CHALLENGES IN RESEARCHING INTERETHNIC RELATIONS FROM AN INTERCULTURAL PERSPECTIVE

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ABSTRACT

The article derives from the experiences and dynamics of intercultural research work on the international project Children's Voices: Exploring Interethnic Violence and Children's Rights in the School Environment, led by the Science and Research Centre of the University of Primorska in 2011 and 2012. The project addressed various topics related to ethnicity and interethnic relations; however, the main issue addressed in the project was interethnic violence in the school environment. Motivated by several issues revealed during the empirical research process in five participating countries, we will expose some challenges in researching interethnic relations from an intercultural perspective. In so doing, we will focus on two dimensions defined as 'conceptual' and 'political'. The analysis of challenges in researching interethnic relations from an intercultural perspective is mainly based on a comparison of the five countries involved in the project (Slovenia, Austria, UK, Italy and Cyprus).

Key words: ethnicity, interethnic relations, intercultural perspective, legislation, Europe.

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SINTESI

Il presente articolo nasce dall'analisi delle esperienze e delle dinamiche di natura interculturale riscontrate nella ricerca realizzata nell'ambito del progetto internazionale Children's Voices: Exploring Interethnic Violence and Children's Rights in School Environment, coordinato dal Centro di ricerche scientifiche dell'Università del Litorale tra il 2011 e il 2012. Il progetto ha analizzato diversi aspetti relativi alle relazioni interetniche, con lo scopo principale di affrontare tale argomento in ambito scolastico. Nella fase empirica della ricerca, svoltasi in cinque diversi paesi, sono emersi i vari elementi alla base di quest'articolo che espone alcune sfide future per la ricerca nel campo delle relazioni interetniche in un' ottica interculturale. L'attenzione verte su due dimensioni che sono state definite "concettuale" e "politica"; l'analisi presentata in questa sede si basa sulla comparazione tra i cinque paesi coinvolti nel progetto (Slovenia, Austria, Inghilterra, Italia e Cipro).

Parole chiave: etnicità, relazioni interetniche, prospettiva interculturale, legislazione, Europa.

INTRODUCTION

The present article derives from the research results of the international project *Children's Voices: Exploring Interethnic Violence and Children's Rights in the School Environment,*[1] led by the Science and Research Centre of the University of Primorska in 2011 and 2012, and to a much bigger extent by the experience and dynamics of intercultural work entailed in the researches conducted in five participating European countries: Slovenia, Austria, Italy, United Kingdom and Cyprus. The project addressed various topics, such as the issue of ethnicity, interethnic relations, the processes of intercultural confrontations and the rights of migrants to a safe environment and the free expression of their culture. However, the main issue addressed in the project was interethnic and intercultural violence in the school environment – a theme gaining importance in the last decades, especially because of the migration flows and growth of ethnic diversity, which are reflected in an increasing number of students of diverse ethnic background in the schools. In order to receive as holistic picture of types, prevalence and dynamics of violence in the school environment in five participating countries quantitative and qualitative research methods were combined. In the first, quantitative part of the research, questionnaires were completed by primary (10-12 years old pupils) and secondary school (17-18 years old pupils). In the second phase qualitative data were obtained from national experts working in the field of interethnic relations or peer violence, and also from school staff and from the pupils themselves. Pupils presented their opinions and experiences in focus group discussions, whilst semi-structures in-depth interviews were used for experts and school workers (for more information on the project see also Medarić and Sedmak, 2012).

The work of the multicultural research team and empirical comparative research conducted in five different cultural contexts exposed several terminological, conceptual and interpretative issues: different methodology in collecting demographic data regarding ethnic affiliation; different criteria in defining ethnic affiliation; different understanding of the same terms used to refer to issues of race, ethnicity and foreigners; different social contexts and world views influencing the sensibility and perceptions of ethnic phenomena; etc. Additionally, countries differ according to the confrontation with migration and discrimination based on ethnicity as well as implementation of common European migration and anti-discrimination policies.

Motivated by several issues disclosed during the empirical research process in the five countries in question, the paper will expose some *challenges in researching interethnic relations in intercultural perspective*. In do-

ing that we decided to focus on two selected topics revealed as especially interesting and informative during our research: our first focus will be *terminological and conceptual*; we will discuss the interstate and intercultural differences in general understanding of the phenomenon of ethnicity, the differences in terminological use, the differences in the statistical evidence collection of ethnic affiliation etc. Secondly, we will present some gaps and challenges in *implementation and effectiveness of immigration and anti-discrimination policies* in different countries.

Our analysis of gaps, issues and challenges in researching interethnic relations in intercultural perspective will mainly base on the comparison of five countries involved in the project: Slovenia, Italy, Austria, UK and Cyprus. The intercultural analysis makes, in our opinion, important contribution to the understanding of contemporary European reality around questions of ethnic plurality and interethnic relations, especially since the experiences of the core countries are so diverse: The United Kingdom, as a former colonial power with a rich history of intercultural contact and with numerous, well-organised ethnic communities, has a long tradition of political and academic confrontation with cultural and racial pluralism while at the same time being influenced by the attitudes of its colonial past. Cyprus has its long and still ongoing history of interethnic conflict between Greek and Turkish Cypriots. Slovenia is traditionally and uncritically perceived as relatively monocultural, regardless of the presence of native Italian, Hungarian, Roma and thoroughly denied German minorities as well as a high number of immigrants from the territory of the once common state of Yugoslavia. Italy has a number of diverse ethnic and linguistic minorities and immigrant communities that are recognized politically in different ways. Finally, Austria has a high percentage of economic migrants, mainly from the territory of the ex-Yugoslavia and Turkey, as well as autochthonous minorities (Slovenian, Croatian, Hungarian, Czech, Slovak, Roma and Sinti) (Medarić and Sedmak, 2012).

