

Law, Lawyers and Race

Critical Race Theory from the
United States to Europe

Mathias Möschel

Law, Lawyers and Race

Critical Race Theory from the United States
to Europe

Mathias Möschel



First published 2014
by Routledge
2 Park Square, Milton Park, Abingdon, Oxon, OX14 4RN

and by Routledge
711 Third Avenue, New York, NY 10017
a GlassHouse Book
Routledge is an imprint of the Taylor & Francis Group, an informa business

© 2014 Mathias Möschel

The right of Mathias Möschel to be identified as author of this work has been asserted by him in accordance with sections 77 and 78 of the Copyright, Designs and Patents Act 1988.

All rights reserved. No part of this book may be reprinted or reproduced or utilised in any form or by any electronic, mechanical, or other means, now known or hereafter invented, including photocopying and recording, or in any information storage or retrieval system, without permission in writing from the publishers.

Trademark notice: Product or corporate names may be trademarks or registered trademarks, and are used only for identification and explanation without intent to infringe.

British Library Cataloguing in Publication Data

A catalogue record for this book is available from the British Library

Library of Congress Cataloging-in-Publication Data

Möschel, Mathias, author.

Law, lawyers and race : critical race theory from the US to Europe / Mathias Möschel.
pages cm

ISBN 978-0-415-73930-6 (hardback) -- ISBN 978-1-315-81673-9 (ebk) 1. Race discrimination--Law and legislation--Europe. 2. Minorities--Legal status, laws, etc.--Europe. 3. Critical legal studies.

4. Race discrimination--Law and legislation--United States. 5. Minorities--Legal status, laws, etc.--United States. 6. United States--Race relations--Philosophy. 7. Europe--Race relations--Philosophy. 8. Law--Philosophy. I. Title.

KJC5144.M56M67 2014

342.408'73--dc23

2014005760

ISBN: 978-0-415-73930-6 (hbk)

ISBN: 978-1-315-81673-9 (ebk)

Typeset in Baskerville by
Servis Filmsetting Ltd, Stockport, Cheshire



This publication is a revised version of an EUI Ph.D. thesis and has been published with a financial subsidy from the European University Institute.

Law, Lawyers and Race

Critical Race Theory (CRT) is virtually unheard of in European scholarship, especially among legal scholars. *Law, Lawyers and Race: Critical Race Theory from the United States to Europe* endeavours to fill this gap by providing an overview of the definition and consequences of CRT developed in American scholarship and describing its transplantation and application in the continental European context.

The CRT approach adopted in this book illustrates the reasons why the relationship between race and law in European civil law jurisdictions is far from anodyne. Law plays a critical role in the construction, subordination and discrimination against racial minorities in Europe, making it comparable, albeit in slightly different ways, to the American experience of racial discrimination. Anti-Semitism, Islamophobia, anti-Roma and anti-Black racism constitute a fundamental factor, often tacitly accepted, in the relationship between law and race in Europe. Consequently, the broadly shared anti-race and anti-racist position is problematic because it acts to the detriment of victims of racism while privileging the White, Christian, male majority.

This book is an original exploration of the relationship between law and race. As such it crosses the disciplinary divide, furthering both legal scholarship and research in Race and Ethnicity Studies.

Mathias Möschel is a Postdoctoral Researcher based at the University of Paris Ouest Nanterre La Défense.

To my family and Laurent whom I thank for their love and trust
in me.

Acknowledgement

This book would not have seen the light of the day if it had not been for a number of people whom I would like to thank especially beyond my family and my friends.

First of all, Angela Harris who introduced me to Critical Race Theory, then also Ruth Rubio-Marín, Kendall Thomas, Wojciech Sadurski, and Gianfrancesco Zanetti who have all supported me during the time of my Ph.D. on which this book is based.

Second, a number of networks of scholars and activists have also contributed intellectually and inspirationally to this book. Special thanks go to the CRT Europe Group and in particular Kimberlé Crenshaw, Luke Harris and Cengiz Barskanmaz for creating this space in which to analyse issues relating to race and law in Europe; to the Black Europe Summer School in Amsterdam and in particular Philomena Essed, Stephen Small and Kwame Nimako for introducing a much needed academic visibility of Black European identities; and to REGINE and in particular Stéphanie Hennette-Vauchez, Diane Roman and Marc Pichard for offering me an academic home, support for this book and new intellectual and political adventures.

