

# SUMMARY – THE BLUE AND YELLOW GLASS HOUSE: STRUCTURAL DISCRIMINATION IN SWEDEN

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of the Swedish government inquiry  
into structural discrimination due to ethnicity and religion



(I can't see any qualified applicants.... /Prejudice, history, ethnocentrism, hidden racism, self-image, denial)

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# Racism: It's in the way

It's in the way you patronise  
The way that you avert your eyes  
The way that you cannot disguise  
Your looks of horror and surprise

It's the assumptions that you make  
On my behalf, and for my sake  
And in the way you do not hear  
The things we tell you loud and clear

It's in the way you touch my hair  
The way you think the way you stare  
It's right there in your history  
Just like slavery for me

It's in the language that you use  
The way that you express your views  
The way you always get to choose  
The way we lose

It's when you say "No offence to you"  
And then offend me, as you do  
It's in your paper policy  
Designed by you, for you, not me

It's in the power you abuse  
It's on TV, it's in the news  
It's in employment, in your school  
The way you take me for a fool

It's in the way you change my name  
The way that you deny my pain  
It's in the way that you collude  
to tell me it's my attitude

It's in your false democracy  
It's in the chains you cannot see  
It's how you talk equality  
And then you put it back on me

It's in the way you get annoyed  
And say I must be paranoid  
It's in the way we have to fight  
For basic fundamental human rights

It's the invasion of my space  
It's how you keep me in my place  
It's the oppression of my race  
IT'S IN MY FACE

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# Summary

## **The tasks of this inquiry**

The first task of this inquiry has been to review and present the existing research and information in Sweden on structural discrimination due to ethnicity or religion, particularly in regard to the labour market, the housing market, mass media, the political system, the legal system, the educational system and welfare services such as the social services and health care. Where determined to be relevant, research and information from other countries on structural discrimination was to be reviewed and presented, as well as knowledge concerning gender discrimination in Sweden and other countries. This will provide an overview of existing knowledge which should contribute to a greater consciousness concerning structural discrimination, as well as providing a basis for deciding which measures and which additional research is necessary.

The second task of this inquiry is to review and present relevant research and information about and measures against structural discrimination in other countries. This task also includes reviewing and presenting relevant research and information about and measures against gender discrimination in Sweden and other countries.

The third task of this inquiry is to propose measures for counteracting structural discrimination as well as measures to fill the gaps in knowledge.

## **What is structural discrimination?**

The inquiry's directive provides the following definition:

Structural discrimination due to ethnicity or religion in this inquiry's directive refers to rules, norms, routines, patterns of attitudes and behaviour in institutions and other societal structures that represent obstacles to ethnic or religious minorities in achieving the same rights and opportunities that are available to the majority of the population. Such discrimination may be either open or hidden, and it could occur intentionally or unintentionally.

The directive points out that the term structural discrimination is to be seen as a term that covers both structural as well as institutional discrimination.

Structural discrimination means that the principle of equality is not upheld, and is therefore a serious problem in regard to democracy for the whole society and not just a problem for those groups that are subjected to discrimination.

I have started out from the point of view that the conscious or subconscious actions of individuals are needed for creating and maintaining structures, and vice versa. *Individuals form structures, structures form individuals*. Discrimination based on pre-conceived notions concerning ethnicity, religion and culture simply have to be seen in a structural *perspective*. Individual actions can thus not be excluded from or be held separate from structural discrimination. When an individual or an institution acts in accordance with a society's prevailing norms and pre-conceived notions concerning immigrants, it is a question of structural discrimination. At the same time this action contributes to recreating structural discrimination.

It has also been important to recognize that the consequences of rules, norms and behaviour are that some are affected negatively and others positively. Therefore the issue of power is central to my understanding of structural discrimination.

## **The relation between racism and discrimination**

An increasing number of researchers, internationally as well as in Sweden, have shown that the race biology ideas and concepts, that had a dominant influence in most European countries during the 1800's up to World War II, have prevailed and been transformed in various ways, even though the concept of "race" has been discarded by the scientific community as well as politically. Instead the concept of "culture" has taken over the role of race as a concept for defining perceptions that exist about different people in the world. The Swedish research within various fields shows that culturally related racism is the most common in Sweden. It is formulated in terms of stereotypical assumptions concerning the cultures of immigrants and the cultures of Swedes, often as completely different and incompatible.