In present day Europe, the dynamics of interethnic relations are becoming increasingly complex and schizophrenic. On the one hand, we have elaborated supranational directives and national legislations regulating interethnic relations and emphasising the basic rights to preserve and cultivate one's own cultural and religious identity. These directives aim to promote cultural diversity, plurality, intercultural dialogue, tolerance and cohabitation. In the scientific arena, issues of multiculturality, hybridity, interculturality and transculturality are at the core of the research interest. On an individual as well as a group level, our everyday lives and cultural practices are becoming increasingly inter- and trans-cultural. On the other hand, right wing parties

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are gaining increasing power in the European political arena, disseminating ethnocentric, racist and discriminating views. Under this narrative, immigrants and representatives of 'other' ethnic groups are presented as responsible for dramatic social and economic collapse of the old continent. As such, the formal directives, regulations and legislative acts promoting intercultural cohabitation and tolerance are denied on an everyday basis. As noted by Kralj (2011: 288-289): 'It seems that the experiences of the current global economic crisis /.../ and unstable socio-economic conditions (increased costs of living, increased unemployment rates, lower living standards, cuts of funding for social transfers etc.) begin to influence the rise of anti-immigrant sentiments, which are reinforced by messages about the 'demise of multiculturalism', transmitted from European politicians by the mass media'. According to public opinion polls (EVS, 2011), intolerance and negative attitudes towards the 'others' are increasing. In addition, present day Europe is facing (both legal and illegal) levels of migration flows without comparison in the past as the European societies become increasingly culturally and ethnically plural. Those countries traditionally thought of as emigrant countries are starting to function as immigrant states as well. As a consequence of all these processes and facts there is a strong need for further scientific reflection of interethnic relations with a special emphasis on the management of cultural diversity. We hope that our paper presents a small contribution in that direction.

CONCEPTUAL AND DEFINITIONAL CHALLENGES – INTERCULTURAL DIFFERENCES IN APPROACHING ETHNIC PHENOMENA

Due to the different historical circumstances and, consequently, the development of different systems of social policy accompanying the various economic and political situations in particular European states, it is almost impossible to use a single unified and common approach when discussing interethnic relations. The interstate and intercultural differences in approaching issues of ethnicity are present not only in a particular state's legislation that regulates e.g. the integration of immigrants in the host state or anti-discrimination policies, but are present in the very essence – prior to the concrete political actions or public debate – in the definitions, concepts and terminology used in discussing ethnic phenomena. In this context, we are interested in which terminology is used in discussing ethnic phenomena, how ethnic affiliation is measured in individual European countries and how single terms defining ethnic processes or ethnic phenomena are understood. Are we genuinely understood and do we think in the same way when we communicate using the same ter-

minology? Or does our cultural heritage change our perspective? If it does, to what extent does it actually affect our perceptions? Without a deep understanding of and reflection on the intercultural differences in understanding the particular ethnic phenomena, it is hard to approach the problem holistically. The task is not easy because, as Le Vine (1997) explains, the essence of the problem lies at the very beginning of efforts to conceptualise 'ethnicity'. Because the term itself is unclear, there is a certain ambivalence and consequent lack of definitional or conceptual clarity when we attempt to deal with this concept in theoretical and empirical research.[2] In the following text, we will present some conceptual and definitional challenges and gaps in dealing with the issue of ethnicity and try to expose some (intercultural) differences.

Before attempting to tackle these perplexing issues, let us quote Delli Zotti and others who validly observe that in the social sciences there are few concepts as controversial as that of 'ethnicity'. At the same time as exposing that definition of the 'ethnic group', ethnicity and ethnic identity are arranged along a continuum between two poles: the *subjective and objective* (Delli Zotti et al, 2011: 7).

Some authors (let us mention Barth (1970) as among the more prominent of these), rather than taking a static approach involving subjective-objective assessments, instead objected that when we try to define the ethnic group and ethnic identity we should primarily focus on ethnic borders and their maintenance, thus exposing the importance of interactions. When trying to allocate common theoretical starting points we will refer to Eriksen (1993), who highlights the observation that, regardless of the fact that there truly exist a number of a different approaches to ethnicity, all agree that ethnicity has something to do with a classification of people in terms of a group relation. This means that in all societies there exists the tendency toward intergroup differentiations and classifications; however, the criteria of its realisation vary. The intercultural differences emerge according to the determination of who is a member of an ethnic group and who is not. Are the distinctions in the cultural 'givens' to which people attach a 'primordial' quality or is a determination of a membership more instrumental? The advocates of the first approach (Weber, Geertz, Shils) are strongly criticised by the advocates of the other (Barth, Glazer, Cohen, Jenkins); as Brass (1985) argues, ethnicity should be regarded as a type of political resource for competing interest groups.

To conclude, let us quote Enloe (1980), who claims that there is growing agreement that ethnicity is actually both objective and subjective: it requires a sense of belonging and awareness of boundaries between members and non-members and is composed of an intertwining cluster of attributes, not a singular cultural character-

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2   For better illustration: In Isijiw's review from 1974 thus we can find twenty-seven definitions of ethnicity (Le Vine, 1997: 49-50).

istic. Independently from theoretical debates, empirical reality presents different experiences in defining ethnic identity and ethnic membership. The contradictions between the subjective/objective assessments of ethnicity are concretely exposed in an Austrian context by Sauer and Ajanovic (2011), who claim that definitions of who is 'an Austrian', who is a 'person with a migration background' or who belongs to an 'autochthonous minority' are, when used for statistical reasons in Austria, problematic due to their limited significance, since they do not tell us about the self-perception of the people themselves.

Another (and at the same time opposite) aspect exposing the problem with objectivity/subjectivity in defining ethnic affiliation is emphasised by Sedmak and other (2011) when presenting the public population census in Slovenia, based exclusively on subjective self-definition as the only means of ethnic identification. As the direct consequence of exclusively subjective ethnic labelling, it has occurred that, due to subjective and/or pragmatic reasons, people are changing their ethnic affiliation from census to census.

In the case of UK, a state with a long tradition and experience in dealing with interethnic relations, minority issues etc., the possibility of subjective ethnic auto-definition is even more elaborate. According to Aspinall (2009) with the inclusion of the possibility of multiple ethnic (self)identification, the UK population census has introduced the possibility of even more accurate assessment of people's ethnic identification, thus trying to meet the people's real and more intimate subjective self-identification.