Last but not least, special thanks to Emma Nyhan and the (copy-)editors of Routledge who have turned this book from my terrible English and incoherent ramblings into something that reads like ‘proper’ English and that makes much more sense.

Parts of this book are loosely based on the below for which I have asked for/obtained authorisation to publish:

Race in mainland European legal analysis: Towards a European Critical Race Theory”, *Ethnic and Racial Studies*, 2011, vol. 34, no. 10, pp. 1648–1664

Color Blindness or Total Blindness? The Absence of Critical Race Theory in Europe”, *Rutgers Race & the Law Review*, 2007, vol. 9, no. 1, pp. 57–127

Table of Abbreviations

AALS	Association of American Law Schools
ABA	American Bar Association
AGG	Allgemeines Gleichbehandlungsgesetz
AGRIF	L'Alliance générale contre le racisme et pour le respect de l'identité française et chrétienne
AI	Amnesty International
BCDF	Boalt Coalition for a Diversified Faculty
BGBI	Bundesgesetzblatt
CC	Conseil Constitutionnel
CDP	Christian Democratic Party
CdS	Consiglio di Stato
CJEU	Court of Justice of the European Union
CLS	Critical Legal Studies
CNIL	Commission nationale de l'informatique et des libertés
COMEDD	Comité pour la mesure de la diversité et l'évaluation des discriminations
CRAN	Conseil Représentatif des Associations Noires
CRT	Critical Race Theory
DPCM	Decreto Presidente del Consiglio dei ministri
ECHR	European Convention on Human Rights
ECJ	European Court of Justice
ECommHR	European Commission of Human Rights
ECR	European Court Reports
ECRI	European Commission Against Racism and Intolerance
ECSR	European Committee of Social Rights
ECtHR	European Court of Human Rights
ERRC	European Roma Rights Centre
EU-MIDIS	European Union Minorities and Discrimination Survey
EU	European Union
FCPC	French Criminal Procedure Code
GA	Georgia
GED	Groupe d'études des discriminations

GU	Gazzetta Ufficiale
HRC	Human Rights Committee
HRW	Human Rights Watch
ICERD	United Nations' International Convention on the Elimination of All Forms of Racial Discrimination
INED	Institut national d'études démographiques
INSEE	Institut national de statistiques et études économiques
JORF	Journal Officiel de la République Française
KFN	Kriminologisches Forschungsinstitut Niedersachsen
LSAT	Law School Admission Test
MBE	minority business enterprise
NAACP	National Association for the Advancement of Colored People
NGO	non-governmental organisation
OJEU	Official Journal of the European Union
POPA	Public Order Protection Act
RED	Race Equality Directive
S CT	Supreme Court
SB	Senate Bill
TAR	Tribunale Amministrativo Regionale
TFEU	Treaty on the Functioning of the European Union
UCLA	University of California, Los Angeles
UC	University of California
UKSC	United Kingdom Supreme Court
UNESCO	United Nations Educational, Scientific and Cultural Organization
US Const	United States Constitution
ZAR	Zeitschrift für Ausländerrecht und Ausländerpolitik

Preface

Racism (and racial discrimination) is, to a certain extent, alive and well in every society, country, and region of the world. It can appear in a variety of forms depending on the culture or context in which it occurs and the period of history during which it rears its head. Nonetheless, one common thread that seems to be woven throughout almost every culture, country, and region is that people deny that racism even exists.

Ariel E. Dulitzky¹

In the summer of 1989, when a small group of mostly young American law professors gathered outside Madison, Wisconsin for a workshop on the relevance of critical legal theory to studies of race, the conventional view was that the worst of the nation's racism was in the past. The movement born at that summer workshop – which its leaders named Critical Race Theory – was intended to challenge that view. The participants, myself included, took the position that racism was central, not peripheral, to American society. Indeed, we aimed at demonstrating that anti-discrimination jurisprudence itself, and all the legal actors and institutions charged with implementing guarantees of legal equality, would bend when necessary to accommodate White supremacy. Critical Race Theory was founded to investigate the peculiar fact that racism can pervade legal structures officially committed to anti-racism.

