

**XENOPHOBIA, RACISM AND ISLAMPHOBIA**  
**IN RELATION WITH MIGRATION\***

Esteemed participants,

Distinguished guests,

I greet you all with my sincere feelings and regards,

Before I start, I would like to thank Mr. Şeref Malkoç, the Ombudsman of Turkey, for his kind invitation, and I wish him success in his position as Ombudsman that he has taken up recently.

Likewise, I would like to congratulate the Ombudsman Institution for holding an international symposium on such a vital topic and congratulate its personnel who have contributed.

Let me start with a simple determination which we all know and observe in our daily lives: Diversity is essential in social life. We live together with people from different religions, beliefs, races, ideologies and worldviews. This is not a preference or a matter of good or bad, but a sociological reality. Management of diversity which is a dominant factor in the social life is one of the oldest and most complicated issues in the theory of policy and constitution.

The most important aim of a democratic state of law based on human rights is to constitute an environment in which diversities coexist. The prerequisite for this is to be able to establish a sound relationship and to live together with people who do not think like us, who do not believe what we believe, and who do not speak the same language with us, in short, with “the others”.

Issues such as “xenophobia, racism and Islamphobia”, the theme of today’s panel, are attitudes and behaviours which should be taken into consideration in the management of diversities and should be corrected. These are, in principal, the reflections of a pathological relation of “me and the other” and “we and the others” within an egocentric understanding at ontological level. Xenophobia represents the negative feelings of a native person against another who has come after him or is different from himself. Stranger is the other. He is the one who do not consider or live in the way we do. In short, he is the one who is different.

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It must clearly be stated that, in particular, today's Western world suffers from these social and political diseases. As these ill understandings which do not accord a right to life to "the other" gain grounds day by day, the greatest threat to the values such as human rights, democracy and rule of law, as well as, to the political systems shaped by these values emerges and grows. In brief, xenophobia, racism and Islamphobia are the dark faces of our age.

Xenophobia has a long history and deep roots. Migration to the West, which has been increasing since the second half of the last century, and especially the terrorist attacks of 11 September 2001 have exacerbated the spread of xenophobia, racism, discrimination and Islamphobia.

We can see the reflections of xenophobia, racism and Islamphobia in the news every day. Arsons of mosques, killings of Muslims, assaults against the women wearing headscarf, and insults against the sacred values of Muslims are the main Islamphobic behaviours. When these behaviours are not punished, modern versions of Ku Klux Klan is encouraged, and the ways for new Auswitches and Srebrenitsas are being paved.

### **Human-oriented understanding**

Distinguished guests,

Fight against xenophobia and racism may be achieved by prioritizing a "human-oriented" understanding in social and political spheres. It is known that such understanding is deep-rooted in the East and the West.

In his famous poem, Rudyard Kipling states that the distance between the East and the West will not disappear. The poem reads as "*East is East, and West is West, and never the twain shall meet/Till Earth and Sky stand presently at God's great Judgment Seat*".

However, just to spite Kipling, the East and the West can unite on the human-oriented understanding. That's because we have a rich historical and cultural accumulation on both sides of the world in this regard.

Philosophers forming the spiritual roots of the Anatolia, such as Yunus Emre, Mevlana and Hacı Bektaş-ı Veli, have made unique contributions to co-existence through their human-centered messages promoting tolerance and affection among the society. Hacı Bektaş-ı Veli says "*the second requirement of the eternal truth is not to condemn seventy two nations*". Yunus Emre's expression "*Love the created for the creator's sake*" and Mevlana Celalettin Rumi's expression "*the raison d'être of universe is human beings*" and his call "*Come, come again, whoever you are*" reveal the same truth.

This truth is the fact that human is a value by its very nature, not a means, and that exactly for this reason, he deserves respect/tolerance.

Neither the East nor the West is homogeneous. Apart from thoughts generating/feeding xenophobia, racism, and Islamphobia, there also exist long-standing strong thoughts supporting pluralism and tolerance. The famous philosopher, Immanuel Kant, is one of the most leading representatives who defend these thoughts.

Kant mentions of “the right to hospitality” in his article titled “Perpetual Peace” and written in 1795. This right envisages that every foreigner going to another country is entitled not to be treated as an enemy. Therefore, not as a matter of favour or charity but as a requisite of respect for their rights, we are obliged not to show hostility towards foreigners crossing our borders.

The “right to hospitality” introduced by Kant notably applies to refugees nowadays. Indeed, Turkey has been making historical contributions in terms of promoting the right to hospitality of “the other” by opening its heart and doors to over three million refugees.

However, Kant’s intellectual inheritance on the right to hospitality could not be maintained by his people today. In many countries of the West, refugees are treated like “viruses” that must not enter through the borders. In some places, money of these refugees is seized or they are forced to wear a wristband for control or only those who belong to a certain religion are accepted. Moreover, some people even say that those who want to cross the borders must be shot.

