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United States Mission to the OSCE

OSCE Conference on Racism, Xenophobia and Discrimination Intervention for Session 2

Delivered by Professor Murray Friedman
Director of the Myer and Rosaline Feinstein Center for
American Jewish History

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Mr. Chairman.

Almost from our creation as a nation, the United States has been the home of a bewildering number of racial, religious and ethnic groups. This can and often has resulted in racial conflict and discrimination. As a result, we have been forced down through the years to think through a variety of techniques and measures that can help reduce intergroup tensions. One such technique has been the enactment, beginning in the 1940s and 1950s, of a body of legislation making it unlawful to discriminate in education, employment and the rental and sale of housing. The federal government and virtually all major cities, states have enacted such laws. They carry a wide range of penalties when parties have been found violating them.

When this legislation was first proposed, some were critical. You cannot legislate morality, it was said. Speaker after speaker pointed that out as a problem. As we gained more experience with these laws, however, we learned that, in addition to punishing misbehavior here, the legislation played an important educational role. That is to say, by enacting this legislation, a city or state or the national government was informing any perpetrator or potential perpetrator that the wider body of citizens felt that racism or bigotry in any form was outside of acceptable behavior. Put another way, it violated the American ideal itself.

Obviously, we have not wiped out bigotry and racial misbehavior through this or other techniques. A climate of opinion, however, has created that has been useful in setting a tone for the society. Other countries, I know, have enacted similar legislation. But many have not. Each of our societies operates within its own culture and must act in a manner that fits its history and customs. If there is any theme that has emerged here in our deliberations recently it has been that we need structural arrangements to deal with these problems otherwise we end up really with a bundle of words. Not all measures in one country can fit another. Still, I would recommend that civil rights legislation be considered where no such body of law exists. Most importantly, mechanisms to implement and enforce its provisions needs to be put in place so that the laws themselves do not become simply empty words. The United States stands ready to offer its

assistance to any states who are interested, by sharing our experience in dealing with racial conflict through legislation at the federal, state and local levels.