Following the examples mentioned above, it can be seen that there is no uniform practice among European countries in approaching *the collection of statistical data regarding the ethnic affiliation* (using subjective auto/ definition or more objective measurement). This fact reveals another research problem: the possibility and validity of interstate and comparative studies dealing with statistical and demographical data in relation to ethnicity and ethnic identity. Furthermore, in accordance with empirical evidence, people, when forced to declare themselves in terms of their ethnic affiliation, often cannot identify themselves according to the possibilities offered. As Aspinall (2009) observes, scientific accuracy and adequacy are not necessarily in accordance with sensible utility. His observations are based on the results of two empirical studies among mixed populations in the UK, in which he was trying to verify the adequacy of terminology defining mixed populations on occasions of population census. The most popular term among mixed populations themselves was the term 'mixed race' regardless of the fact that this option was widely criticised among a scientific audience. In addition to the formal state population census, there are other formal and institutional

social situations in which people are asked to identify themselves in terms of their ethnic affiliation, the most obvious of these being the educational system. In national educational systems there are different practices taking place in different states relating to the collection of data pertaining to students' national identification.

In Slovenia, in the case of primary and secondary schools for instance, this kind of data are non-existent, while the official evidence of pupils' ethnic affiliation is commonly used in Italian, British, Austrian and Cypriot school systems. The evidence regarding pupils' ethnic affiliation and status can be more or less elaborate: the Austrian Statistical Agency thus collects data on the *nationality* and *everyday language* of pupils; the Cypriot Ministry of Education and Culture on their *country of origin*; while in the Italian case we can find the very 'structured' statistics regarding the students' *country of origin*, their being *first generation immigrants or being non-Italian students born in Italy, non-Italian pupils without/or with Italian citizenship* etc. The prohibition of formal collection of data about pupils and students ethnic affiliation in Slovenia can, on the other hand, be understood mainly in the context of ethnicity: members of school staff, at least in our research, almost uniformly objected that is 'not right' or 'not ethical' to ask such questions (Medarić and Sedmak, 2012).

European countries differ also in the *terminology* used in public, scientific and political discussions on the subject of ethnicity as well as for the collection of statistical data. In the Slovenian academic and political debate a clear distinction is made between *autochthonous*[3] and *non-autochthonous* (immigrant minorities). The difference is unfortunately not only semantic but in terms of its consequences very concrete: in accordance with 1991 Constitution, the additional special rights are preserved only for autochthonous minorities – Italian, Hungarian and conditionally Roma – (concretely, in bilingual territories, the obligation to use minority language on the occasion of public events, in using the minority language in marking the public spaces as streets and public institutions, the right to be educated in the mother language, the right to cultural and – more importantly – economic and political representation; these minorities have also been granted political representatives at local (municipal) as well as state (parliamentary) levels etc.). Only during the last ten years has the term *migrant workers,* with a strong reference to the immigrants from the territory of former Yugoslavia who came to Slovenia at a time of economic prosperity and growth (1960s–1980s) as well as during the most recent immigration flow after 2000, been observed when discussing ethnicity in Slovenia.

In Austria there is also reference made to so-called autochthonous minorities[4] (which are legally referred to

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3   Due to the fact that the definition of *autochthonous* is arbitrary (there are no existent criteria for fulfilling this condition) the term is criticized by some authors (see: Komac, 2005).

as *ethnic groups)* and migrants who do not enjoy minority rights, even though they might be seen as an ethnic minority in terms of their population figures (Sauer and Ajanovic, 2011). However, a much bigger emphasis is given to the concept of *guest worker*, which category is applied to people not living permanently (and therefore 'properly') in the country. In this connection, Austria – similarly to Germany – concluded labour recruitment agreements with several mainly South and Eastern European countries in order to attract workers during the period of economic boom between 1960 and 1990. With the termination of the 'guest worker' programmes in the 1990s, the term *foreigner* prevailed.[5] This redefinition actually recognised the fact that a large proportion of the 'guest workers' did not want to return to their sending countries but rather preferred to stay and live in the receiving country (Ibid.). The discriminatory nature of the guest worker policy was critically addressed by Radtke (1997), who emphasised the problematic nature of German multiculturalist model: guest workers have no space in the public sphere 'except as the subject of exploitation, paternalism, advice and help'; they were pushed in private sphere and forced to intensify their ethnic links, and organize and express themselves around the religious and traditional symbols not only to protect cultural identity, bur to present themselves in the way majority wanted to see them (Ibid.). There are additional terms used by the Austrian Statistic Agency and the Federal Ministry for the Interior such as: *foreign origin,* to refer to people who do not possess the Austrian citizenship and to those who do but were not born in Austria; and *migration background*, referring to people whose parents were born in a country other than Austria regardless of their own citizenship.

Italy, a country rich in linguistic minorities in terms of the variety of their origin and by their quantity, makes use of the term '*historical linguistic minorities*'; this refers to ethnic minorities who have 'always' been living in the Italian territory and have therefore been guaranteed some special rights in comparison with other immigrant communities. Italian legislation formally recognises the presence of twelve ethnic and linguistic minorities and provides for them in terms of the official use of their languages in public offices, the teaching of these languages in schools and broadcasting in these languages on the Italian public radio and television. In terms of statistical evidence,[6] the Italian system makes use of two terms when referring to immigrant groups: *foreign* and *foreign born in Italy* (i.e. second generation immigrants).

The last one being exceptional, because other countries usually treat the second generation of immigrants being born in the host state as citizens and no longer foreigners. In Cyprus there is only the reference to *immigrants* – the reason may be that Cyprus faced the issue of mass immigration very recently, mainly during the last decade of the 20th century.

In the literature of several, mostly economically well-off European states (Italy, Austria, UK etc.), there is also the reference to *refugees*; however, for some countries such as Slovenia this very new category only appears in the debate after the Balkans war. The discussion about the *1st, 2nd or 3rd generation migrants* – again, quite common in same European states with a longer tradition of intercultural contacts and relations such as the UK – is again quite new in others such as Slovenia, which represents a post-socialist country coming very late in terms of political and academic recognition of ethnic issues.

In the public discussion across European countries regarding the immigration issue, the term 'asylum seekers´ is also present. Again, being omnipresent especially in the economically and political 'stronger' states with a longer tradition of asylum seekers, and in the states such as for instance Italy, which is, in addition to the economic factor, also relevant in terms of its geography (it has a close proximity to the African continent).

