist" south, but it also concerns state activity which lays the groundwork for regional underdevelopment.[7] In Botswana and neighbouring areas, the traditional lifestyle of the San (Bushmen)[8] is under attack. They will either remain a "human zoo" or be forcibly brought into line with more contemporary societies. In each case, they may find themselves

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[4] J. Gus Liebenow, **Liberia: the Quest for Democracy**, Bloomington, Indiana University Press, 1987.

[5] Reginald Kay, **Burundi Since the Genocide**, London, MRG, 1987.

[6] Grace Ibingira, **Uganda's Ruin and How to End It**, New York, 1984.

[7] D. Wai, **The African-Arab Conflict in the Sudan**, New York, African Publishing Co., 1981.

[8] R.B. Lee and I. Devore, eds., **Kalahari Hunter-Gatherers: Studies of the Kung San and Their Neighbours**, Cambridge, Mass., Harvard University Press, 1976.

as the underdog and should have the right not to be trampled upon by more powerful neighbouring entities.

There are reasons for hope as much as uncertainties on the African scene.[9] Independence dawned in Namibia,[10] and *apartheid* disappeared from the Republic of South Africa. Most of the continent's 53 states are facing critical problems in spite of widespread optimism produced by the wave of democratization. While democracy contributed to ending some of the conflicts, for instance in Ethiopia, Mozambique, Namibia and South Africa,[11] democratization in some others such as Angola, Burundi, Liberia, Rwanda, Sierra Leone, Somalia and Sudan coincided with the spread of violent conflict. Almost all recent wars in Africa were fought within states. Armed clashes in countries like Angola, Chad, Ethiopia, Liberia, Mozambique, and Somalia were basically civil wars, and struggles of minorities occurred in Mali, Mauritania, Rwanda, Senegal, Sudan, Uganda, and Western Sahara. After a number of more or less free elections, dictatorships in Gabon, Kenya, Togo, and Zaire got used to coexistence with multiparty politics. While politics is more and more influenced by democratic procedures, the African elite is more willing now to learn from past mistakes.

The demise of *apartheid*, coupled with the end of the Cold War, witnessed a radical rethinking of the idea of security, involving new approaches to its conceptualization that affected the structure of the new South African society. The concept expanded horizontally to include the military, political, economic, societal, environmental and developmental dimensions, as well as vertically to encompass the

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[9] Olara A. Orunnu, "Africa: Between Uncertainties and Hope", **Change: Threat or Opportunity**? ed., Üner Kırdar, New York, United Nations, 1992, pp. 286-294.

[10] Türkkaya Ataöv, "The United Nations Istanbul Seminar on the International Responsibility for the Independence of Namibia", **A.Ü. Siyasal Bilgiler Fakültesi Dergisi**, XLIII/1-2 (January-June 1988), pp. 13-27.

[11] Türkkaya Ataöv, **The Case in South Africa**, London, EAFORD, [1981].

national, regional, and international levels. It is not always clear as to what is meant by some of these 'new' dimensions.[12]

There are some prospects to move from destabilization to peace-keeping in Africa,[13] particularly in its southern half. The institutional framework may be provided by the Organization of African Unity (OAU), the Southern African Development Community (SADC), the SADC Organ for Politics, Defence and Security, and the Inter-State Defence and Security Committee (ISDSC). Although particularly the member states of the SADC will play a leading role in this regard, some issues warrant elaboration. Perceived in the context of a cash-strapped United Nations, regional organizations may indeed bring some relief by assuming a degree of peace-keeping responsibilities. Such diversion of responsibility may undermine, however, appropriate U.N. control. While the U.N. shared responsibilities with the Commonwealth of Independent States (CIS) in Georgia and with the North Atlantic Treaty Organization (NATO) in former Yugoslavia, confusion may occur, as in Somalia, when a non-U.N. military force enjoys authority. Local organizations usually possess particular knowledge about the region, mainly in terms of language, culture and custom, but they may not be as effective as required. Moreover, they may opt for actions not easily endorsable by the U.N. Further, they may be poorly trained, or some may favour one tribal or ethnic identity or the other. As in the cases of Nigeria in Liberia or Russia in Tajikistan, there is even the possibility that such a force may be dominated by a regional hegemon. Some factions may go to the extreme of channeling humanitarian supplies in their own interests.

Among all actual or potential supporters such as Botswana, Malawi, Tanzania, Zambia, and Zimbabwe which have previously contributed to operations, peacekeeping for South Africa, which aspires to a seat in an expanded U.N. Security Council, is a matter of prestige, influence, national security and economic dividends. In spite of severe defence budget cuts since 1989, it seems inevitable for the

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[12] Maxi van Aardt, "Doing Battle with Security: A Southern African Approach", **The South African Journal of International Law**, 3/2 (Summer 1996), pp. 13-28.