Based on this understanding of racism, it is difficult to differentiate between structural discrimination and racism, they basically describe the same phenomenon. Some in Sweden use the concept structural racism to define the same phenomenon. In, for example, the USA and Great Britain, the term *institutional racism* has been used to describe the same phenomenon.

## **Eye openers**

In some countries individual events have functioned as "eye openers" in regard to the public debate on discrimination and racism. A very important example is *The Stephen Lawrence Inquiry* in Great Britain which in 1999 examined the failures of the police in the investigation of the murder of Stephen Lawrence, a young "black" man who was murdered by a gang of "white" men.

The inquiry determined that the problem was not a few "bad apples" within the police, but that the problem was institutional racism (e.g. structural discrimination) within the police force. The inquiry also concluded that institutional racism was a problem within other public authorities and not just the police.

The reforms that followed placed clear requirements in regard to public authorities. Government authorities can no longer simply assert that they have no such problems. Instead they *have* to show what they are *doing* to examine and counteract structural discrimination.

Sweden does not lack such events, but they have not functioned as "eye openers" in the same way. I believe that the most important reason for this is a widespread denial. This is the reason why, in order to understand the situation in Sweden today, the inquiry starts with a glimpse into racism and structural discrimination as a part of Swedish history.

## **A glimpse into racism and structural discrimination in Swedish history**

The difficulties that many feel in regard to recognizing and accepting that discrimination occurs in today's society is often based on a conscious or sub-conscious assumption that Sweden is "different" from other countries. Sweden, it is popularly assumed, lacks a history of racism and oppression of ethnic minorities.

Sweden's treatment of, for example, the *sami* and the *roma* are clear examples in Swedish history that demonstrate the problems with this view. The fact that Sweden established the world's first institute for race biology is another. Sweden's history is a part of Europe's history. The same racism that arose and spread in Europe, has thus occurred and occurs in Sweden. The racist view of, for example, people from Africa and Asia has been widely disseminated in Sweden, being almost a part of popular culture.

As in most other countries in Europe, the end of World War II carried with it a repression of the racist past. Sweden's economic boom after the war was complemented by a self-image as a moral superpower. Sweden helped the "third world", and was one of the most vocal critics of apartheid. At the same time, it was implied that such problems did not exist in Sweden. Among other things, this meant that Sweden, along with most other European countries, was very slow in developing effective laws against ethnic discrimination. Such problems were to be found in other places. Not Europe. Not Sweden.

The denial of ethnic discrimination can be seen as a thread that runs through Sweden's immigrant policy and later integration policy, as well as the difficulties in banning ethnic discrimination in working life as well as other parts of society.

## **Review of research and information**

### **Mass media**

Research in Sweden (and other countries) has shown that racist discourse in the media achieves a status as "common sense". The overriding picture of immigrants in the media is that they constitute a "threat" or a "problem". Immigrant men are often pictured (and are thus mainly characterized) as prone to crime, and immigrant women are often pictured as passive and repressed. In this way, social problems are depicted as cultural problems and thus, instead of the problem being the Swedes and Sweden, the problem becomes the immigrant.

At the same time the media creates "Swedishness" through the ascribing of negative traits to "The Other". Swedes are all the things that "The Others" are not. This can be seen when the media ascribes violence against women carried out by immigrant men to their patriarchal culture, while the violence against women carried out by Swedes is explained at an individual, psychological level. This also contributes to disguising the gender power structure within the "majority society".

The media has often presented a narrow picture of racism, and experiences of racism and discrimination have to a large extent been excluded from the media. However, during later years, there has been an increasing although ambiguous interest in these issues.

### **The political system**

Politics has contributed to the creation of the general picture in which the mere presence of immigrants in Sweden is seen as a problem, and as a threat to, for example, "Swedish culture" and the Swedish welfare system.

Concerning participation in the various political organs such as city councils there are similar norms and pre-conceived notions. The picture of the ideal politician seems to that of a "white" man. Immigrants are often described in politics as objects with regard to whom measures need to be undertaken, rather than as independent actors. A number of politicians with a foreign background have reported about their experiences with direct and indirect discrimination within their parties.

Both in regard to participation in elected political bodies, as well as in voting, an increasing number of researchers are moving away from the research that ties the explanation to immigrants themselves. The reasons for limited participation are instead a problem where the answers lie in the political system and Swedish society in general.