One of the main differences when analysing 'ethnic' terminology across European countries is the presence of term 'race' and associated race-related terminology as 'racism', 'racist ideology', 'racial prejudices' and 'racist stereotypes' etc. The controversial[7] term of 'race', addressing a supposed biological and essentialist nature of belonging, is completely absent in Slovenia and most of the former socialist states at the same time as being omnipresent in the United Kingdom, Italy, France etc. – states with a colonialist past and consequent migration flows from former colonies – or in the economically rich countries that have tended to attract immigrants from other parts of the world. In UK, regardless of the fact that the idea of separate human races has been discredited in everyday use and even in legislation in the Race Relations Acts, the term *race* is still present along with other 'derivates' such as the terms *Black and Minority Ethnic (BME), White British etc.,* which are widely used and accepted. In the academic sphere, the question as to whether the study of 'race relations' should be distinguished from the study of ethnic relations often surfaces. Van den Berghe (1987) advocates the view that

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4   In Austria there are six recognized autochthon minorities with a special legal status and rights: the Slovenian, Croat Hungarian, Czech, Slovak and the Roma and Sinti.

5   Stötzel and Wengeler (1995) offer an overview on the different German terms and concepts in the context of immigration since 1945.

6   A major sources of statistical data for immigrants are *la Questura* (a Police department legalizing the presence of immigrants and the Italian Institute of statistics – survey registration in each municipality collecting migratory movements and foreign population residence at the end of every year.

7   In social sciences there is a prevailing opinion that race exists only as a cultural construct, produced and widely coming into debate in the time of European colonisation and imperialism, hand in hand with the construction of racist ideology at that time.

race relations are actually a special case of ethnicity. On the other hand, Banton (1983) argues that there is a need to distinguish between race and ethnicity. In his opinion, 'race' refers to the categorisation of people, while 'ethnicity' has to do with group identification. Ironically, even in the states where the term race is strictly non-present in the scientific and political arena and public debate, the term 'racism' is widely used (Hutchinson and Smith, 1996).

The intercultural research work additionally shows that in most European countries the terms defining negative effects of intercultural contacts (such as e.g. 'interethnic violence', 'racism', 'ethnic discrimination' etc.) are the same; however, the national specifics could be found when discussing the levels of sensibility towards violence and regard towards the 'other' in general. What individuals or societies perceive in terms of ethnic insult, ethnic discrimination or ethnic violence can differ. Most of the time, only evident physical violence is perceived as actual violence while at the same time subtler forms of violence (such as verbal, psychological violence or social exclusion) are not necessarily perceived as problematic. The differences in 'ethnic sensibility' and 'political correctness' are also seen in the terminology defining cultural and national affiliations. Thus, in the case of UK we can find a whole spectrum of options for national affiliations of immigrant groups, such as: 'White British', 'White and Asian', 'Asian Indian', 'Asian Pakistani', 'Asian Chinese African', 'Mixed (White and Black Caribbean)' just to mention a few; while, at the same time, Italian state statistical agencies use the term 'foreign residents born in Italy', to describe second generation immigrants. The term 'foreigner' in countries such as Austria, Slovenia, UK, Cyprus refers to people who were not born in the host state and do not have citizenship.

In some European countries there is a very strong connection between 'religious affiliation' and 'ethnicity' in general, these being in cases when minority group identification is mostly concentrated among religious divergence from the majority or other ethnic group (Irish Catholics and British Protestants in Northern Ireland, Turkish Muslims and German Christians, Catholic Croats and Orthodox Serbs etc.). After the attacks on 11th September 2001 (and the later London bombings in July 2005), the most visible and problematic issue in Europe is of Islam and the increased hostility and prejudice towards Muslims, who are often seen in stereotypical terms as a monolithic (religious) group. In countries with a higher percentage of Muslim immigrants (Austria, United Kingdom, France etc.), the researchers examine the rise of the problem of *Islamophobia*. In accordance with Inman, McCormack and Walker (2012), the term itself is contested because is often imprecisely applied to very diverse phenomena, from xenophobia to anti-terrorism; moreover, it is hard to distinguish the difference between it and other terms such as racism and anti-Is-

lamism. An additional problem is that is very hard to differentiate racially motivated attacks from attacks that are religiously motivated (Ibid.).

Islamophobia is revealed at the level of everyday life in the form of (structural) violence, but also in subtler discriminatory ways. How can the negative attitude towards Islam be explained in the light of ethnicity? According to Enloe (1980), the tense interethnic relations (in our case between immigrant Muslim and majority non-Muslim ethnic groups in the European continent) could be explained in terms of *religious type*. Namely, the biggest interethnic tensions occur when two ethnic groups confess different religious and when these religions are theologically and organisationally elaborate and explicit and have incorporated taboos operative in the routines of everyday life (e.g. diet, dress code); moreover, the intensity increases when each religion has a tradition of evangelism (as Muslim and Roman Catholic religions do). The omnipresent phenomenon of Islamophobia could be understood also as a new form of racism, defined by Balibar (1991) as 'racism without race'; the core of this racism is comprised by cultural differences that cannot be overridden. Here we are talking about *cultural racism*, emphasising the incompatibility of different lifestyles and traditions, and the so-called 'clash of civilisations'.

If we deviate from the terminological issues, some other intercultural differences in approaching the issue of ethnicity can be exposed. European countries differ also in terms of the degree of *self-reflection* of the ethnicity problem. In Slovenia, as a republic of the former multicultural and multi-religious Yugoslavia, the issue of ethnicity and ethnic affiliation was, until independence in 1991, 'under-communicated' (Eriksen, 1993). The prevailing political ideology of the former common state reduced the importance of ethnic affiliations. Principles of 'brotherhood and unity' were promoted within the frame of the socialist ideal of the former state in order to ensure interethnic equality, tolerance and coexistence as well as to strengthen the position of class above the attributed ethnic determinants. The denial of the meaning of the single ethnic affiliation can be seen from the constructed term 'Yugoslav ethnic affiliation', which was used on occasions of population census. Consequently, issues of ethnically mixed marriages, ethnic prejudices, nationalisms etc. were almost absent in scientific, public and political arenas.

