

Tolerating Discrimination: Discriminating Tolerance

Farhad Dalal f@dalal.org.uk

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The problem

Over the last few decades, large sums of money, time and effort have been dedicated to the task of dismantling the structures and processes of inequality. And although many changes in society have indeed come about because of these efforts, it is also the case that to a large degree racism, sexism and the like continue to flourish. For example, recent statistics show that despite these enormous efforts, pay differentials between men and women have actually widened in the last few years. Other sets of official statistics show that in the five years from 2004 -9 there has been a 70% *increase* in the numbers of Black and Asians stopped and searched on the streets of Great Britain. At the same time public, private and voluntary bodies publish 'Race Equality Schemes' and make proud public pronouncements in Equal Opportunity statements that they subscribe to the values of inclusivity, non-discriminatory practice, and so forth. There is quite a gap between what institutions say they are doing and what is actually happening.

It seems to me that the situation has in part (but only in part) been brought about by the Equality movements themselves. I will argue that the difficulties with certain strands of the Equalities agenda lie at a fundamental level; not just with the solutions they have proposed, but at the way in which the problems have been conceptualised in the first place.

Given that my paper is going to be a critique of aspects of the equality movements and in particular the recent turn to the 'celebration of diversity', I want to make clear that unlike some right wing pundits, I *do* think that there are many anomalies in regards to equality in our society that urgently need addressing. To my mind there is no question that there are very real issues regarding how and why only some 'kinds' of individuals appear to make the grade and other kinds hit 'the glass ceiling'. My intention is not to attack in order to dismantle the equalities agenda *per se*. Rather, it is to *strengthen* these emancipatory movements by critiquing their conceptual confusions. To use an arboreal analogy, I consider this work as analogous with pruning rather than felling.

In what follows I will look at some of the thinking emanating from the equality movements, as well as the assumptive frames that this thinking is based on. Following this I will examine some of the practical consequences of this way of thinking, and finally think about a way forward.

Ignorance – multiculturalism and psychoanalysis

Perhaps the most well known of the explanations for these sorts of problems is the idea of ignorance. It is claimed that we naturally fear the unfamiliar and so treat it badly. This is the viewpoint that is at the root of the multiculturalist agenda. In their view the solution consists of a process of familiarization – education if you will – of learning and understanding the ways of the Other. The belief is that when we become familiars, then we will no longer be prone to treating them badly. We will accept them in their difference; thus the adage –different but equal.

What psychoanalysis adds to this picture is the idea of projection. The thinking here is that the empty space, the realm of ignorance, becomes readily available for projection. Elements of the self that are disparaged, feared or just plain difficult are split off from consciousness, the knowledge of their existence is repressed, and they are projected into various Others. This results in 'them' coming to be experienced as contemptible and

frightening. 'They' being the containers of all the unwanted aspects of the self, it is important that they be kept at a distance from 'us'.

If one thinks that the problem is essentially a psychological one, then so must be the solution. The solution is the psychological work of understanding and coming to terms with the denigrated parts of oneself. Now, the Other, no longer burdened by negative projections, is more likely to be seen for who and what they are.

We can see then that both the multiculturalists and the psychoanalysts think that knowledge and information is key to the solution of the problem of the unfair treatment of Others. The difference between the two positions is that the multiculturalists think that it is through gaining knowledge of the Other and their ways that change follows, whilst the psychoanalyst thinks that it is through gaining knowledge of the Self that change will occur. The realm of the former is the conscious world, and that of the latter the unconscious world.

There is much to be said for these paradigms – but in themselves, neither is sufficient nor full enough.

For example, take the question of ignorance and strangeness. The females of a society are not strangers to the males of that society; they share lives of intimacy and are part of the same culture. Yet, we find that women are marginalised and do much less well than men in the job market. Whatever the causes of this, it is not to do with 'ignorance' about their exotic cultures as the multiculturalists would have it.