We all knew that American slavery was but one node in a transnational system of economic exploitation long justified by popular narratives about civilization, God, and savagery. Many of us were also steeped in the history of transnational anti-racist resistance – from the first pan-African conference in London in 1900, to the treason prosecution of Communist Party activist Angelo Herndon for advocating Black self-determination in the South in the 1930s, to the interconnections between the anti-colonial architects of Négritude in Paris and the writers and artists of the Harlem Renaissance in New York, down to the influence of Frantz Fanon's writings on the Black Panther Party in the 1960s. Our focus at the time,

¹ Ariel E. Dulitzky, 'A Region in Denial: Racial Discrimination and Racism in Latin America', in Anani Dzidzienyo and Suzanne Oboler (eds), *Neither Enemies Nor Friends: Latinos, Blacks, Afro-Latinos* (New York: Palgrave Macmillan, 2005), p. 39.

however, was on American civil rights law, American culture, American constitutional theory, and the American legal academy. With a few notable exceptions, American critical race theorists left the international implications of our work unexplored.

Indeed, more than twenty years later, the relevance of Critical Race Theory beyond the borders of the United States remained underexplored. In an edited collection of essays published in 2002, Celina Romany asked some basic questions: 'Does "race-as-a-social-construct" adequately capture the multidimensionality of colonial/postcolonial exploitation? ... How do we extrapolate a politics of difference and resistance located in the United States that, when carried to the world of international politics, wears a homogenous U.S. label?'² A handful of the scholars published in that volume used Critical Race Theory to examine human rights norms in international conventions such as the International Covenant on Civil and Political Rights, or to criticise the operation of international institutions such as the World Bank and the International Monetary Fund. Scholars in Canada and in England had begun to make use of the intellectual tools of American Critical Race Theory. Yet, no one had yet begun to forge a thoroughly comparative and transnational Critical Race Theory. And few had begun to recognise the significance of Critical Race Theory for Europe.

With the publication of this book, these long-overdue projects are at last well underway. Mathias Möschel is a scholar with deep roots both in American Critical Race Theory and in European law and legal theory. Since 2004, when he began to write his LL.M. thesis on this topic at the University of California Berkeley School of Law, Möschel has grasped the relevance – indeed, the urgency – of Critical Race Theory for contemporary Europe. As the epigraph to this Preface so astutely observes, wherever one travels in the world, racism is always somewhere else. Yet, despite a deeply engrained unwillingness to recognise it, in Europe today – just as in the United States – race and racism are central terms in political and social debates on equality, liberty, migration, and citizenship. Möschel's book brilliantly shows how in Europe, as in the United States, legal norms often collaborate with social norms to perpetuate racism in the name of anti-racism. Möschel persuasively argues that the reluctance of European states to speak of race is itself a symptom of the problem. Like the American discourse of 'colour-blindness', European colourblindness leaves the state without adequate resources for challenging racism, and thus enables racism to persist. The paradox on which Critical Race Theory was founded – the persistence of racism in officially anti-racist societies – is therefore an international one.

The relationship between Critical Race Theory and European law and legal theory does not, however, move in only one direction. If Critical Race Theory is to be able to move across national borders, it must evolve and change. Möschel's

2 Celina Romany, 'Critical Race Theory in Global Context', in Francisco Valdes, Jerome McCristal Culp and Angela P. Harris (eds), *Crossroads, Directions, and a New Critical Race Theory* (Philadelphia: Temple University Press, 2002), p. 304.

careful case studies of racial discrimination against the Roma in several European countries, the French ideology of colourblindness, and the legal construction of White masculine privilege in Italy contribute to this project as well. Postcolonial history and theory, theories of migration and ethnicity, and race theory have long been oddly disconnected from one another. This book begins to close that gap. With its publication, Critical Race Theory is finally poised to fulfil its early promise as a rich comparative and international critical conversation on the links between race, religion, ethnicity, and nation.

Finally, this book is a bold intervention into European legal theory. As Möschel observes, in the terms of conventional European legal analysis his argument would be considered too 'sociological', too 'philosophical', and just plain 'not legal'. Critical Race Theory's relevance to Europe is not only in showing how legal, cultural, and social norms interact, but also in pointing the way toward a transformed and transformative continental legal theory – the birth of a distinctively European critical legal studies. Möschel's pioneering study thus enriches the language of European jurisprudence.