### **Education**

The educational system is based on "Swedishness as the norm". This affects the attitudes and behaviour of teachers and other personnel in regard to students with a foreign background and their parents.

Many students have experiences with racist attitudes and behaviour from both students as well as teachers and other school personnel. A failure by the school system to counteract such behaviour and attitudes seems widespread.

## **The labour market**

Much of the research concerning the situation of immigrants on the labour market has started out with a view of characteristics that are considered to deviate from Swedish characteristics; religion, a patriarchal view concerning women, an authoritarian view of leadership and (other) "cultural characteristics". Other points of departure have involved a lack of Swedish language skills, a lack of education, a lack of social competence and a lack of understanding of "Swedish codes".

Today there is a substantial body of research that shows that these types of assumptions are often based on inaccurate grounds. There is support for the idea that such factors cannot explain the ethnic differences that exist concerning entry into the labour market or the differences in work conditions experienced in working life.

Research has instead been able to show that structural discrimination is decisive in regard to the exclusion experienced upon entry into the labour market as well as the subordination of immigrants in working life.

Research shows that there is a concentration of persons with a foreign background in low wage jobs, especially in the service sector in Sweden. The trend is that "non-white" persons (mainly women) to an increasing extent "serve" "white" people.

## **Housing**

Some groups clearly have a harder time establishing themselves on the housing market. That cities are ethnically segregated is apparent, as well as the connection between segregation, class and the situation on the labour market.

Even in regards to the segregation that exists in Sweden, an ethnic hierarchy can be seen. The idea that factors like the time a person has been in Sweden, their education and their employment situation *alone* can explain the possibilities to establish a housing career, can be rejected. A person's labour market situation explains some of the segregation, but since some groups of immigrants have a worse housing situation in spite of a better work situation (and education and longer time in Sweden), it is reasonable to conclude that the surrounding society's views concerning a person's physical characteristics and culture affects their housing opportunities.

Popular discourse in the media concerning the areas that have larger numbers of immigrants show clear examples of stereotypical descriptions that have stigmatising effects.

The results of the evaluations of the special funding for projects in "socially exposed" housing areas indicate that those in the area, at best, received a form of acute help. These measures have been lacking a perspective that focuses not just on the consequences, but also on the underlying mechanisms.

## **The welfare system**

Research in the field provides a picture that shows that immigrants comparatively have a worse situation in regard to health, work, economics and housing etc. This can be seen as an indication that the Swedish welfare state is increasingly characterized by segregation and marginalisation, and is thus not living up to its goals. An increasing number of researchers are today talking about an ethnic division of welfare in the society.

In a number of institutions there are norms that connect Swedishness with what is normal, and at the same time point out and establish immigrants as different. Social problems experienced by immigrants are turned into cultural problems, and this places responsibility on the immigrant for her or his unequal situation. Research provides some support for the idea that these norms and pre-conceived notions affect actions.

There seems to be a negative connection between discrimination and physical and mental health. In other countries, researchers have examined this issue and the results clearly point in this direction. Men with a foreign background have on the average a better self-evaluated health level as compared with women with a foreign background. This can be due to the lower level of participation by women in the labour market or education programs, as well as women presumably experiencing discrimination based on perceptions related to ethnicity as well as gender. One example is that the access to social services seems to be different for women with a foreign background as opposed to men, due to expectations that women in general are responsible for taking care of children as well as elderly relatives, *combined* with a perception that immigrant women to a greater extent than Swedish women want to do this as they belong to a "traditional culture".

### **The legal system**

Research on structural discrimination within the Swedish legal system is quite limited, as opposed to the situation in Great Britain and the USA. Nevertheless it seems that immigrants run a greater risk of attracting police attention, of being placed in custody and being sentenced to prison, as opposed to a "Swede" in a similar situation. The criminality of immigrants has been a focal point for the public debate, but there is a need to focus on the legal system itself. The Swedish research thus far basically points in the same direction as the foreign research that shows that structural discrimination is a problem in the legal system. This conclusion is also supported by the low level of confidence and trust that non-European immigrants have in regard to the police and the courts, as compared with "Swedes".

### **Conclusions concerning the review of research**

#### **Us and them**

The first conclusion that I have drawn is that structural discrimination due to ethnicity or religion can affect persons with a foreign background in various situations within each of the fields reviewed.