[13] Jakkie Cilliers and Mark Malan, "From Destabilization to Peace-Keeping in Southern Africa", **Africa Insight**, 26/4 (1996), pp. 339-346.

South African National Defence Force, twice as large as any other in the region, to be involved in future peace operations. Some others such as Angola, Mozambique, Namibia and Zimbabwe, are trying to cope with the task of amalgamating diverse forces into a single national military body.

Africa cannot sustain, however, an autonomous peacekeeping force without outside assistance. The present danger for the continent, which had suffered from acute foreign complication, is neglect and lack of interest. While the vast majority of African states lack the resources and experience to conduct independent peace operations, they have to play, nevertheless, an increased role in early warning and preventive action. As peace-keeping, peace enforcement, military intervention and banditry have become virtually synonymous in Liberia and Somalia, there is still no effective mechanism to respond to the challenges posed by the slippery slope between all these activities.

The policy of the OAU, since its establishment in 1963, had been to respect the old colonial frontiers. Only one new state, namely Eritrea, was created since the wave of independence, and even that country adopted the previous colonial borders. Genocide in Rwanda and the migration of millions of people have not led to any reorganization of state boundaries. No short-term answers exist to the other diverse and numerous problems that control Africa. Although regional security arrangements can play some role in stabilizing particular regions, they are only part of a concerted effort needed for sustainable development. Experiences with South-South or North-South integration do not promise an easy way out of Africa's economic ills. Regional integration is not a sufficient condition to end Africa's economic decline.

XV. WOMEN

Many disciplines constructed to analyze society operate with a relatively constricted and prejudiced conception, excluding from it the experience of women.[1] For the most part, women seldom participated in policy-making, and these disciplines almost in their entirety developed through the male eyes. Knowledge and theory being built on experience, one of the genders unevenly shaped definitions, conceptions and methods of analyses. Although the absence of the gender issue should be easily discernible, to bring it into the agenda is more easily said than done.

Generalizations about women are risky because in almost all continents, there are differences of ethnicity, class, socio-political systems, religion and urbanization. For instance, Asia among them reflects the world's major cultures, systems and beliefs. It may be asserted, however, that Asian, Latin American and African countries have not experienced feminist movements reminiscent of those in the West. In spite of the fact that there have been women in powerful political positions, especially in Asia and less frequently in Latin America, women's issues are generally propagated by men. Even American women, who constitute 40% of the total labour force, have been historically underpaid, overworked and therefore discriminated against.[2]

In Asia, the population of countries varies, as do their levels of development. As exemplified by the cases of China, India and Pakistan, for example, their political systems are also diverse. The extent of religious diversity cannot be found in any other continent. Islam, Hinduism, Buddhism and Christianity are all represented in Asia. Moreover, whereas some Muslim countries have conservative views, some others harbor militant outlooks. It is only natural that one

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[1] Rebecca Grant and Kathleen Newland, eds., **Gender and International Relations**, Buckingham, The Millennium Publishing Group, 1991.

[2] Dirsten Amundsen, **A New Look at the Silenced Majority: Women and American Democracy**, Englewood Cliffs, New Jersey, Prentice Hall, 1977.

should encounter the same variety in the world of Asian women.[3] Although one finds women (S. Bandaranaike, I. Gandhi, B. Bhutto, C. Aquino, T. Çiller) in powerful political positions and also well-educated professionals in the leading cities, Asian women, especially in some rural areas, suffer from high rates of female mortality at child birth, low life expectancy, hunger, ill-health, illiteracy and overwork. Although there are important differences from one country to another and even between regions, millions are caught in this vicious circle.

The status of women throughout Asia, however, is undergoing a transformation, either on account of modernization or change in the political system. The introduction (1926) of a Western-inspired Civil Code, which made no discrimination between the sexes, as well as a secular, co-educational system in Republican Turkey, was a virtual revolution for a society with traditional Islamic values. In the former Soviet Republics of Central Asia and China, a new ideology and political system gave women a higher status than instituted by tradition. Revolution in Iran (1979) proved that women can bring their weight in favour of radical changes in a country long torn by contradictions. In Iraq and Syria, where the different branches of the Arab Ba'ath Socialist Party are in power, official circles believe that the society remains in chains unless its women are liberated. In North and South Korea, women enjoy a great deal of freedom, especially when compared with their grandmothers, discrimination against whom was justified by the Confucian doctrine and the customs based on them. While the North experienced the conversion on account of a new political system, the South owed the change to steps towards modernization. It was perhaps much more in Japan that the rapid socio-economic changes put women in a place different than the bottom of the social order of the feudal and the Tokugawa periods. In addition to legal equalities in the constitution as well as in the education and election laws, there was an increased demand to recognize women as part of the labour force as the Japanese economy made remarkable advances. There are important variations in respect to women's rights between various South Asian countries. Also, the demographic and socio-economic data for countries with extensive