I would agree that psychological understandings do shed light on the marginalization process, but only at the level of specific individuals. For example we might well come to be convinced why and how it is that this particular individual (because of their life history or/and instinctual makeup) ends up despising this or that group. To this way of thinking the hatred is a manifestation of the particular individual's psychopathology. And this might well be true. But what these individualistic ways of thinking cannot answer is how it is that the projective mechanisms of entire societies come to be so finely synchronised as that a great many come to direct their projections in the same direction and all come to choose the same group to be the receptacles for their projections. Why, for example, choose Jews and Black people and not nurses?

The usual answer given to this challenge is that we project into groups that are already socially sanctioned as deserving of negative projections. That is so. But it avoids two deeper questions: how do these groups come to be socially sanctioned in the first place? And: who is the 'we' that has just been referred to?

It is also the case that both paradigms are singularly apolitical, with neither making reference to power relations.

Anti-racism and Diversity

In the 1970s, this was exactly the critique that was levelled at the multiculturalists by the movement called Anti-Racism. They said that the problem was not ignorance but the unfair use and abuse of power. They came up with the formula racism = power + prejudice. Their militant agenda was to expose and redress power differentials.

Anti-racist militancy did in fact force considerable changes in the legislature and also started to raise the threshold regarding what sorts of views one was able to voice in polite company.

Perhaps encouraged by the small victories of the anti-racists and feminists, other marginalised groups who were not spoken for by these prior movements, also wanted to get into the act. This is where the Diversity movement comes in. It positions itself as all inclusive, as attending to and speaking up for *all* differences. But even as it took this step forward, it took another far more problematic step backwards by declaring itself apolitical. For the Diversity promulgators it is a point of pride to claim that they are not in the business of political change, but in the business of appreciating ‘differences’. The Diversity movement reframes differences from ‘problems’ to ‘assets’ – assets to be welcomed and celebrated.

And this is exactly why the Diversity movement has been embraced, whilst the previous egalitarian movements had been shunned – particularly by corporate world. One reason for this is as follows: the anti-racist agenda calls for a redistribution of resources. If the cake is finite, then the more it is shared out, the less each will necessarily get. Unsurprisingly, this ethos did not find favour with those in the Boardroom. In contrast, Diversity theology claims that if its doctrine were embraced, then the cake itself would get bigger and everyone, including the already well to do, would get more. It is primarily on this basis that Diversity has been taken up by profit making institutions. In the literature one finds many references to ideas of diversity being ‘lucrative’, a ‘commodity’, an ‘asset’ to be exploited in the service of increasing profit, and so forth. This is the basis on which diversity is sold to the Boardroom – that is, in the service of ‘doing well’. Meanwhile diversity is sold to the public on the basis of it ‘doing good’, of inclusivity, of acceptance, of respect.

But most worryingly, not only does the rhetoric about inclusivity come to serve as a cover for the profit motive, at times it becomes utilised as an instrument of fear and control – you *must* accept and appreciate the ways of others, else you are being oppressive. How have we ended up here, given that all the paradigms referred to have their genesis in the spirit of liberalism – the promotion of dignity and freedom? To understand this it is instructive to review the genesis of liberalism.

Liberalism

As you will know, the Enlightenment took up the cause of the universal individual, stripped of all particularities, status, gender, origins, and so on. Royal and commoner were equal in the eyes of the law. The Enlightenment urged all individuals to think things out for themselves and not blindly accept the pronouncements of the authorities.

In time the Romantics came to think that the Enlightenment’s emphasis on the mind as mistaken and replaced it with an emphasis on the heart. Each individual was thought to have their unique essence. It was the duty of each individual to live lives of authenticity which entailed the expressing and giving life to their internal essence.