Structural discrimination creates a system of superior and subordinate relations between ("white") Swedes and racialized persons, mainly with an immigrant background. This appears both in concrete situations such as recruitment, as well as in general life conditions, in the organisation of society for example the ethnic segregation of labour, and in the distribution of material, political and social resources.

Discrimination can be triggered by a variety of things; a name, an accent or physical appearance, to more general perceptions concerning "immigrants" being different; having another "culture", constituting a threat, lacking competence, not fitting in. Individuals tend to be equated with and are dealt with on the basis of an ascribed ethnicity, in other words discrimination reflects an inability to see people as individuals.

In this way "Swedes" are constructed as an opposite to "immigrants". Here the idea of "immigrants" symbolizes what "Swedes" are not. The projection of negative traits onto "immigrants" contributes to the establishment of a positive "Swedish" self-image.

To a large extent there is a lack of research on how structural discrimination related to ethnicity and religion affects women and men differently. In some areas there exists some knowledge, which is presented in each respective chapter. It seems that different systems of power, that is the ethnic power structure and the gender power structure *interact and are created together*. Research on this is still in its early stages, but is increasingly coming into focus. But at the same time there is an opposition to seeing or acknowledging that there is such an interplay.

When feminism does not explicitly oppose racism, and when antiracism does not incorporate opposition to patriarchy, race and gender politics often end up being antagonistic to each other and both interests lose (Crenshaw, 1992:32).

### **Ethnic hierarchies**

In addition to the society's division of the population into "Swedes" and "immigrants", there is an ethnic hierarchy that can be found in stereotypes in the media and educational materials, among politicians and political rhetoric, in wage differences, employment rates, health and housing. It also appears in the experiences of discrimination. This hierarchy is also expressed in the attitudes of the dominant society's individuals and institutions.

The perception that people's characteristics and abilities can be related to culture, ethnicity and race – racism – seems to be a norm that makes the systematic ethnic differentiation possible as well as the ethnic power structure.

### **Privileges**

In examining power in relation to the conclusions above, I also conclude that structural discrimination leads to privileges for the dominant part of society, which in turn leads to a situation where there is at least an underlying interest on behalf of privileged individuals/groups in maintaining the status quo. Norms and behavior cannot be considered to be neutral, as the consequences are that some are affected negatively and some positively.

### **Institutional practices**

A factor that tends to be repeated is that the institutions in society change their rules and practices in relation to certain ethnic groups. Here one can differentiate between rules and routines that formally distinguish between different groups, and when interpretations of routines and rules vary for different groups given established norms and patterns of behavior. One example can be seen in the law granting local voting rights to immigrants from the EU, Norway and Iceland on the same conditions as apply to Swedes, while immigrants from other parts of the world are to wait three years as they "need" time to learn the language as well as to understand the Swedish political culture.

Another related factor is the ability to move the focus from discrimination to more accepted and harmless issues. Instead of a focus on counteracting discrimination within working life as a key to a sustainable labour market, where the individual is encouraged to believe in her or his own potential, the focus is almost as a rule moved to measures needed for creating jobs and/or the different means needed to help immigrants into the labour market. For politicians (both on the left and the right), civil servants, unions and employers, these are policy fields where the players know and are comfortable with their roles. At the same time the focus is conveniently kept away from an examination of those with the power to discriminate, or the power to hinder discrimination.

### **The discrimination spiral**

Various studies lead to the conclusion that discrimination within one sector of society affects and adds to discrimination in other sectors. For example, media stereotypes affect the attitudes and actions of employment agency personnel or school teachers, in regard to large portions of the immigrant population. It can also be concluded that a chain of effects can arise in that discrimination in one field can have far-

reaching effects in regard to other areas. Discrimination on the labour market, has effects on housing as well as an individual's overall economy, which in turn affects the possibilities to choose a school for one's children.

### **Somebody else is always at fault**

Pictures in the media, in politics of the ideal voter, or in restaurants of the ideal customer, seem to have great importance in regard to discriminatory norms and behavioral patterns. Discrimination can at times thus be explained by referring to "someone else" who does not want to deal with the "immigrant". This is a way for individuals and institutions to place responsibility on someone else.