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[3] Türkkaya Ataöv, "Women in Asia", **Asian Relations**, ed., Eric Gonsalves, New Delhi, Lancer International in Association with the India International Centre, 1991, pp. 401-407.

territory and large diversified population are bound to differ from one area to another. For instance, female literacy in India is rising at a faster rate than male literacy, but it is high in Kerala, and low in Rajasthan. The status of women varies according to the ethnic (Sinhalese, Tamil), religious (Buddhist, Hindu, Christian, Muslim), caste, class and legal disparities in Sri Lanka. But the latter country produced the world's first woman prime minister. And although the office of the presidency in the Philippines was filled by a woman, very few (less than 1%) become executives at different levels irrespective of the fact that female urban literacy is in the neighbourhood of 90 percent.

The status of Arab women varies from one country to another, and their emancipation is uneven.[4] While a number of these countries, such as Egypt, Tunisia and formerly the People's Democratic Republic of (South) Yemen, passed new family status laws giving equal rights to women, in others their places are still in the home and behind the *purdah*. While many women may be outstanding in public work even in Muslim societies regulated by *Shariah* law, economic realities partly challenge Islamic fundamentalism's pressures to preserve the subordinate position of women.

Muslim circles assert that some alien traditions, picked up from the Persians and Byzantines, not from their religion, were responsible for the subservient standing of women.[5] They remind that Islam opposed the pagan custom of burying unwanted baby daughters, conferred on women economic rights such as controlling property or running a business without reference to a husband, and even encouraged them to lead troops into battle. Powerful rulers, however, torn from original Islamic precepts, segregated women from men.

Women, nevertheless, proved their strong social conscience initially taking part in all liberation movements in the Middle East, starting with the end of the First World War, and then crusading for an elevated status in the Arab world. Especially Algerian[6] and

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[4] Ann Dearden, **Arab Women**, London, MRG, 1983.
[5] Naila Minai, **Women in Islam**, Murray, 1981.
[6] Fadela M'Rabet, **La Femme Algérienne**, Paris, Maspero,1969.

Palestinian[7] women made noteworthy contributions to the independence of their peoples and the liberation of their gender. President Bourguiba[8] led the enlightened approach in Tunisia, modern Iraq's National Action Charter (1971) underlined women's liberation from feudalist and even bourgeois concepts, and South Yemen[9] achieved the most advanced family status law in the Arab world. While women make up more than one-third of the country's work force, and not all Oman or Moroccan women are secluded, many Arabs feel that not enough has been done, and there are retreats from conquered positions in places like Algeria and Sudan.

In spite of the *machismo* culture of Latin America, which differentiates between men and women and moreover favors men, treating women as second-class citizens, there are enormous variations from one country to another and also contrasts within a single country in terms of regional, ethnic and economic differences.[10] All the Latin American states, except Brazil, were break-aways from the Spanish empire. In addition to the native Americans and immigrants from the Iberian Peninsula, black slaves were brought from Africa and new waves of migrations occurred from China, Europe and the Mediterranean. Although the upper classes are generally of European extraction, the Latin American societies reflect this mixing of ethnic groups. In almost all, the *machismo* culture, coupled with the pressures of poverty and underdevelopment, places women in a disadvantaged position. Some of that attitude is discernible in legislation on women pertaining to marriage, divorce, sexuality and fertility. Although there are changes freeing women from some restrictions and making them economically more active in some cases, even such turns for the better have failed to bring radical improvements in their position.

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[7] Ingela Bendt and James Downing, **We Shall Return: Women of Palestine**, London, Zed Press, 1982.

[8] Charles Micaud, **Tunisia**, Pall Mall, 1964.

[9] Laurance Deonna, **Yemen**, Washington, D.C., Three Continents Press, 1991.

[10] Magdalena León, ed., **Debate sobra la mujer en America Latina y el Caribe,** Vols. I-III, Bogotá, ACEP, 1982; June E. Hahner, ed., **Women in Latin American History**, Los Angeles, UCLA Latin American Center Publications, 1980.

The status of African women[11] is inferior to that of men, that position being frequently confirmed by law. Although legal reform is not a panacea for the problems of African women, legal inequality legitimizes discrimination, and discriminatory laws have to be replaced by affirmative ones as first steps. Legislative changes, however, have to be accompanied by economic and social reforms to ensure, not only legal, but also material equality between men and women. In spite of much diversity in this vast continent, African women constitute the poorest group in the world's poorest land. As indicated in the Lagos Plan of Action (1980), women can play a vital role seeking solutions for the food crisis, which is a priority objective.