On the other hand, it could be said that, with the underestimation of personal ethnic affiliations and the substitution of ideas of 'brotherhood and unity', former Yugoslavia introduced the model of intercultural coexistence long before these concepts became reflected in the Slovenian academic arena and also before they had become popularised in the European political arena. Similarly to Slovenia, Cyprus, only in recent years encouraged by the increasing numbers of immigrants, organised a more proactive approach towards intereth-

nic relations and started to challenge these issues. In the past, the ethnic problem correlated with immigration flows (excluding the interethnic conflict with Turkey) was not the central topic of the state political and social debate. The ethnic 'isolation' of Cyprus could also be partially explained by geographical and historical reasons. Opposite to the above-mentioned cases, the UK is an ethnically very diverse country, with a long history of migration. Consequently, in researching intercultural and interethnic violence, there is a vast tapestry of researches and literature; obviously, the self-reflection of the so-called ethnic issue has been strongly present. This can also be seen in the complex and elaborate terminology used when defining the ethnic affiliation as well as in the efforts exerted in the political and research discussions, e.g. about the 'proper' terminology for demarcation of representatives of mixed 'race' (Aspinall, 2009).

Finally, empirical problems in researching interethnic relations and comparative ethnic studies can also arise when ethnic identity is masked, when group members are ambiguous about their ethnic identity or when ethnic identity makes little or no difference in ordinary social relations (Le Vine, 1997).

IMMIGRATION AND ANTI-DISCRIMINATION POLICIES IN EUROPE: GAPS AND CHALLENGES

Over the course of the project, many differences in regulations of interethnic relations, diversity and anti-discrimination among the countries were revealed; therefore, the issue of tackling these differences within the framework of common migration and anti-discrimination policies in Europe also drew our attention. Here, we would like to present some challenges arising from these common policies, especially with regard to their implementation in different countries. It is important to address these issues in the context of establishing a common political and economic European space, particularly since Europe is facing increased migration and there is a consequent need for comprehensive common policies in this field in order to achieve long term political and social stability. Europe is currently facing two simultaneous processes: on one hand, increasing political convergence, integration and consequent ethnic plurality; on the other hand, rising xenophobia and right-wing political parties (Strabac et. al, 2011). This duality is also reflected in the everyday life of immigrants and ethnic minorities who are confronted on the one hand with notions of equal opportunity, tolerance, intercultural communication, while on the other hand sometimes facing the opposite reality, i.e. discriminatory behaviour, unequal treatment and negative stereotypes. Being aware of these problems, Europe is trying to tackle them also through developing comprehensive anti-discrimination and migration policies, placing special emphasis on social cohesion and the integration of

migrants and minorities, with the primary aim of preventing interethnic violence and conflicts.

In the last century, Europe has faced a significant shift from emigration to immigration. While historically a significant number of migrants have emigrated from Europe to other countries, such as USA, Canada, Australia, New Zealand, Argentina, Brazil, the continent became a major destination for immigrants from the mid-20th century on. The major migration flows in Europe can be seen as being reinforced by economic prosperity in Europe in the 1950s and 1960s, which caused internal migration flows from Southern to Northern European countries and attracted workers from North Africa, Turkey as well as former colony countries. During this period, immigrants were often recruited either through the policy of 'guest worker' (for example Germany with immigrants from Turkey, Southern European countries from Morocco and Tunisia) or from former colonies (for example France and UK). Another major migration flow, both internal and external, took place in the 1990s, caused by the Soviet Union, the collapse of the 'iron curtain' as well as the Balkan wars. From the last decade of the twentieth century onwards, migrations were characterised by immigration from Eastern to Western Europe and immigrants from Africa (Bodvarsson and Van der Berg, 2009). Additionally, the movement within the European Union has been simplified through the process of European integration by two Schengen agreements (1985 and 1990) and the extension of the Schengen area to the current 28 countries as of 2013. European countries thus have different histories with regard to migration flows and associated experiences as well as concepts related to migration: perceptions on who is migrant, a foreigner or minority member differ significantly across countries. As mentioned previously, definitions are important since they affect the data itself as well as its analysis and thus overall perceptions of an issue.

In 2004, Chahrokh and others divided the then 15 EU member states into three different groups, taking into account their immigration history and their concepts of 'migrants' and 'minority populations'. The first group, characterised by significant *immigration from former colonial territories*, consisted of France, the Netherlands and the United Kingdom. The second, defined as systematically *recruiting migrant workers* (Austria, Belgium, Denmark, Germany, Luxembourg and Sweden) that were seen as 'immigrants' and 'foreigners' and not immigrant or ethnic minorities, had a long tradition of immigration. The third group is defined as *'new immigration'* countries, those that shifted from long-term emigration to immigration since the late 1980s and early 1990s (Greece, Italy, Spain, Portugal, Finland and Ireland). In the context of the current EU 28, a new group of so called *post-socialist countries* (Bulgaria, Czech Republic, Estonia, Latvia, Lithuania, Poland, Romania, Hungary, Slovakia, Croatia and Slovenia) can be added, with the last four countries – Hungary, Slovakia, Slovenia and Croatia – having ex-

Sl. 1: Skupna pot, Thinkstock
Fig. 1: Joint path, Thinkstock

perienced more immigration than emigration during the last few years. Cyprus and Malta can also be added to the third group of 'new immigration' countries, especially the latter, which in the last few years has faced a number of migrants arriving on its shores seeking asylum.

Different histories and experiences with regard to migration issues, as well as different conceptualisations of migrant and minority populations, result also in diverse anti-discrimination policies. Some have developed more systematic anti-discrimination policy concepts, such as e.g. UK or France, countries that also have long tradition of migration. Others, such as e.g. Slovenia, have not developed a specific equality or anti-discrimination legislation or have introduced it recently due to the common EU legislation framework. Over the last few decades there have been efforts in the European Union aimed at establishing common policies on immigration as well as anti-discrimination. The question, however, remains as to whether these common policies are truly effective and to what extent they realise the stated goals. In what follows, we will discuss some issues and gaps in common EU policies in this field, with particular focus on the situation in Slovenia, Austria, Italy, United Kingdom and Cyprus. We will look at the wider framework of the European polices on immigration as well as the specific part of the anti-discrimination policy that deals with the area of ethnic origin.