### **Why haven't we understood this before?**

Thus far the main focus in research has been on "immigrants" and not on the structures in Swedish society. Both research as well as the political system have to a large extent been focused on the deficiencies of immigrants and the measures needed to repair those deficiencies. This can be called "blaming the victim". In other words, those affected by structural discrimination are made responsible for their own situation. This type of practice can be seen in the one-sided focus on "self-sufficiency", evaluation of foreign education, the presumption that problems in school are related to "their" "culture", that the unemployed are too passive, that "they" choose to live in segregated areas, that the low rate of voting is due "their" insufficient knowledge about the system.

### **The ethnic power structure**

The review of the research in this field shows that Swedish society is divided along ethnic lines. I therefore find it relevant to talk about an ethnic power structure in society. Given a starting point in my view of the gender power structure, I have developed the following definition.

The concept describes and explains that the society is permeated by an unequal distribution of tasks, resources and power between "Swedes" and "immigrants", and that this inequality remains in spite of the various measures undertaken. The ethnic power structure is characterized by 1) "Swedes" and immigrants being kept separate, and the division into a hierarchical pattern, eg in terms of the ethnic distribution on the labour market and in daily speech, 2) that Swedes/Swedishness constitutes the norm, and that Swedes have a superior roll and "immigrants" a subordinate one, which can be illustrated by the definition of some jobs as "immigrant jobs" that have lower status and pay, but also that "Swedes" earn more for the same work. Swedes in general also have more power, freedom and influence in various parts of society.

### **Myths about discrimination and racism**

In Sweden racism and discrimination have long been equated with nazism and apartheid. This interpretation of racism as a clear ideology concerning biological races and their internal hierarchy, seems to still have an explanatory value in regard to official accounts. In particular, representatives from Swedish institutions (politicians, civil servants, employers, unions) seem to have a difficult time even using the words racism and discrimination, especially in regard to others with power, and in particular in regard to themselves.

In most cases a power perspective as well as a structural perspective has been lacking. Racism is often seen as something that exists in other countries, in history or among confused young men (e.g. skinheads). This has meant that many (and in particular) privileged people deny the structural character of

discrimination and thus can avoid examining themselves. This is one of the reasons why it has been much easier to focus on everything else other than discriminatory norms and actions.

### **Relevant measures in other countries and measures against gender discrimination in other countries and Sweden**

The work against structural discrimination has made its most important marks in the USA, Canada and Great Britain. The measures against gender discrimination in Sweden are to a large extent similar to the general conclusions that can be drawn in regards to these countries. It is also apparent that the legal measures undertaken in Sweden concerning gender discrimination have been affected and strengthened by the efforts in these countries to counteract ethnic discrimination.

The development of various measures for counteracting discrimination in the USA, Canada and Great Britain has been stimulated by organisations in civil society. They have succeeded in mobilising those affected, in developing the necessary knowledge base and making demands.

The most prominent tools in these countries for counteracting discrimination, including structural discrimination, have been developed in a process that combined political leadership, strong civil society organisations that gathered those affected, and a focus on changing behavior. The process resulted in stronger laws, institutions and policies – such as anti-discrimination clauses in public contracts (contract compliance).

An important step towards more effective anti-discrimination work is taken through the acknowledgement that discrimination exists, and put in focus. This focus has thereafter been combined with proactive measures to promote equality. Starting at the wrong end, that is with the proactive work, carries with it a risk that a focus will be maintained on the targets of discrimination, with the result that power relations are thereby kept hidden.

The civil society efforts have not just helped in the development of legal tools. These efforts have been needed to ensure the enforcement of the laws and the follow-up of the tools. They have also stimulated research that has focus on power relations and ethnic discrimination.

This in turn leads to the conclusion that there is a need to stimulate similar processes in Sweden. A focus on discrimination should lead to more pressure that helps ensure that people are able to get jobs that are relevant to their skills and experience – i.e. increasing diversity in a way that takes the individual into account. This in turn produces both role models as well as empowerment. Empowerment should in turn lead to a greater focus on equal rights and opportunities, i.e. counteracting discrimination. In other words, it lays the foundation for a spiral of positive change.

### **The inquiry's proposals and recommendations**

I have concluded that a combination of three factors have been important in the development of an effective tools for counteracting structural discrimination in other countries. These factors are:

- political leadership focused on counteracting discrimination
- a strong movement against racism and discrimination within civil society
- laws and other measures that are focused on changing behaviour

This means that there is not a single solution, but that various measures and actors are needed at different levels.