[11] C. Obbo, **African Women: Their Struggle for Economic Independence**, London, Zed Press, 1980.

XVI. REFUGEES AND MIGRANT WORKERS

Refugees, who are often a minority in their country of origin, have also been minorities in countries of asylum.[1] The U.N. Convention on the Status of Refugees (1951) defines a refugee as any person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of origin and is unable or unwilling to return to it. The 1951 Convention did not cover all those who needed protection. The Organization of African Unity Convention (1969) and the Cartagena Declaration (1984) broadened the definition of refugees. When taken together, they represent an internationally accepted ethics concerning refugees, but the right of asylum is limited even under them. Refugees have the right to seek asylum, but are not necessarily granted it. The 1951 definition meets the requests of refugees who can prove individual persecution. As conflicts build up and civil wars are fought in several places, new refugee movements will become more frequent. Some Eastern Europeans, for instance, are fleeing from violence and death as much as being attracted to higher standards of living and greater political freedoms. People like the Muslims of Bosnia and Kosovo, leaving behind burning homes, wholesale murder and torture, may not substantiate claims to individual persecution.

Although there are trends to revise the criteria, new restrictions may also be introduced. Governments are now concerned with the increase of asylum-seekers who pose economic and security issues as well as those of human rights. In addition to immigration legislation, most states imposed visas on nationals of refugee-exporting countries and also resorted to deterrence measures, such as detentions, to discourage asylum-seekers. The number of refugees and the restrictions will probably continue. The remedy should include the prevention of the root cause of the movements, strengthening of good practice by governments, the extension of international standards and the integration of refugees into the new societies. The cases of migrant workers, whether in North America, Western Europe or the Gulf, may

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[1] Independent Commission on International Humanitarian Issues, **Refugees: The Dynamics of Displacement**, London, Zed Books, 1987.

differ in some particulars from one place to another, but workers coming from different countries were affected in more or less similar ways. Adding all the migrant workers, including those in the United States and Canada, they greatly outnumber the refugees. Twenty million or more of them, coming from the Mediterranean countries and South Asia as well as the West Indies, are now living in Western Europe. They came to the United Kingdom from India, Pakistan and the West Indies,[2] to the Netherlands from the Antilles, Surinam and Indonesia, to France from North Africa and the former French colonies[3] and all the way from France to Sweden from the Mediterranean countries.[4] In some European societies they make up about one-fourth of the labour force. In Switzerland, they constitute nearly 17% of the population. In the United Kingdom, France and Germany, more than four million migrant workers in each comprise 5-10% of the total residents. Although some other Western European countries attracted smaller numbers, the total figure for the whole continent does not reflect the full number of foreign workers because millions came and went back. Since each party collects data in different ways and uses various definitions, it is impossible to know the correct total number of workers and families living abroad now or those who went back. Apart from conflicting statistics, even though they may originate from the same state, there are also illegal immigrants not included in official counts. Many of the workers have children born in the adopted countries. The migrant workers have a high birth rate and are younger while the European population is generally aging.

Originally called *Gastarbeiter* (guest workers) in Germany,[5] meaning that they would return sometime in the future, the majority of them are so rooted in the economy of the continent and so related to growth in recipient countries that their numbers cannot be lowered significantly. Not only the young generation born there, but also many

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[2] W.R. Böhning, **The Migration of Workers in the United Kingdom and the European Community**, London, Institute of Race Relations, 1972.

[3] Smail Bendifallah, **L'Immigration algérienne et droit français**, Paris, 1974.

[4] Mahmoud Allaya, **Les Migrations internationales: des travailleurs du bassin méditerranéen et la croissance economique**, Montpellier, 1974.

[5] K. Bingemer **et al.**, **Leben als Gastarbeiter**, Opladen, Westdeutscher Verlag, 1970.

of the older ones are citizens of the adopted countries. In many countries, they still live in ghettos. In a number of them, the government plays little or no direct role in providing for their needs. Some discriminatory laws give the foreign labour force a sense of coercion.[6] Apart from exploitation of foreign workers in various ways such as poor living conditions, child labour, discouragement of coloured immigrants, and threats to send them home, there is growing antagonism from segments of the population.[7] Hostility against them resulted in physical attacks and burning alive. Recurring instances of outright murder in Germany surpassed earlier less dramatic incidents of racism and discrimination.