The common EU policies on immigration are based on the first Schengen Agreement, while the main leg- islation that defines basic human rights in EU derives from the Treaty of Amsterdam (1997). This latter treaty defines the conditions of entry and residence as well as providing standards on procedures governing the issu- ing of long term visa and residence permits by Member States, a definition of illegal immigration and illegal res- idence and measures defining the rights and conditions under which nationals of third countries who are legally resident in a Member State may reside in other Mem- ber States (Fitchew, 2009). The main policy guidelines on EU immigration policy were drafted at the Tampere meeting of EU leaders in 1999 and revised in Decem- ber 2004 at a meeting in Brussels. In 2008, a set of common principles on which to build upon a common immigration policy in Europe, focusing on the positive potential impacts of immigration and grouped under the three main EU policy strands of prosperity, solidarity and security, was also defined. The need for achieving the objectives defined at Tampere was reaffirmed by the Stockholm Programme (December 2009), which, while being called into question due to a claimed lack of con- sistency (Collet, 2009) and feasibility for successful im- plementation (e. g. Carrera and Guild, 2012), sets out a number of priorities in the areas of justice, freedom and security in the EU.

With regard to the intensified cooperation in the field of migration at the European level, there are two con- trasting views: on one hand, there is the opinion that only regulation at a supranational level can be effective (Ghosh, 2000, Bigo 2002); on the other hand, there are more sceptical views expressed about the effectiveness of the common migration policy (Castles, 2004; Castles and Miller, 2009). Researchers who express more scep- tical views about intensified cooperation in this field usually draw attention to the lacunae exposed and chal- lenges presented by implementation of the policy. Taking into account the complex forces driving an integration of the migration situation, Castles (2004) highlights the importance of analysing how various factors interact within migration processes in order to achieve balanced and realistic policies. Namely, many policies are poorly conceived, narrow, contradictory and/or elicit unintend- ed consequences. A typical example of a policy that did not achieve its goal is the German or Austrian 'guest- worker' policy: its aim was to provide for the needs of temporary workers, who were expected to eventually return to their countries of origin; however, since these 'guestworkers' mainly overstayed their initial welcome, ending up by permanently settling in the host country, the policy failed to be implemented as conceived and the host countries eventually had to accept and deal with the new situation.

Castles (2004) identifies three main sets of reasons for this: factors arising from the *social dynamics of the migratory process*; factors linked to *globalisation and transnationalism and the North-South divide*; and fac- tors within *political systems,* by which the difficulties in

implementing policies arise from the interactions between the previous sets of factors and the complex and contradictory political systems of the states in question, such as conflicts of interest, hidden agendas etc. The first set of factors refers to the way in which, when it comes to policy formation, the fact that migration is a social process with its own inherent dynamics (influenced by chain of migration, networks, familial ties, life-cycle stage of the migrant etc.) is often ignored. The second sets of reasons are the factors linked to the reality that international migration is a cross-border process with transnational dimensions gaining importance due to the current global economic, political and cultural changes and the rapidly growing South-North migration stream. The third set of reasons refers to the interaction between previously mentioned factors and the political systems of the receiving or emigration countries states in question; these are complex and contradictory in themselves.

In trying to define the effectiveness of common EU migration policy, Czaika and de Haas (2013) identified three main gaps that explain the disparity between policy discourses and the effectiveness of migration policy: a *discursive gap,* representing difference between discourse and actual migration laws, regulations etc.; an *implementation gap*, between the policies on paper and their actual implementation in practice; and an *efficacy gap*, defined as the degree to which an effectively implemented policy affects migration outcomes. In the current discussion, we will mainly focus on the implementation gap and the main challenges identified therein. The implementation gap can happen due to various reasons such as actors defining policies, lack of resources, different political priorities etc., but also the significant discretion applied by those implementing policies in practice: there is often an open space for the subjective interpretation of laws. As Czaika and de Haas put it: 'For instance, assessing whether an asylum seeker has a 'well-founded fear of persecution' (according to the respective UN Convention 1951/67), or whether there are no citizens available for a job for which a foreigner seeks to obtain a work permit, leaves open considerable room for subjective judgement.' (Czaika and de Haas, 2013: 496).

Despite the establishment of common immigration EU policies the notion 'Fortress Europe', thus removing border controls within EU and hardening external borders (Stalker, 2002) is still valid for the attitudes of Europe towards immigration, especially illegal or irregular. Among the five countries in questions, especially Italy and Cyprus are everyday facing a number of illegal migrants from Africa, Middle East and Asia, arriving on their shores. Moreover, Engbersen and Broeders (2011) highlight that not only we have strong 'external

EU border control', but there exist recent trends towards stronger 'internal border control', excluding irregular migrants from the formal labour market and public provisions. Furthermore, the general socio-economic crisis enhances intolerance towards both, legal and illegal immigrants as well as ethnic or religious minorities.

There also exist significant implementation issues in *the field of common anti-discrimination EU policy*, focusing specifically on the question of discrimination on the grounds of ethnic origin that affects migrants as well as national minorities (but also other ethnic groups such as Roma or Jews). The issue has been present at the EU level since the 1980s; however, until a few years ago, the focus was mainly on preventing discrimination on the grounds of nationality and gender. Since the 1990s – and especially after the Treaty of Amsterdam came into force in 1999 – new EC laws, or Directives, have been enacted in the area of anti-discrimination. Since the year 2000, an intersectional approach has been adopted to combat discrimination on various grounds. The two most important directives in the area of anti-discrimination are the Racial Equality Directive (2000/43/EC) and the Employment Equality Directive (2000/78/EC) – the former establishing a framework for combating discrimination and implementing the principle of equal treatment in many areas of social life and the latter establishing a general framework for equal treatment in employment and occupation and prohibiting discrimination on the basis of religion or belief, disability, age or sexual orientation.