Möschel is well positioned to take on this important work. Not only is he an expert in both American and European equality law and legal theory, he is also a tireless convener of European conferences and workshops on feminist legal theory and Critical Race Theory, generating rich, cross-national conversations among scholars, legal actors, and activists. With the publication of this book, the promise of Critical Race Theory in 1989 is at last fulfilled for Europe. Race and racism are not American issues; they are global issues. *Law, Lawyers and Race: Critical Race Theory from the United States to Europe* is timely, insightful, and a must-read for all those interested in equality, discrimination, and the state.

Angela P. Harris

University of California, Davis School of Law (King Hall)

Contents

<i>Table of abbreviations</i>	ix
<i>Preface</i>	xi
<i>Introduction</i>	1
1 Critical Race Theory: The historical context	8
1.1 <i>Timeline 1 – history of American racial minorities</i>	9
1.1.1 <i>African Americans</i>	10
1.1.2 <i>Native Americans</i>	16
1.1.3 <i>Asian Americans</i>	21
1.1.4 <i>Latinos</i>	24
1.2 <i>Timeline 2 – history of American legal movements</i>	27
2 Critical Race Theory: Its genealogy and writings	38
2.1 <i>Description of Critical Race Theory</i>	38
2.1.1 <i>Brief institutional history</i>	38
2.1.2 <i>CRT's literature and main tenets</i>	41
2.2 <i>Critiques of Critical Race Theory</i>	56
2.2.1 <i>Internal critiques</i>	57
2.2.2 <i>External critiques</i>	62
2.3 <i>Developments of Critical Race Theory</i>	68
3 Transplanting Critical Race Theory to Europe	75
3.1 <i>Travelling legal scholarship or theory</i>	75
3.1.1 <i>Travelling theory</i>	77
3.1.2 <i>Legal transplants</i>	78
3.1.3 <i>Existing CRT transplants</i>	81
3.2 <i>Underlying factors impeding a successful transfer of CRT</i>	83
3.2.1 <i>The presence or absence of functional analogues</i>	83
3.2.2 <i>'External' conceptual-historical factors</i>	91
3.2.3 <i>'Internal' legal-academic factors</i>	101

4	Towards a European Critical Race Theory	110
4.1	<i>Constructing a European CRT</i>	110
4.1.1	<i>Theoretical factors favouring a CRT transplant to Europe</i>	111
4.1.2	<i>Deconstructing narratives on race and racism in mainland Europe</i>	114
4.1.3	<i>Anti-White racism</i>	119
4.2	<i>Continental European colourblindness</i>	122
4.2.1	<i>The legally and politically constructed absence of race</i>	123
4.2.2	<i>The legally constructed absence of racism and racists</i>	128
5	Contextualising a European Critical Race Theory	140
5.1	<i>The legal discrimination of the Roma</i>	141
5.1.1	<i>A brief history of persecution against the Roma</i>	141
5.1.2	<i>Law's contemporary discriminatory contribution</i>	145
5.2	<i>French colourblindness</i>	152
5.2.1	<i>Legal use of race and ethnicity in an anti-discriminatory mode</i>	155
5.2.2	<i>Legal use of race and ethnicity in a repressive mode</i>	160
5.3	<i>Italy's legal construction of a White, Christian, male identity</i>	165
5.3.1	<i>Local (and national) measures targeting migrants</i>	167
5.3.2	<i>The Italian version of burqa bans in public spaces</i>	176
5.3.3	<i>The overtly racial and ethnic aspect of local measures on migrants</i>	186
	Conclusions	191
	Bibliography	193
	<i>Books, book chapters, dictionaries, encyclopedias and theses</i>	193
	<i>Journal articles and journal issues</i>	202
	<i>Miscellaneous sources</i>	214
	Table of cases	218
	<i>National cases</i>	218
	<i>International cases</i>	221
	Index	223

Introduction

*I must also confess, Professor, I've been reading your stuff and that of your colleagues in the Critical Race Theory movement. It's fairly popular in Europe; many Italian law students read and discuss it.*¹

*And yet, being a problem is a strange experience – peculiar even for one who has never been anything else, save perhaps in babyhood and in Europe.*²

Critical Race Theory (CRT) has existed for more than twenty years in the United States, where it has given rise to an important range of scholarship analysing the relationship between race and law. In contrast to the American experience of CRT, such legal scholarship is virtually unheard of in mainland Europe. To date, however, American CRT scholars have focused primarily on their own domestic reality and have only recently started to look at other jurisdictions to understand the ways in which race and law are interrelated globally.