The "oil boom" (1973-74) increased the demand for labour in several Arab states of the Western Gulf and Libya. Asian workers from Turkey to South Korea and some refugees from Africa and the Americas rushed to these oil-exporting countries. The problems of the migrant Gulf workers have their roots in the oil price explosion and the huge increase in revenues, which triggered off a massive migration.[8] Iraq's armed intervention in Kuwait and the subsequent exodus of groups of workers might have brought to the attention of the world public the magnitude of the problems of the migrant Gulf workers in general, and the fact that they can be solved by joint efforts. But the Iraqi-Kuwaiti crisis, tragic in many ways, helped to remove the silence over some crucial questions. There had been foreign labour almost from the very beginning of the Arab oil era. Since then, the vast influx of migrants into the oil-rich Arab states has been only rudimentarily planned, regulated and examined.

Outside workers were initially required for the exploration of oil, then for the drilling of wells, which brought along the construction of pipelines and terminals, finally making the building of ports, roads and housing essential parts of expanding business, coupled with utilities and services such as hospitals and schools. All these developments and improvements required an increasing number of

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[6] For instance, in Belgium: **Enfants indésirables**, Bruxelles, Ligue belge pour la défense des droits de l'homme, 1975.

[7] Stephen Castles and Godula Kosack, **Immigrant Workers and Class Structure in Western Europe**, London, Institute of Race Relations, 1973.

[8] Roger Owen, **Migrant Workers in the Gulf**, London, MRG, 1985.

new recruits of foreigners who possessed various skills not found in the western shore of the Gulf.[9]

Consequently, the figure of migrant workers ran into the millions, the exact number of which cannot be known for lack of reliable statistics. In some states workers come from close to seventy countries, while in some others Asians outnumber Arab workers by three to one or more. While dependable data is on the whole non-existent, some generalizations may be made - such as that the Asians form the majority, most of them are young and male, and there are more in construction and public services than in other fields. Few do the job for which they were trained. Some Gulf states prefer Asian recruits, who pose less political risks compared with some Arabs. Not all can bring their families, and if they do, expenditure for accommodation and food climbs leaving the worker little to save.

In most Arab Gulf states, nationals have, perhaps understandably to some extent, more rights and privileges than foreigners. But who can fall within the definition of a "national"? In some states, they may be those who have been living there for decades. Only they and their children are allowed to open new businesses, own property and benefit from social security. In Iraq, Arab workers enjoy the same prerogatives as the Iraqi workers. Differences, wherever they occur, enable the nationals to appear as the leading partner in a new business and provide the local sponsor (*kafeel*) to import foreign workers and deal with them in a way that he cannot treat the nationals. This system of individual sponsorship amounts to one-man control over another, including sudden deportation for any reason, real or invented. Only Kuwait's labour law gave the workers the right to join trade unions, if the foreign workers had been residents there at least for five years.

The vast majority of the migrant labourers work without due protection. Their legal rights not being clearly defined and the local courts being very slow, the workers are mostly dependent on the goodwill of their sponsors. The employer generally takes the foreign workers' passports as soon as they arrive. He gives them back when

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[9] J.S. Birks and C.A. Sinclair, **Arab Manpower: The Crisis of Development**, London, Croom Helm, 1980.

the contract comes to an end or when the workers go on an agreed holiday. Complaint often leads to the loss of the job. Court proceedings, which are in the local language, are tiresome and expensive, usually beyond the reach of the foreign workers. The Europeans are paid more than the Asians, foreign Arabs occupying a middle position. Private health care and private schooling are unreasonably expensive for an average worker from abroad.

While some governments try to help their workers, Gulf employers are, almost always, sensitive over what they call "foreign interference". Hence, workers abroad tend to exhibit intense nationalism or extreme religious posture. It may not be difficult to grasp the emotion or the rationale behind their reactions. For instance, one of the Gulf states, contrary to the inter-Arab agreements, directed the assembled income tax from the wages or salaries of the Palestinian workers to the Afghan *mujahideen,* instead of channeling them to the budget of the Palestinian state.

Coexisting with such problems is the fact that the people of the Gulf became more and more dependent on foreign labour. They may or may not have wanted them, but they needed them. Perhaps in marked contrast to detailed planning between some Mediterranean countries like Turkey on the one hand, and European ones such as Germany on the other, the foreign workers kept coming to the Gulf, with hardly sufficient cooperation between the states involved. Gulf governments and citizens are, nevertheless, dependent on foreign labour. The standard of living of the nationals, hinged on migrant labour, will drop dramatically if these workers go home.[10] The coexistence of wealth and foreigners seem to be the interrelated facets of the same phenomenon. Hence, the problems implicated may be more satisfactorily solved with joint action by all of the parties concerned.