### **A stairway should be swept from the top - political leadership**

A clear focus on the promotion of equal rights, duties and opportunities, and an understanding that this in turn leads to the current goals of diversity and mutual respect, is needed. The strategy used should be a clearly defined anti-discrimination policy. This means a policy that places the actions of politicians, civil servants, employers, unions and researchers in focus.

### **A requirement that all national authorities develop action plans against discrimination**

I propose that all national authorities should be required to develop action plans against discrimination. The plans are to be based on an authority's analysis of its own structures in order to determine the existence of and means for counteracting structural discrimination. These plans are to apply to both the internal and external activities of the authorities, and are to be submitted annually to the Ombudsman against ethnic discrimination (DO). The DO shall contribute to the development of these plans as well as having a duty to evaluate the plans.

### **Investigate the societal cost for discrimination**

It is important to investigate the social and economic cost for ethnic discrimination. The costs can include such factors as the cost for the society in people needlessly being prevented from realizing their potential, the increased health costs related to physical and mental illness related to discrimination, costs related to the lack of trust in the police and other parts of the legal system and the lack of faith in government programs meant to help those in need.

### **Discrimination testing as a qualitative development tool**

I propose that certain key authorities be required to use discrimination testing (practical application of situation testing) as a tool to test the quality of their internal and external work with equality and counteracting discrimination.

### **Empowerment - strengthening the role of civil society**

An important step that needs to be taken is ensuring that those who are targets of structural discrimination become a part of the work to counteract discrimination. The following proposals are a way to fulfil this goal.

- Continued support is provided to the civil society organisations that work with counteracting discrimination, in particular those that work with several grounds of discrimination.
- Support provided to immigrant organisations should be examined to ensure that the support to a greater extent helps to develop their advocacy role.
- The parts of civil society that are subjected to structural discrimination due to ethnicity or religion should be provided representation in relevant government inquiries, e.g. the Parliamentary Committee Investigating a Comprehensive Anti-discrimination law and supervision and the future inquiry with the task of an overall review of integration policy in Sweden.
- The establishment of a fund for the development of case law related to equality. The development of case law in Sweden has been too slow.

## **A comprehensive anti-discrimination law and supervision**

My conclusion is that structural discrimination is most effectively counteracted within the framework of a comprehensive anti-discrimination law and supervision. Similar systems are the ones that have functioned as role models for the development of the anti-discrimination laws in Sweden and other parts of Europe.

## **Organisational issues**

### **Strengthening the DO**

I propose a strengthening of the DO through the addition of a strategic unit. The task of this unit will be to work with many of the proposals in this inquiry, e.g. the anti-discrimination action plans of the national authorities, maintaining a coordinating role in regard to the work of the different ombudsmen in relation to anti-discrimination clauses in public procurement contracts, as well as carrying out a more overall strategic role with a focus on analysis and measures for affecting the mechanisms behind structural discrimination.

### **Institute for research on structural discrimination**

As the institutional prerequisites for long-term interdisciplinary research into the field of structural discrimination are lacking, I propose the development of a research institute with this purpose.

## **Proactive measures**

### **Anti-discrimination clauses in national public procurement contracts**

I propose the adoption of an executive order that requires all government authorities to include an anti-discrimination clause in their public procurement contracts. The clause is to cover all grounds of discrimination. These contracts amount to about 100 billion Swedish Crowns annually. The clause that was introduced recently in the city of Stockholm should be used as a model. This is a way to ensure that tax funds do not go to companies that are willing to discriminate, in other words this is a question of democracy. In addition, it is a question of quality since the main requirement made by the anti-discrimination laws is that an employer not discriminate against the most qualified applicant or employee due to irrelevant factors such as ethnicity, religion, gender, disability or sexual orientation. Similar requirements in the USA have had positive effects on the employment opportunities of ethnic minorities (men and women) and (“white”) women.

### **Anti-discrimination clause in all funding provided to civil society organisations**

I propose the development of a similar clause to be included in national funding provided to NGO's.

### **Anti-discrimination policy for the government's bank assets**

I propose the development of an anti-discrimination policy for the national government's bank assets that will specify that the government will move its funds from banks that discriminate.

## **Ethnic statistics**

I propose that the National Integration Board, Statistics Sweden and the DO be given the task of developing variables for ethnic statistics that can be used by national public authorities. This is not a question of ethnic registration, but a better use of the public statistics that are already in use. Meaningful "ethnic" indicators are needed to provide an understanding of the current state of the society and how it is changing. One possibility is the use of a measurement related to those born in Sweden, within other parts of the EU and outside of the EU. This could provide the basis for a rough analysis of the situation within working life. It is important to be able to develop a picture of the ethnic composition of the workforce employed by larger employers. Otherwise it will be difficult to determine whether or not the measures in place are having an effect.