The focus of both the Enlightenment and the Romantics was *the individual*. They both agreed that the individual had rights over their property and a right to privacy in their homes and minds. Whilst the Enlightenment emphasised the commonality of individuals, the Romantics became the champions of the differences between them. Liberalism came to embody both sets of values by granting individuals the right to their unique differences in the private sphere. But in the public sphere they are all considered to be equal to each other. Different but equal – as the adage goes.

But then, in the 19th C, the later Romantics took this picture of individuals and the rights and duties accruing to them, and transposed it wholesale onto entities called ‘cultural groups’. Now cultures were deemed to be living things with rights over their property –

their beliefs, their customs and ways of life. It was the duty of cultural groups to live according to their conventions, else they would not be being authentic.

This then is the picture before us: we have a series of encapsulated, mutually exclusive cultures, each different in themselves, but each of equal merit to all others.

This transposition throws up many anomalous but interesting complications. For example, although cultural beliefs and practices (ways of dress, dietary requirements, religious beliefs and so on) 'belong' in that they are the *private* property of that culture, they necessarily take place in the public sphere and so necessarily impact on others.

When the practices of one group impact and are in conflict with the lives of others, then the issue becomes one of rights. Multiculturalism says that each culture has the equal rights to express itself, as no one culture is intrinsically better or of more value than another.

But a key problem with 'us' accepting 'their' ways is that neither 'we' nor 'they' are coherent homogeneities. 'They' are no more of one mind than are 'we'. Englishness or Britishness is a conflictual and conflicted entity. The British National Party, Cameron, Brown, Christian fundamentalists, radical atheists, all claim to speak for British Culture. Similarly, the Untouchable has a very different experience of Hindu culture from that of the Brahmin. When Untouchables try to leave Hinduism through conversion as it determines the desperate lives they are obliged to lead, local Brahmins often resort to bloody violence to prevent this. Women seeking to step out of their allocated subservient roles are similarly beaten down everywhere, because it is said, they are going against 'our' authentic ways. Similarly, there is no single spokesperson for *the* Muslim community in Great Britain, only spokespersons for particular interest groups. Yasmin Alibhai-Brown is one such, and Iqbal Sacranie another. Mr. Blair's racialized mindset being blind to this conflictual 'diversity' within the so-called community of Muslims, granted the Imam the privilege of speaking on the behalf of all Muslims in Great Britain. For some reason Mr. Blair did not grant the Archbishop the same privilege as speaking for all the 'indigenous Christians' of Great Britain, and indeed when the Archbishop has presumed to give a view, he has been severely reprimanded for interfering in politics.

There are four points I want to underline from the foregoing: first, we begin to get a glimpse of how social groupings get created through and by power-relations. Second, we can also see that cultural practices are never innocent. Amongst other things, they are systems of domination and oppression that have been institutionalised as cultural practices – as *our* ways of doing and believing. In other words the distinction that the Diversity agenda seeks to make between culture and politics is clearly unsustainable. Third, cultural practices although decreed *private* and attributed with meaning, its real function is to *publicly* signal where the 'us' ends and the 'them' begins. And finally, we can see now that one cannot simply respect 'their' differences from 'us', because in respecting some of 'them' and their values, I will inevitably fall foul of others of 'them' as well as any number of 'us'.

In sum, there is no possibility of taking a position of benevolent neutrality – the very premise that the liberal ideal rests on.

Discernment and Discrimination

Let me come at the problem from another direction.

First, human beings are social beings. By this I mean that as we grow up, we imbibe the social conventions we are born into and they become internalised and constitute the Self.

This is the basis of our habituated ways of being – particular ways of seeing, experiencing and interacting with the world. This happens, not uniformly, nor universally, but sufficiently broadly for us to be able to speak of ‘ways of life’ relatively meaningfully. In a manner of speaking we more or less ‘mindlessly’ follow one sort of world view and not another – mindless in the sense that it is the unreflected norm we inhabit. Call it ideology, discourse, or the social unconscious. So in one sense we are cultural sheep.