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[10] Malcolm H. Kerr and El-Sayyid Yassin, eds., **Rich States and Poor States in the Middle East**, Boulder, Colorado, Westview, and Cairo, AUC, 1982.

XVII. CONCLUSIONS

Many states have multi-ethnic, multi-lingual, and multi-religious societies. Especially the borders in Asia and in the sub-Saharan Africa were drawn by the Western colonial powers in accordance with the "rule of mutual aggrandizement". There are very few countries indeed, such as Iceland and Malta in Europe, and the Cook Islands, the Pitcairn Islands, Tokelau and Tuvalu in Ocenia with no minorities. Some states like St. Kitts-Nevis, St. Lucia, the U.S. Virgin Islands, San Marino, and Nieu have tiny minorities, but no minority problems. While the past examples of Burundi, Namibia, South Africa and Zimbabwe go to prove that sometimes it is the minority that oppresses the majority, some communities like the French-speaking Canadians, the Finns in Sweden, the Cypriot Turks and some Tamils in Sri Lanka consider themselves as the *co-founders* of their respective states, and therefore expect equal status with the more numerous groups.

The rising tides of human rights and anti-racism are forcing the dominant groups to re-thinking, albeit limited in some instances. The international community does not endorse, at least in theory, the idea of discrimination, which is preference of a particular group, whether racial, ethnic, religious or the like, and the exclusion, in one form or another, of other groups. We have seen that discrimination emerged in consequence of new settlements in the Americas, South Africa, Australia and Palestine, as much as expressing itself in the form of bias towards various minorities or any kind of differentiation in respect to gender, refugees or foreign workers. While the international community considers it a criminal offence to disseminate ideas based on racial superiority, a number of states either reject the existence of minorities on their territory or deny that there is a question of discrimination if they accept the entity. Conflicts arise out of such rejections or denials. Experience with a number of cases of discrimination brings forward the fact that once conflicts evolve into violence, they become more unmanageable.

Some of these conflicts, such as those concerned with the original inhabitants of the New World or the colour issue in South

Africa, have their origins in the previous centuries. Some, like the cases of the Crimean Tatars or the Germans in Europe, were caused by the Second World War. Still others, especially in South Asia, have their roots in the post-war partitions. With the end of the Cold War, there should be now far more scope, theoretically, than before for cooperation in the prevention of conflicts. However, the disappearance of the bipolar balance was apparently a prelude to new conflicts, some of which stem from discrimination, or discrimination becomes significant during the growth of the crises.

While ensuring the survival of their allies in the Cold War period, the superpowers had prevented them from pursuing military adventures if the latter threatened the security of the sponsors. Not only some medium and small states now have more room to manoeuvre, but several ethno-nationalist conflicts have also emerged. While there may not be an overall threat to global security, to the extent of a nuclear war, there are a multitude of new problems, linked with discrimination, massive human rights' abuse and migrations.

Irrespective of the reference to equal enjoyment of human rights for all without discrimination in the United Nations Charter and the international instruments that followed it, conflicts do occur leading to threats and even armed clashes in the process of growth. They may be countered by a set of peace-building strategies, falling into groups like in-country measures and international régimes. The former connotes efforts to create or restore within countries conditions to make stable states to ensure that problems will not emerge. In some cases, no single state may have the capacity to challenge them, which then may be contained by a cooperative approach. The latter encompasses international laws and arrangements to promote confidence, minimize threats and create the frameworks for cooperation.

It is easy to create and perpetuate tensions that lead to conflicts but difficult to reconcile groups, peoples or nationalities already embittered against each other. The preferred groups have, not only to comprehend that the discriminated groups are entitled to certain inalienable rights, but also to appreciate that the latter's protection contributes to the maintenance and development of cultural wealth and diversity. Failure to realize the value of this right and contribution

further splits some areas in the Balkans and threatens to Balkanize some other regions, like South Asia, where there are conflicts over ethno-nationalism and religious activism.

The territorial integrity of the existing states and the promotion of democracy are two fundamental norms which should form the basis of equitable solution. The protection of the human rights of its own inhabitants falls under the overall responsibility of the state, which should be the common home of all citizens. All groups should enjoy protection, and all should be given opportunity for effective participation in politics. Perpetrators of violent acts against minorities, on the other hand, should be apprehended and prosecuted. Efforts on the part of the state to accommodate various groups within its borders weaken secessionist tendencies as much as they increase the quality of government. The post-Franco régime (1975) in Spain very much reduced the secessionist appeals of some Basque and Catalan groups.