The EU anti-discrimination legislation comprises the current framework for combating discrimination in the EU countries, obliging them to implement various measures to maintain a legal and procedural framework for the promotion of equality for racial or ethnic minorities. It also acknowledges indirect discrimination – when persons of certain groups of minorities are disadvantaged through apparently neutral laws or practices – as well as introducing the concepts of harassment and victimisation (Amiraux and Guiraudon, 2010, 1694). For some countries, such as Bulgaria, Cyprus, Estonia, Lithuania, Hungary, Poland, Romania, the Slovak Republic and Spain, this represented the first detailed non-discrimination regime on the grounds of racial and ethnic origin (European Commission, 2012). In contrast, in the cases of Austria, Cyprus, Italy and Slovenia, the respective constitutions already contained a general anti-discrimination provision as well as enshrining the principle of equality before the law. While the Austrian and Italian constitutions make reference to the equality of *citizens*, the Cypriot and Slovenian constitutions refer to *all people*. In the UK,[8] where there is no written constitution, there nevertheless exist several laws and acts pertaining

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8   The United Kingdom has an unwritten constitution, i.e. does not have a Constitution or entrenched Constitutional Bill of Rights, but an extensive set of constitutional conventions (http://non-discrimination.net/content/media/2011-UK-Summary%20country%20report%20LN_final.pdf).

to equality and anti-discrimination. For instance, the Race Relations Act 1976 already outlawed discrimination on the grounds of race, colour and national origin in education, employment and the provision of facilities and services. The Equality Act (2010) introduced a number of changes, harmonising and extending various pieces of discrimination law that had been introduced gradually over the previous 30 years (Inman et al, 2011). As previously mentioned, the UK has one of the strongest legal anti-discrimination frameworks as a consequence of its long tradition of migration.

The Racial Equality Directive has significantly improved anti-discrimination protection; however, there are still some relevant implementation issues. Some important questions that affect the implementation and efficiency of the common EU anti-discrimination laws in individual cultural contexts were raised at the very beginning at the level of terminology. There are two main issues with regard to the definition of 'racial or ethnic origin': one focused on discussions around the use of the term 'race' within anti-discrimination legislation and the other involving overlapping definitions of characteristics such as nationality, language or religion. While the notion of racial equality is inherently problematic due to its reliance on the spurious idea that people can be divided into different biologically distinct 'races' (Bell, 2009), the term has been used ambivalently in the Racial Equality Directive, which simultaneously 'implements the principle of equal treatment between persons irrespective of racial or ethnic origin' as well as, in its preface, rejecting 'theories which attempt to determine the existence of separate human races.' (Bell, 2009). Therefore, in some countries, the terms 'race' or 'racial origin' were not included in the applicable anti-discrimination legislation, since any such usage, in the view of legislators, reinforces the erroneous view that people can be distinguished according to their 'race'. The Finnish non-discrimination Act refers to 'ethnic or national origin'; the equivalent Swedish and Austrian Acts refer to 'ethnic affiliation'; the Hungarian Act refers to 'racial affiliation' or 'belonging to ethnic minorities'; while in France, the term 'real or assumed race' is used. With regard to the other question, as to whether characteristics such as colour, national origin, being a member of a national minority, language etc. can be included

in the term 'racial or ethnic origin', there are different approaches taken within the respective countries. Some include colour and national origin as nominal criteria while others – for example, Poland and Slovenia – have special laws protecting national minorities. With regard to religion, discrimination against Jews and in certain circumstances Muslims is specifically recognised in the Netherlands; in the UK, discrimination against Sikhs or Jews is recognised as discrimination on racial grounds; similarly, anti-Semitism has a special status in Germany. This again illustrates some of the practical difficulties with concepts and terminology when trying to encompass the concept of discrimination on the grounds of 'racial' or ethnic origin.

Due to the above-mentioned issue, the efficient implementation of 'Racial Equality' directives is questionable in contexts where ethnic discrimination is not connected to immigrant communities, since a history of immigration such as that experienced by, for example, the United Kingdom is absent. This is the case of most of the member states that joined the EU in 2004 that, due to their history, have tended to be dealing mainly with national minorities (Bell, 2008), these also including Slovenia and Cyprus. The question also arises as to whether the individual rights model encompassed within the directive provides an adequate framework for a response to a community-wide disadvantage, such for example in the case of the Roma (Bell, 2008).

Effective policy enforcement is also often made more difficult due to very complex and diverse legal framework as is the case in Austria (Schindlauer, 2012); in most countries, despite the enshrinement of the two directives in the respective national laws, there often exist discrepancies and provisions open to different interpretation. In the case of Slovenia, for example contradicting interpretations of provisions that may seem to permit indirect discrimination are possible.[9] Policy implementation is also importantly affected by social changes. An important factor in the enforcing of laws is the economic crisis that has severely affected many countries, also impacting on institutions that focus on migrants, such as the national equality bodies that were introduced under the auspices of the common anti-discrimination policy. Austria and Cyprus, for example, report having had problems because their national equality bodies[10]

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9   Article 2a of the Act Implementing the Principle of Equal Treatment states that different treatment on the basis of certain personal circumstances is not excluded, provided that it is justified by a legitimate goal and if the means for achieving the goal are appropriate and necessary (parag. 1). But parag. 2 and 3 of Article 2a prohibit any discrimination, regardless of the provision of parag.1, except for specifically defined exceptions, related to genuine and determining occupational requirements in the area of employment; religion in religious organisations; age in recruitment, employment and vocational training; beneficial treatment of women during pregnancy and motherhood; availability of goods and services for people of a particular gender; in the area of insurance; or in other cases defined by laws adopted pursuant to European Union law. These provisions are hence quite confusing since §1 indicates that direct discrimination on grounds of racial or ethnic origin could be justified by reasons other than positive action and genuine and determining occupational requirements.

10 In Cyprus there are two departments within the equality body – one covering mainly gender issues and the anti-discrimination department covering all other grounds, while in Austria the Ombud for Equal Treatment consists of three independent parts, two of which cover also ethnic origin.

have insufficient finance and staff; financial cuts have similarly affected public bodies and initiatives dealing with migrants in the UK and Italy, e.g. UNAR, the National Office Against Racial Discrimination (European Commission, 2013). In addition to being affected by financial cuts, it should be mentioned that Slovenian Advocate of the Principle of Equal Treatment is not funded independently but through the government; therefore, its independence and effectiveness in actually carrying out the laws it is tasked to implement are questioned, especially in cases of alleged discrimination committed by the Government.