This book is therefore of interest to European scholars who are unfamiliar with CRT, its genealogy, its main tenets, and the developments and critiques it has been exposed to. And, in offering the first comprehensive attempt to look at continental European legal systems through the lens of CRT, it is also relevant to American scholars working critically, and increasingly also internationally and comparatively, on race and law who want to better understand the European legal, historical, and sociological context. In other words, this book undertakes comparative CRT by analysing continental European legal systems against the backdrop of the American experience of racism and law as witnessed and critiqued by critical race scholars.

At the same time, however, the main purpose of this book is not exclusively comparative but seeks to demonstrate how and in which ways law has shaped, and continues to shape and construct race in the continental European context, even if it differs from the American experience. Contrary to the orthodox vision and narrative, race and ethnicity do not play an exceptional role in the legislation,

1 Richard Delgado, 'Rodrigo's Chronicle', *Yale Law Journal* (1992), vol. 101, p. 1363.

2 W.E.B. Du Bois, *The Souls of Black Folk* [1903] (New York: The Modern Library, 2003), p. 4.

case law, and legal scholarship of mainland Europe. Rather, race and ethnicity constitute an underlying, unspoken but at times also open assumption, even after World War II. Thus, this book can be viewed as a broader exhortation to European legal academics to start critically analysing law and race and how they relate in this specific context.

The book's structure is designed to reflect and address these different, yet related, interests and goals. The first two chapters are situated in the United States. Chapter 1 sets the stage by describing the broader historical background in which CRT emerged. To this end, it is subdivided into two separate timelines: the first showing how law contributed to the construction and subordination of racial minorities in the United States, and the second providing a more traditional and better known account of American legal movements from legal formalism to postmodern legal scholarship. CRT, I posit, is to a large extent the result of the merging of these two timelines.

Chapter 2 contains a more detailed account of CRT itself, its emergence in the late 1980s, its main tenets, the internal and external critiques it has been exposed to, as well as its latest developments. Ultimately, these first two chapters will give the reader a clearer sense and overview of the context and the struggles from which CRT emerged. Yet, more importantly, these chapters also serve to detail the substantive aspects; the concepts and tools that will help with analysing the continental European systems in the last two chapters.

Chapter 3 represents the conceptual bridge between the American and the European legal systems. Drawing on the instruments of comparative law and cultural studies, such as travelling theory, the doctrine of legal transplants, and/or functional analogues, this part of the book will serve to explain the mechanisms, risks, the feasibility and the existence of CRT transplants in mainland Europe. This part will explain why CRT has received so little attention in this geographical setting until now.

The last two chapters are more directly concerned with an analysis of the continental European legal systems through the lens of CRT scholarship which will serve as a sort of methodological tool and roadmap to analyse and critique those legal systems.

Chapter 4 identifies the common features that in my opinion characterise the relationship between race and law in mainland European legal systems. This book posits that despite certain national differences one can identify common characteristics and positions in many of these countries. In contrast to the United States, there seems to be a common European narrative, whereby race has only played a marginal and exceptional role in each country's history and law, which disappeared and became discredited, especially in the period after World War II and due to the focus on anti-Semitism. Coupled with this narrative the anti-racist position from the early days contends that it is necessary to stop speaking about race and/or using the term in legislation because the on-going use of race perpetuates the idea that biological human races continue to exist thereby keeping racism alive. By defining this position and its consequences in the legal field as

'Continental European Colourblindness', this book will problematise not only its underlying assumptions but also the legal effects it produces.

Having set the overarching framework, the last chapter provides some nuances, which are specific to mainland Europe. Race, ethnicity, racism, and/or race discrimination are after all highly context dependent and shift over time, space, and groups involved, which makes these phenomena so difficult to grasp and to define. Chapter 5 contextualises the broader observations and analyses offered in the previous chapter. First of all, a more detailed analysis of how, in spite of the many recent non-discrimination and social justice initiatives at a European and national level, law adversely affects a specific minority – the Roma. Second, France and its model of Republican colourblindness provide an excellent ground of analysis for issues related to race and racism. Not only because it is almost the example *par excellence*, or the purest model, of 'Continental European Colourblindness' but also because it is one of the countries where the public debate on race has evolved most strongly in recent years and where legal decisions have started to surface at the constitutional level. Finally, the analysis of the situation in Italy provides an occasion to look at overlapping issues related to race, (im)migration, and religion and how these issues play out in a typically European way and get inscribed into legislation and case law. In terms of legal sources, the focus here will be on the local level, which is often overlooked by lawyers and where the popular/populist discourses mainly from Northern Italy become particularly visible.