A constructive dialogue between groups and the participation of all in administration are confidence-building measures especially in the long-run. If members of the minority groups witness the genuine interest of the central authorities in their welfare, at least a substantial section will exhibit cooperative attitudes and move away from secessionist tendencies, if any. To champion the rights of all citizens, including the minorities, is also in the interest of the majority. If minorities actually benefit from certain rights, this phenomenon serves to further guarantee security for the majority as well. A state respectful towards minority rights, not only may look forward to loyalty from all citizens, but may also enjoy stability in an all-embracing sense. States may be expected to support greater cultural pluralism in agreement with the legitimate interests of the state as much as with accepted universal norms.

If any minority, likely to play a constructive role in conflict resolution, refrains from sharing a common destiny with the majority and thereby opts for isolation and even a search for independence, the reaction of the majority will probably be all the more one of mistrust, eventually causing conflict. Even if the present political frontiers contain groups forced to live within those borders, they should not be encouraged to take up arms to undermine the territorial integrity of the state.

In any case of conflict between the majority and the minority groups, it is much preferable to seek solutions within the existing frontiers. Minorities may promote their identities without a need to resort to violence coupled with the ultimate aim of redrawing the frontiers. To create a new state, which is a difficult task, is not a *sine qua non* for ethnic identification. Secession may be a long process replete with agonies. Its price may eventually be high. The initiative of the Biafrans (1970) to secede from Nigeria and the efforts of Somalia (1977) to detach Ogaden from Ethiopia proved to be both exceptional and abortive. If secession seems to be a solution in the case of Bangladesh, it is generally neither a dire necessity, nor useful, especially when the groups which entertain separation are dispersed widely throughout the land.

The central authorities are not likely, to say the least, to assent to attempts to secede. They would rather be inclined to resort to force when concrete steps for separation are taken. Such a turn of events will lead to the further deterioration of the situation of the minority groups. While the business of the central authorities is to try to erase the root causes, as far as possible, of secessionist tendencies, the minority groups should expect equal treatment, but not ask for special privileges, especially in relatively poorer societies where public and private capital may be much more limited compared to the wealthier countries.

Although the international community reached new heights in setting up reformed norms of human rights for all, states are expected to uphold the principle of non-intervention in the domestic affairs of others, especially when some of them show tendencies, usually denied, to support acts of violence against their neighbours. Abstention from such incitement should be observed as a general rule. Among a host of countries which implicate neighbours, India blames Pakistan, Iran points a finger at Iraq or Turkey accuses Greece and Syria for their alleged support of armed actions of militant groups.

Lasting solutions to conflicts emanating from discrimination can be found only by tackling root causes. Refusal of the right to an identity, whether ethnic, religious or other, is an element of discrimination. Although assimilation is also an inevitable process in

history and some peoples (like the Avars, Khazars, Mayas, Polovtsy, Pechenegs, Scythians and others) have "vanished", the states and the international community can assist the discriminated groups to develop themselves. Cultures cannot be frozen or peaceful change prevented, but minority groups may be allowed and encouraged to flourish and contribute to the larger communities of which they are part. At the national level, the states may facilitate the formation of new international standards while respecting the current ones. In their attempts to take further effective measures, they may approach the related international bodies for assistance.

After the contrasting experiences of Kuwait and Bosnia-Herzegovina, there is a growing impression that great powers do not intervene unless they have vested interests. Moreover, even if they do, there are no easy solutions for complex problems. It may even be asserted that substantial sections of populations in countries with the power to have a hold upon developments, exhibit various forms of antagonism against the disadvantaged groups, be they minorities or migrant workers. In some cases, there has been violence against them, with racism appearing on the horizon. While some Germans exercise brute force targeting foreign workers and their families, the expulsion of the native Muslim population from Bosnia-Herzegovina brings to mind the tragic fates of the Jews during the Second World War and the Palestinian Arabs since 1948. Neither racist policy of such dimensions, nor the activity of the international community, detrimental to the credibility of a world organization like the United Nations, is tolerable at a time when we are almost in the 21st century.

Various international organs monitoring the application of conventions centering on non-discrimination can play a role in the early warning of conflicts. The U.N. members started to give minority rights a particularly prominent role in their activities only after the Conference on Security and Cooperation in Europe (CSCE) indicated the strong link between military security, economic cooperation, and the human dimension. The European states, since the Helsinki Accords (1972), concluded various agreements encompassing these three inter-related concepts. The elimination of discrimination is not only a matter of equity, it is also essential or useful for security, good government and economic development.

UNESCO and the ILO are expected to cultivate their efforts to further promote respect for human rights and harmonize the quest for equality with non-discrimination. The U.N. Sub-Commission on the Prevention of Discrimination and the Protection of Minorities invited (1990) its Norwegian expert member (Asbjorn Eide) to prepare a paper on the new approaches to minority protection. The Commission on Human Rights later (1993) authorized the Sub-Commission to establish an inter-sessional Working Group to meet each year.