But it is also the case that humans are thinking beings that are capable of questioning, testing, and inquiring into the conditions of their existence. This was exactly Kant’s requirement for humanity – that we did not just meekly accept the world we find ourselves in, but interrogate it through the light of human reason.

But there is a complication. To begin with, the capacity to think is a process of discrimination. Thought is not possible without discernment. Thought *is* discrimination.

However, our processes of discrimination and discernment are never value free; they are deeply patterned not only by the particular psycho-social developmental process that an individual has gone through, but also (and perhaps more fundamentally) by the conventions and norms that one inhabits. Not only is this patterning outside the scope of consciousness, it comes to actually constitute consciousness. These patterns are enabling constraints.

It follows that our processes of discernment cannot be objective and neutral; they are forever compromised.

It is this realisation, that there is no pure objectivity, that lies behind the collapse into relativism, where any and every thing goes. It may be that their way is different to my way, sometimes a way that I do not like; but if anything goes, then accept it I must; I must value their difference, and if I did not then I would be being oppressive.

But how am I to do this without causing injury to myself?

Consider, amongst other things, the social conventions that we imbibe are systems of morality. They inculcate in us a profound sense of what is right and wrong to make us ethical beings.

It follows then that the only way that I would be able to accept a way of life that goes counter to my own ethics, is by shutting down my processes of discrimination, my sense of right and wrong. If I do this, then I negate the integrity of my being, my very humanity.

This is the human predicament: despite our best efforts, when it comes to the exercise of our faculties of discernment, we humans are intrinsically biased. Our minds are partisan. This is the human condition. All the strategies of the equality movements can be thought of as ways of dealing with this predicament: that despite our best rational and emotive efforts, we cannot help but take sides. It is to counter this human frailty that institutions have increasingly come to rely on procedures rather than human beings in their decision making processes.

The problem though, is not discrimination, but *unfair* discrimination. This distinction is not kept sufficiently in mind, and so it seems that the only way to stop unfair discrimination is to stop discrimination *per se*. This key slippage is every where in the equalities literature, one example being from a well established mainstream text (into its 4th edition), aimed at social workers; the author Neil Thompson (2001, p.33) defines ‘discrimination’ as: ‘unfair or unequal treatment of individuals or groups’.

In my view many of these procedures (grievance, complaint, selection processes, etc.) incorporate this slippage, and so end up being draconian and silencing in their effects. The mounting weight and number of these procedures come increasingly to stifle creativity in organizational life. In this sort of culture, the responsibility of individuals becomes not to do good, nor to think (as Kant advocated), but to follow procedure precisely, *and for this to be demonstrable through documentation*.

The focus so far has been broadly in the region of ideas; I now turn to look at what happens when these ideas are put into actual practice.

'Race' in the legislature

Much of the thinking in this arena proceeds by taking the existence of particular human groupings as unproblematic givens (race, culture, ethnicity, gender, disability, etc.), and concerns itself with ensuring that no one grouping is unfairly discriminated against. But as I have already indicated, human groupings are made before they are found. One such division is that of 'race'. Much of the day to day life in Great Britain comes to be organized on the basis of this category – in other words by racism.

Over the last 50 years, the legislature in Great Britain has tried to combat racism by putting in place a number of laws called the *Race Relations Acts* (RRA) and their amendments. Given that these Acts seek to police how the 'races' should and should not *relate* to each other, it is astonishing to note that the Acts have assiduously avoided naming any of the races as well as defining 'race'. Of course they cannot, because there are no such things as *the* races.¹

The notion of race is itself an invention born in the midst of a particularly pernicious history. Whilst 'race' masquerades as objective taxonomy, its primary purpose has always been in the service of marginalization and exclusion; its primary function has always been to generate various 'Others' in order to marginalize them. In other words the term 'race' is generated by the problem we call racism.

'Race' was the Imperialist's way of dividing up the world into the haves and must-not-haves, and its legacy continues to bloom in Britain today. Despite 'race' having no objective existence, it nevertheless comes to have a life as a social, psychological and political category, which informs how people experience and treat others as well as themselves.