On the other side, the refugees’ hopeful attempts to move to the West have turned into tragedies. People who have tried to cross the sea have got drowned, and dead bodies of children have come ashore. Actually, what has come ashore is the dead bodies of humanity that reflects on “the other’s” face. These dead bodies which came ashore are the shameful images of an age “that has lost its heart”. These images reflect the guilt of humanity.

## **Hate speech**

Esteemed guests,

One of the most important elements which exacerbate xenophobia, racism and Islamphobia is hate speech. In the Recommendation 97(20) of the Committee of Ministers of the Council of Europe, dated 30 October 1997, hate speech is defined as follows: “*the term "hate speech" shall be understood as covering all forms of expression which spread, incite, promote or justify racial hatred, xenophobia, anti-Semitism or other forms of hatred based on intolerance, including:*

*intolerance expressed by aggressive nationalism and ethnocentrism, discrimination and hostility against minorities, migrants and people of immigrant origin”.*

While there are some discussions about its scope, hate speech that is based on nation, race and religion has been banned in the international documents concerning human rights. For example, the European Court of Human Rights has expressly stated that hate speech cannot fall under the protection of the freedom of expression.

The Turkish Constitutional Court has also emphasized that tolerance and equal respect for human dignity constitute the basis of a democratic pluralistic society, therefore, within democracies, “punishment or even prevention of all statements disseminating, inciting, praising or justifying hatred based on intolerance may be deemed necessary”.

Hate speech undermines a democratic society based on human rights and rule of law. Therefore, there must be a decisive fight against hate speech in all cultural, social, political and legal fields.

In this context, attention must be paid to the discourse used in the fight against terror and terrorism, which has acquired a global dimension. It is necessary to avoid the expressions where the terms “Islam” and “terror” are used together or where Islam is used as an adjective of terror. Such discourse strengthens the Islamphobia industry. We should borne in mind that –independent of the religion, race and political view of its perpetrators– terrorism is one of the most significant obstacles before the ideal of a multicultural and pluralistic democratic society.

In addition, as required by the universal nature of human rights, these rights are not only applicable to those who are like us, but also to those who are different from us. The subject of the human rights is not “citizen” but “human”. In the universal and regional conventions on human rights, the term “everyone” has been used as the subject of the rights and freedoms.

Similarly, in our Constitution, the provisions concerning fundamental rights and freedoms, except for certain political rights, start with the subject “everyone” or “no one”. As a matter of fact, a large number of foreigners have lodged individual applications to the Constitutional Court.

So far, 736 applications have been lodged with the Constitutional Court by foreigners. 212 of these applications have been lodged by the foreigners against whom a deportation order has been rendered. In 142 applications out of 212, the Court suspended the deportation process.

The applicants in some of these applications have maintained that as they are Muslims, they have faced discrimination and Islamphobia in their countries, and some other applicants have

claimed that they are not safe in their countries, as they have changed their religion to Christianity.

Distinguished participants,

As a matter of course, social values and institutions emerge in and transform to different concepts depending on historical progresses and diverse lands. However, the values we embrace today, such as justice, freedom, human rights, state of law, pluralism and tolerance, are common values of both the East and the West. It is our joint responsibility to develop and transfer to the next generation a human-oriented culture and practice, by protecting these values –notably the other’s “right to hospitality”– and paying due consideration to social and political pluralism rather than seeing them as a threat.

In this respect, there are two ways to fight against xenophobia, racism, and Islamphobia: the first one is to spread the human-oriented understanding. Humans are born innocent and they learn malignity and hostility afterwards. Indeed, attitudes such as xenophobia, racism and Islamphobia are deviations which we have learned or have been thought long after we were born.

Therefore, the step needed to be taken is to change this learning process. Samples of both malignity and goodness exist in history and nature. What all matters is our preference of these two options while building the present and the future.

The second step is to revise the legal means in this respect to ensure their effectiveness. In both the national and the international human rights laws, a firmer stand must be taken especially on the fight against hate speech and racism. It should be borne in mind that any tolerance to hate speech will contribute to xenophobia and racism.

**In place of the Conclusion: “Being Human and Staying Human”...**

I would like to end my speech by commemorating the wise statesman, Alija Izetbegović. “It was 25 March 1994... Two hundred thousand (200.000) Bosniacs were killed, six hundred thousand (600,000) people were exiled and 800 mosques were bombed. Cities and villages of Bosnia-Herzegovina were devastated, and the military hospital in Sarajevo was bombed for 160 times...” After narrating all these, Izetbegović notes a remarkable statement: “being human and staying human are our responsibilities towards Allah and ourselves”.

Aliya Izetbegović explains the meaning of the concept of “being human and staying human” —which he completely describes as a moral concept— in political discourse and in practice as follows:

“In political discourse, it means that we will try to establish a legal State. This also means in practice that in this State no one will be persecuted for their religion or for their national or political belief. This is our most fundamental rule. That is how we have succeeded the trial. You can still hear the sound of the bells coming from the cathedrals and churches in the areas under the control of the legal authority and the Bosnian-Herzegovinian army.”

We hope that our old world will learn from the bitter experiences of the past and follow the wise path of Izetbegović.

I thank you for your attention and I greet you all with respect.