Putting aside the crisis, in some countries, despite comprehensive legal framework, the enforcement of anti-discrimination legislation is deficient for various reasons, including, for example, an awareness of the possibilities offered by the Act among migrants and minority members that is still very low, as is the consequent level of reporting of discriminative behaviour. This is also partly due to poor implementation of dissemination of information and a low level of social and civil dialogue.

There have also been problems with implementation of the Racial Equality Directive outside the area of employment, including areas such as housing, social protection and education. Despite the above-mentioned issues, it should be stressed that before the development of a EU-level policy forbidding discrimination on the basis of race, ethnicity and religion, the issue was dealt with at a local or national level; while the common EU policy has encouraged broad changes as well as debates regarding issues that were previously not acknowledged, as well as, for example, the introduction of national equality bodies to promote anti-discrimination policies and monitor their implementation (Amiraux and Guiraudon, 2010). However, at the same time as equality legislation and protection of rights have improved, racism and xenophobia have often intensified (Amiraux and Guiraudon, 2010, Strabac et. al, 2011). It is, as Amiraux and Guiraudon put it, that 'discrimination in a sense, is proscribed, yet on the rise.' (2010, 1693).

CONCLUSION

Encouraged by the results of the international and intercultural research work by our team, in our paper we have tried to expose some challenges which may be faced when researching different aspects of interethnic relations from an intercultural perspective, focusing mainly on the twin dimensions we refer to as 'conceptual' and 'political'. Firstly, exposing the terminological and conceptual intercultural inconsistencies and differences; secondly, the political problems that rise in legislation enacted at the national and supranational level. At the end of this short review, questions arose concerning what can be done to improve interstate and intercultural comparability in terminology and basic concepts dealing with ethnic issue. Moreover, what can actually be done to ensure uniformity of application of supranational regulation at the level of the member states? In both cases, probably not much. However, what can be done is that researchers of ethnic phenomena retain awareness of intercultural differences and cultivate a special sensibility for them when dealing with cultural, 'racial', linguistic and religious issues. This is essential in order to avoid imposing ethnocentric and culturally-determined viewpoints on the problem and to achieve at least a minimum level of research objectivity. Moreover, terminological 'mess' must not discourage researchers of interethnic and intercultural relations topics from further work on these problematic issues. Still more complex is the question of uniformity of application of the legislation. Firstly, as we have already exposed, there is no existing political and scientific consensus whether the common legislative approach is at all efficient. Secondly, as it looks as if only some very basic directives dealing with migration and anti-discrimination issues are able to be applied uniformly at the level of individual states. Historical and political differences among European states are too big to be conveniently passed over. Unfortunately, the most significant barrier to progress in this area seems to be comprised of economic special interest groups and hidden agendas among policymakers.

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POVZETEK

Članek izhaja iz izkušenj in dinamike medkulturnega raziskovalnega dela na mednarodnem projektu Children's Voices: Exploring Interethnic Violence and Children's Rights in the School Environment/Glasovi otrok: Preučevanje medetničnega nasilja in otrokovih pravic v šolskem okolju, ki je potekal pod okriljem Znanstveno-raziskovalnega središča Univerze na Primorskem med letoma 2011 in 2012. V projektu so bile obravnavane različne teme, ki se navezujejo na etničnost in medetnične odnose, osrednja pa je bila medvrstniško nasilje na etnični osnovi v šolskem okolju. Projekt se je izvajal v petih sodelujočih državah, in sicer v Sloveniji, Italiji, Avstriji, Angliji in na Cipru. Večkulturnost raziskovalne skupine in komparativna empirična raziskava sta izpostavila številna terminološka, pojmovna in interpretativna vprašanja: priča smo bili različnim metodologijam pri zbiranju demografskih podatkov, nanašajočih se na etnično pripadnost, in različnim kriterijem določanja etnične pripadnosti, različnemu razumevanju istih terminov, ki se nanašajo na 'raso', etničnost in tujce; različni kulturni konteksti so vplivali na različne percepcije in različne stopnje senzibilnosti do posameznih vprašanj, povezanih z etničnim fenomenom. Poleg tega pa se države, vključene v primerjalno raziskavo, razlikujejo glede na migracijske in antidiskriminatorne politike ter v stopnjah implementacije naddržavnih evropskih migracijskih in antidiskriminatornih politik. Spodbujeni z omenjenimi medkulturnimi in meddržavnimi različnostmi smo v pričujočem članku izpostavili nekatere izzive v raziskovanju medetničnih odnosov v medkulturni perspektivi. Pri tem smo se osredotočili na dve izbrani širši tematiki, ki sta se tekom raziskovalnega procesa izpostavili kot še posebej zanimivi, in sicer na (1) terminološka in konceptualna vprašanja in na (2) izzive in vrzeli, ki izvirajo iz različnih migracijskih in antidiskriminatornih politik držav v obravnavi. Osrednje ugotovitve članka bi lahko strnili kot naslednje: v evropskih državah smo priča uporabi različnih terminov, ki se nanašajo na etnična in rasna vprašanja, različnim metodologijam zbiranja podatkov o etnični pripadnosti, različnim razumevanjem »tujosti« in »pripadnosti« ipd., kar znatno otežuje raziskovanje etničnih vprašanj in medetničnih odnosov v medkulturni perspektivi. Tudi, ko preidemo na področje migracijske in antidiskriminacijske zakonodaje se soočimo s perečo neskladnostjo oziroma različnostjo zakonov po posameznih državah, kljub nekaterim skupnim nadnacionalnim pravnim direktivam. Razlike se pojavljajo predvsem zaradi različnih interpretacij Evropskih direktiv ter zaradi različnih stopenj upoštevanja le-teh. Poleg tega pa ne obstaja niti (politični ali raziskovalni) konsenz glede tega ali bi skupna in poenotena vseevropska migracijska in antidiskriminatorna politika dejansko odpravila težave, s katerimi se trenutno soočajo evropske države na tem področju. Uvedba skupne nadnacionalne politike, ki bi regulirala »etnična vprašanja« pa je ne nazadnje utopična tudi zaradi zgodovinskih in političnih meddržavnih razlik in, v veliki meri, zaradi ekonomskih interesov in prikritih agend (nacionalnih) politikov.

Ključne besede: etničnost, medetnični odnosi, medkulturna perspektiva, zakonodaja, Evropa.

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