Ethnic conflict being one of the principal reasons for violence in Europe, Organization for Security and Cooperation in Europe (OSCE) created (1992) the office for the High Commissioner on National Minorities to grapple with this monstrous threat. While trying to observe ethnic tensions likely to weaken peace and stability among the members, this office understands its function as looking into the cases of discriminated groups, but never to act solely on behalf of any one of them. Its mandate is to apply diplomacy and suggest compromise. To warn states inclined to retreat from pledged obligations, and also to remind minorities that they have responsibilities besides rights, figure among the duties of that office.

The prevention of group conflicts falls within the sphere of activity of the NGOs especially dealing with discrimination, which may benefit from their status and potential to build bridges between such groups. "The International Organization for the Elimination of Racial Discrimination" (shortly known as EAFORD) among them, created in 1976, was involved in widespread activity encompassing international conferences and the publication of books, booklets, a journal and a bulletin.

In spite of the difficulties, the international community has the responsibility to develop urgent short-term plans, such as humanitarian relief, and long-term peace-keeping strategies. Short-term relief should be distributed fairly and on the basis of need. Even Europe, for the first time in half a century, is generating refugees as a result of disintegration of states, civil wars, ethnic or religious tensions, economic discomfort and abuse of human rights. Faced with new waves of refugees from Eastern Europe, there is a dangerous tendency in Western Europe to rebuild the "Iron Curtain" just to keep the migrants out. Unless governments agree on coordinated action to

defend the human rights of the people concerned, the situation can only worsen. Recognized refugees should be given the same rights as citizens in terms of language, religion, employment, pay, housing, education and health facilities. They should be encouraged to organize their own associations to reflect their special needs for long-term development as well as for short-term proposals. Long-term economic needs for the mother countries should include coherent plans for the reconstruction of destroyed economies. In some cases, expatriates should be encouraged to return to contribute to the reconciliation process.

Long-term peace-keeping, on the other hand, has pre-conflict dimensions and needs maintenance and restoration strategies. The former, involving preventive deployment as well as preventive diplomacy, aims at keeping the conflict within bounds so that it will not evolve into an armed one. The peaceful means from negotiation to regional arrangements, as enumerated in Articles 33 and 52 of the United Nations Charter, help to resolve conflicts before they develop into armed clashes. Further, civilian and military personnel may also be deployed lest a conflict escalates into an armed one. Peace restoration is a strategy that aims to resolve a conflict after it evolves into armed hostilities. It involves peace-making and peace-keeping, the first related to the same means employed in preventive diplomacy and the second dealing with the development of personnel to apply agreements already reached between the parties. Peace-enforcement includes sanctions and military enforcement measures. Sanctions should not be "too little" and "too late", and humanitarian aid, which may also be useful, should not replace military enforcement when deemed necessary. Certain problems of discrimination, which in the case of Bosnia-Herzegovina or Kosovo borders on the crime of genocide, need a political-military approach in addition to humanitarian aid.

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DISCRIMINATION and CONFLICT
by TÜRKKAYA ATAÖV

Discrimination is the denial to some members of a state or society certain rights and/or privileges which other members enjoy. The term connotes an unfavorable treatment of some people based on the legal description, conviction or assumption that they are supposedly more likely to possess negative attributes. Discrimination as such, in most cases, if not in all, is a source of national and/or international *conflict.* The constitutional system and its subsidiaries are built and practiced on the assumption of the superiority of some and the inferiority of others. In time, the privileged become more privileged, and the deprived become more deprived. The conflict will tend to persist until the discrimination is eliminated.

All the United Nations organs dealing with human rights have been actively involved in the struggle against discrimination. However, not only *all* forms of discrimination are not yet eradicated, but the international community is experiencing new, mounting waves of bias, exclusion, racism and violence. Hence, the need to struggle against all forms of discrimination is more obvious now than before.

The International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD) is an international human rights organization, affiliated with the United Nations, whose philosophy and activities are grounded in the principle of equality in dignity and rights for peoples and individuals. EAFORD has been active for more than two decades as an independent, non-governmental organization dedicated to the upholding and promotion of struggle against discrimination. Its composition is multi-ethnic, multi-religious and international in character.

Türkkaya Ataöv, the author of the present volume entitled **Discrimination and Conflict**, is a professor of international relations and a member of the central Executive Council of EAFORD. Several of this author's works, which received various academic and governmental awards, were previously published by EAFORD's bureaus in London, Montreal, Paris and Washington, D.C. This monograph, initially suggested to him by the UNESCO Headquarters in Paris, treats many kinds of discrimination as sources of conflicts.