## **Measures for the DO and other authorities**

### **Situation testing as a method of proof**

I propose that the DO be given the task of developing the use of situation testing as a method of proof in discrimination cases. It has been used in other countries and should lead to a more effective development of case law.

### **Code of conduct for working life**

I propose that the DO together with the other ombudsmen be given the task of developing a code of conduct for working life as a complement to their work against discrimination. Among other things the code should also be a contribution to the existing work with active measures (already required by the law) and the future work with equality plans. The code should in addition be developed in cooperation with representatives from the unions and employers as well organisations representing those affected by discrimination.

## **Proposals in specific areas of society**

### **Measures concerning structural discrimination and the police**

#### **Confidence surveys**

I propose that regular confidence surveys be carried out that provide an insight into the confidence level of immigrants in regard to various public institutions (compared with "Swedes"), especially the legal system, and more specifically the police. This can be developed into an indicator regarding the effectiveness of certain measures.

#### **Other measures**

I propose various measures that will mean that the issue of structural discrimination will be given a more prominent role in regards to the police. As persons with their roots outside of Europe seem to have a comparative lack of confidence in the police and their work, this is an important signal that needs to be taken seriously. The measures I propose are intended to affect the education of the police, how complaints are investigated and the reporting of the use of stop and search measures.

## **Strengthened political rights**

### **Remove the poorly motivated differences established in various rules and laws**

I propose that citizenship requirements that result in poorly motivated differences that are established in rules or laws be repealed or amended in accordance with the proposals in a previous inquiry *Medborgarskapkrav i svensk lagstiftning* (Citizenship requirements in Swedish law) (SOU 2000:106), including the issue of the right to vote in local elections. In addition, I propose that a new inquiry examine the issue of the differences in constitutional law concerning the freedoms and liberties of non-citizens as opposed to Swedish citizens.

### **Full voting rights for everyone permanently residing in Sweden**

I propose that the issue of full voting rights for all permanent residents, i.e. even in national elections, should be investigated.

### **A consultation process with those affected by structural discrimination concerning participation and democracy**

I propose that a consultation process concerning participation and democracy be set up with those affected by structural discrimination. This is needed to analyse why "immigrants" participate at a lower rate than "Swedes" in the political process. The basic idea is that if politicians are interested in raising the level of participation of immigrants, it seems that the issue should be discussed with immigrants.

### **Anti-discrimination perspective in the educational system**

I propose that certain university level educations be encouraged to include courses that take up discrimination as a key issue. In addition, I propose that an analysis be undertaken of whether or not today's educational material contain stereotypical images of people in other countries, or people in Sweden.

Beyond this I propose that an investigation be undertaken of the extent to which students know about violations of human rights in Sweden. This can cover such topics as discriminatory laws and policies directed toward the roma and jews, the historical treatment of the sami, the prominent role of race biology as science in Sweden and Sweden's policy of sterilisation. In addition, there is the long period during which laws and policies clearly discriminated against women. In order to understand discrimination in Sweden today, I think that it is important with an understanding that Sweden has not been free from various types of violations of human rights, especially discrimination.

### **Investigation of certain laws**

I propose an inquiry into the Alcohol Act in order to clarify the right of local governments to include anti-discrimination conditions in the alcohol permits issued to restaurants. This is one way of dealing with discrimination in restaurants. In addition, I propose that the Local Government Act be examined with a view towards introducing a positive duty to counteract discrimination.

## **Recommendations to local governments**

Local governments play a key role in the influence of the public sphere and in daily life. I have therefore decided that it is important to provide a few recommendations. They basically follow the pattern set in the rest of the inquiry. Mainly it is important that local governments examine the various roles through which discrimination can be counteracted and pro-active measures can be put in place – e.g. as an employer, in public procurement contracts, the establishment of local rules, the provision of services and in running the schools. One new issue though is in the recommendation that local governments join the UNESCO's *Coalition of European Cities Against Racism*. This coalition of European cities has undertaken the implementation of a 10-point action program against racism and discrimination. UNESCO's involvement is based on the idea that cities can and should play a key role in the concrete work against everyday racism.