Ultimately what emerges from this book is that in mainland Europe law has operated, and is still operating, in a similar, yet different, manner to American law in constructing and subordinating racial and ethnic minorities. In other words, this is not simply an attempt at highlighting racism's presence and rampancy in Europe, which is common knowledge and well-documented in various reports, surveys, and statistics by European human rights institutions.³ Instead, this book reveals the White, Christian, male hegemony underlying seemingly neutral and objective laws and jurisprudence in the continental European context.

A number of clarifications are necessary at this point. First, this book does not advocate that race should occupy a central position in European legal analysis. Class, gender, religion, citizenship, and sexual orientation are just as important as race in terms of factors that determine social exclusion, discrimination, and vulnerability. However, there is a need to move away from the intellectual construction that race and class are mutually exclusive categories and that by adopting one type of analytical category the other category simply cannot co-exist or must disappear. The problem in mainland Europe is that class, citizenship, and religion have so far dominated the discourse in explaining structural and systemic

3 See e.g. the annual reports and the country reports by the European Commission Against Racism and Intolerance (ECRI) available at: www.coe.int/t/dghl/monitoring/ecri/default_en.asp or the data and information collected by the European Union Agency for Fundamental Rights. See e.g. 'EU-MIDIS, European Union Minorities and Discrimination Survey: Main Results Report' (Vienna: European Union Agency for Fundamental Rights, 2009) available at: http://fra.europa.eu/fraWebsite/attachments/eumidis_mainreport_conference-edition_en_.pdf.

disadvantage when, more often than not, race has also played a role. Nevertheless, the racial factor is often de-legitimised, silenced, and/or re-framed in weaker and cushier terms. Hence, this book is an attempt to carry out a race-conscious analysis of continental European legal systems against the backdrop of on-going widespread racism when talking and analysing in terms of race is almost taboo. While not every hostile and discriminatory act amounts to racism, at the same time, we need to be able to call it by its name instead of trying to cover it up.

Second, this book does not offer a strictly positivist and dogmatic legal analysis, which elegantly and doctrinally analyses and subsumes racial anti-discrimination law under some new or existing principle. Here one will uncover how law and the discourses surrounding or engrained in racism have a tendency to function in favour of the White, Christian majority both in the United States and in Europe. To this end, a broader framework of analysis, in which history, political sciences, and sociology play an important role, is indispensable. Nevertheless, the main concern remains with law in the broadest sense. Although law is only one aspect in combatting racial discrimination, it remains an important one. Therefore, assessing critically and honestly how and to whose benefit and detriment law operates when we are looking at the sensitive issue of race becomes crucial. This book argues that in spite of the legal instruments put into place in order to combat racial discrimination, it often reflects the position of the majority thus further legally marginalising those who are most often already socially, economically, and culturally vulnerable.

Third, at the risk of making hasty overgeneralisations and sweeping analyses at various points, this book adopts a broad comparative focus. For instance, to lump together most continental European countries when defining ‘Continental European Colourblindness’ or when portraying the common law/civil law dichotomy in such neat and absolute terms may seem bold, un-nuanced and de-contextualised. However, most mainland European countries are certainly closer to each other in their rejection of race compared with the United Kingdom and Ireland and their race-conscious statistics and legislation. Furthermore, in terms of legal structure, the academic traditions of the countries belonging to civil law systems share more with each other than with the United Kingdom and Ireland. This explains why those two countries are not included and only rarely referred to in the ‘European’ analysis to be found here. Ultimately, this book endeavours to strike a delicate balance between observing and/or discovering general trends while being aware that they vary at the national or local level, over time and space, and depending on the minority group involved. The local and contextualised analyses and differences or divergences can be and should be the object of future research and verification of the arguments presented here. In particular, Eastern European or Scandinavian countries that belong to the family of civil law systems but are not treated in-depth here may provide interesting and additional material and/or nuances.

Fourth, the reader may be surprised to find little or only marginal reference made to Jews and anti-Semitism in this book, even though this is the preferred lens to examine racism in the continental European context. However, I contend