Given the embarrassment that the central term does not objectively exist, the legislature passes the buck and leaves it up to the courts to establish whether or not a grouping is a 'race'. This has resulted in a number of very peculiar anomalies arising. For example, the Law recognizes Gypsies, Sikhs and Jews to be 'races', but not Christians, Muslims or Hindus.

The 1976 Act begins with the statement that it is unlawful for a person to discriminate against another on *racial grounds*. When this happens, then it is called *racial discrimination*. Next, it defines *racial grounds* to be one of five categories, those of 'race, colour, nationality or ethnic or national origins'.² (3(1)). Notice two things: first the tautology: racial discrimination occurs when someone discriminates on racial grounds; second, notice how the term 'race' has been smuggled into the statute books through the definition of racial grounds. It seems to me that the effect of installing the reification 'race' in the legislature has been to perpetuate and reinforce some of the processes of racism, rather than help dismantle them.

Anyhow, this is the law. But in order to utilise the protection afforded by the RRAs, a complainant has to establish first that they do indeed belong to a 'racial group'.

In 1983, a Sikh family, the Mandalas, family filed a case of racial discrimination. Initially they were unsuccessful. The courts said that they might well have been victims of discrimination, but as they were not a *racial* group, they could not call on the services of the Race Relations Acts.

The case eventually went to the Law Lords who decided that Sikhs could after all be construed as a racial group by virtue of being an 'ethnic group'. They defined ethnicity as

having a long shared distinctive history and a distinctive cultural tradition. Further common characteristics included a common geographical origin, common language and religion, common literature, and being a minority within a larger society

(Barnett, 2004, p548).

But notice the confusion of categories: The Sikhs, a *religious* group, are considered to be a *racial* group, by virtue of their *ethnicity*!

Through other similar court cases it has come to be established in British law that Jews, Romany Gypsies, Irish Travellers and Afro Caribbeans are also races. But when the Rastafarians tried to join this elite squad on the same grounds as the Mandalas (not wanting to cut hair), the Law Lords decided that that Rastafarians did not 'fall within the meaning of racial group, for their 'shared history' is only of some 60 years duration (compared with that of Gypsies, whose history is of over 700 years duration)' (Barnett, 2004, p549).

The fact that the law is written in this way, actually encourages the further racialization of society – it encourages and pushes people into thinking of themselves and others in racial categories. This problem is then compounded further in the following way.

Ethnic Monitoring

In order to try to capture evidence of institutional processes that marginalize some groupings and favour others, in 2000 the Amendments to the Race Relations Acts obliged institutions to gather data and generate statistics. Whilst I agree with the idea of collecting this data, I think there is a problem with the kind of data being collected. Individuals are asked to *self-ascribe* their 'ethnicity' by checking one of 16 tick boxes that have been generated by the legislature.

The content of the form is as follows:

What is your ethnic group? Choose ONE section from A to E, then tick the appropriate box to indicate your ethnic group.

A : White:

- British;
- Irish;
- Any other White background (please write in)_____

B : Mixed:

- White and Black Caribbean;
- White and Black African;
- White and Asian;
- Any other mixed background (please write in)___

C : Asian or Asian British:

- Indian;
- Pakistani;
- Bangladeshi;
- Any other Asian background (please write in)___

D : Black or Black British:

- Caribbean;
- African;
- Any other Black background (please write in)___

E : Chinese or other ethnic group:

- Chinese;
- Any other (please write in)___

Not stated:

(This last option is not available to the person filling out the form).

Confusions and Conflations: The Race-Ethnicity Fudge

What a strange mish mash of categories this form consists of, two colours (Black and White), a continent (Asia), a nation (China), and most disturbing of all, the idea of people who are allegedly *Mixed*. By countenancing a notion of ‘mixed’ as one of the categories of ethnicity, the legislature gives succour to the racists as it implies that there exist ethnicities that are ‘unmixed’ or pure. We have to ask, where and when in this world has there ever existed a pure ethnicity?

