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PUBLIC CIVILITY AND THE HUMAN GOOD AGAINST ANTI-MUSLIM HATRED

Mr. Chairman, Your Excellencies, Ladies and Gentlemen

The global resurgence of religion, the increasing social unrest and the rampant violence that we are witnessing today, from Myanmar to the Middle East and in various parts of the OSCE region, should be a clarion call for a peaceful framework for a common public life. Instead, we see more and more that while discriminating against an entire ethnic group is forbidden, **religion-based racism** is generally considered to be `exercising freedom of opinion`. It is a kind of `dog whistle racism`. Wherever we look today, it seems impossible to escape the ever-swelling debate surrounding hate speech and hate crimes. This continues to happen, in a worrisome trend, on the EU front, and it is relevant to the refugee challenge, especially with the newly emerging risk of another refugee crisis in connection to the conflict in Idlib, in war-torn Syria. **It is in such a context that `fear mongering` about Islam and demonising Muslims have become more and more worrying. Furious religiosity and furious racism clash in the context of refugee crises.**

The ODIHR Hate Crime reports show to us that antimuslim hate crimes are still either underreported or `not recorded as Islamophobic hate crimes` at all. The fact that police and intelligence officials still refuse to rank violent attacks towards Muslims as antimuslim hate crimes independently, but group them within the broad category of xenophobia, means that hostility against Islam is purposefully blurred out.

Securitarian policies continue to raise significant problems concerning the collective and institutional dimension of the right to freedom of religion and depart from the principle of equal treatment of religious communities. **The question is this: how far can we go in limiting freedom of religion to grant security or, to put it in a better way, what are the best strategies and tools to harmonize the former with the latter.**

This raises another question: that of STATE NEUTRALITY. A State, in all its various manifestations, always has distinctive characteristics that derive from the history, culture, and beliefs of the people who live in it. What we therefore need is what one can call an `embedded neutrality` or, even better, an **“embedded even-handedness”**, which acknowledges that the history, culture, traditions, and customs of its population matter. From this perspective, being **even-handed** means attaining the optimal level of fairness in the given situation of that country, provided that the bottom line –equal respect for all– is always granted. This is what John Rawls, professor of Philosophy of Law, calls **“justice in fairness”**. Do Muslim individuals and communities get `justice in fairness`, to use Rawls' definition?

Last year more than two-thirds of antimuslim and islamophobic incidents occurred offline, on a street-level (70%), which represents a 30% rise as compared to the previous year. As far as the online hate speech is concerned, what makes it worse is that Social media agencies conduct a haphazard removal process for content.

Antimuslim hate speeches and hate crimes guised as anti-immigrant politics are deeply rooted in **cultural incivility**. It is clear that legal measures are not enough to combat them. We need to refocus on **encouraging public civility** and work towards promoting **the human good causes in our society**. Yes, this means organising, funding, and implementing. But that is exactly why we are working together. Most of the time the “**civility**” argument is used as a convenient excuse to cover up a dismissal that would have happened whether the person in question remained “civil” or not. How about our civility and culture of otherness? How much of our public civility is based on what we can call the human good – al-fitra as was referred to by Turkic philosopher Al-Farabi a thousand years ago?

As articulated by Richard S. Park in his work on Religious Diversity and Public Civility, the idea of civility can be thought of in two ways. First, the way it is construed by thinkers such as Jürgen Habermas and Peter Berger, who state that in modern liberal democracies, there tends to emerge an expanding political statism on the one hand and a fragmentary relativism of the private sphere on the other. Thus, as Habermas notes, there is a crucial need for a “mediating structure [that acts as a] go- between linking state and society.” Similarly, Berger speaks of the “mediating structures . . . of family, church, voluntary association, neighbourhood, and subculture.” Such structures assist individuals in navigating between the impersonal “megastructures” of the public sphere (e.g., the state, large business corporations) and the “underinstitutionalized” realm of the private sphere. This mediating structure, what Park calls the “vertical” dimension of civil society, is intended to describe the mediatory function it purportedly fulfils between the state and the self. Second, civility may be understood as having to do with the “other” or “stranger” in society. This idea of civility, what Park calls the “horizontal” dimension of civility, is captured well by sociologist Zygmunt Bauman: “The main point about civility,” Bauman writes, “**is the ability to interact with strangers without holding their strangeness against them and without pressing them to surrender it or to renounce some or all the traits that have made them strangers in the first place.**” Bauman describes civility in terms of the way in which individuals within society treat with respect and dignity their fellow members, regardless or perhaps precisely because of their differences, be they religious, racial, cultural, or otherwise. **Vertical civility**, then, has mainly to do with the effect of social institutions on maintaining social solidarity. **Horizontal civility** concerns the presence of the plurality of divergent groups. **In brief, civil society is distinct from and helps to mediate between the spheres of statecraft and private life.** And combatting hate crimes through the implementation of the OSCE commitments is the most significant indicator of our civility.

What we are witnessing instead is the lack of both vertical and horizontal civility. We are creating more and more a risk society, as Ulrich Beck calls it, where political rhetoric and policies feed off of each other in their vile racism, and subsequently normalize the identity-based violence and harassment that marginalized people face every day. **The end result is incivility.** Evidence suggests that hate-motivated victimisation often involves an ongoing process of ‘low-level’ harassment and discrimination. In a culture where anti-Muslim hate and Islamophobia is being mainstreamed through political discourse, media headlines and organised far-right and so-called ‘alt-right’ groups, the fact is that manufacturing anti-Muslim hate, which has become a lucrative business for some, is sadly here to stay and will continue

to have real-world impacts in our societies. This means that more people will be affected and, if victims experience poor outcomes when they engage with statutory bodies, mistrust will continue to grow.

Whether hate incidents lead to prosecutions or not, victims want four simple things: to be treated with dignity, to be kept informed about developments in their case, and to ensure that other courses of action are made available to them if the Prosecution Service chooses not to prosecute. Finally, they want to be believed when reporting discrimination to their employers, or hate crimes and incidents to the police. **Without that, trust is lost.**

Last but not least, the country visit reports written by the Personal Representatives should not be forgotten for some unknown mysterious reason. During my mandate, together with Rabbi Andrew Baker I have made 4 official country visits organised and coordinated by the various respective Chairmanships and the ODIHR. These countries were the United Kingdom, Sweden, Germany and Bosnia Hercegovina. Yet, only one report has been published in the last three years. I take the opportunity to thank the Swedish government for endorsing our respective reports on antisemitism and on intolerance and discrimination against Muslims, albeit after some updates provided by the State institutes. Before I rest my case I would also like to remind the participating states that the country visits by Personal Representatives are ideally about identifying `good practices`. It is beyond my understanding how some countries think this can be achieved if they postpone, delay or decline such visit indefinitely, which so far has been the case with two member states. We need to get serious and sincere.

My final message is to Muslim communities: stop being a victim and start being the actor of your destiny by helping build a more civilised and non-violent society which acts against racism and xenophobia. Promoting a culture of public civility can help us to create a **culture of hospitality**.

Civility, hospitality and responsibility. This is the Name of the game in implementing our OSCE commitments.

For those interested, a more detailed round up of my intervention is available online on the OSCE website.

Thank you.