Next, given that the requirement to collect this data has been written into the legislature in a *Race Relations Act*, it is curious is it not that the process is called *ethnic* monitoring and not *race* monitoring. Why is this? The answer in part has to do with a confusion and a fudge: a confusion regarding the purpose of the questionnaire itself, and a fudge as to whether the data being collected is subjective or objective. To begin with, what exactly is ethnicity? This advice is given by the Department of Health (2005, para.31) to those administering the questionnaire; they are told that

Ethnicity is subjective: a person should self-assign his or her own ethnic group. While other people may view an individual as having a distinct ethnic identity, the individual's view of their own identity takes priority.

But the thing is that self ascription, although it has its own validity, actually misses the point. Racism, sexism, prejudice and the like are driven not so much what *I* think of myself, but by what *you* take me to be – particularly if *you* are more powerful than *me*. It matters little if a person thinks of themselves primarily as a Cambridge graduate, brain surgeon, lawyer, middle class or British, if they are perceived first and foremost by more powerful others as Jew, Black or Woman, and this is the point, *treated on that basis*.

We also have to ask, how meaningful is the collection of subjective ethnicities? In my case, I could put up a legitimate argument for *genuinely* entering myself into the 'any other' category in A, B, C, D or E. (B on the basis that we are all 'mixed', C on the basis of being Indian, D on the basis that in the current socio-historic context I think of myself Black, E because I was born a Parsee. And A because many Parsees think of themselves as being of 'Aryan' descent and see themselves as White). And here is the point: the place I would find myself locating myself would very much be context dependent.

In sum, although the purpose of the questionnaire is to reveal the processes of marginalization at work, all it actually supplies is a picture of the range of ways that people think of themselves in a particular moment (subjectively), and how these are distributed over the social scape. This has little to do with race and racism. The fudge is that self-ascription is being used instead of other-ascription. In this way the questionnaire cannot do its real work.

If one were to really grasp the nettle here, one would have a racial monitoring form, and it would be filled out through the racialized eyes of the Established. One can see why this is disquieting given the sorry history of scientific racism in Britain, South Africa and elsewhere.

Training

The RRAs place legal obligations on institutions to put resources into ensuring that the culture of the institution is inclusive and so forth. This is mostly done by making employees go through a mandatory training in equality and diversity. Often this training is computer based. The e-based equal opportunity trainings I have sight of are in my view, simplistic, patronising and tokenistic with their primary purpose being that of the institution demonstrating to the authorities that it has fulfilled its legal obligations. In other words they are in the service of being seen to do good, rather than actually doing good. This is demonstrated by the fact that despite the ubiquity of trainings, in many places things have gotten worse.

Etiquette

Large parts of these trainings focus on how not to cause offence to Others. In effect, they are trainings in etiquette. I am not against fairness or courtesy. However, it completely misses the point in regards to processes of exclusion. The more 'culturally' sensitive manager might well provide a multi-faith prayer room for the devout amongst their employees, but this has little effect on the colour-coded and gendered hierarchical structures which continue as before. In my view this kind of cultural courtesy is actually patronage by another name. If institutions were really serious about attending to the needs of their marginalised employees, one simple thing that would make the biggest impact

would be the provision of a crèche. And this, it has to be pointed out, has nothing exotic or mysterious about it.

Language

Key to art of not causing offence is training in the use of language. One of its purposes is to make it clear that it is unacceptable to utilise sexist or racially abusive language in the work place. This aspect seems to me to be perfectly sensible.

But there is also another aspect which relies on the premise that language is not just a passive means of apprehending a pre-existing reality, but that it is critically active in forming and informing the way that reality comes to be apprehended. Language structures experience. This is indeed so.

But the next steps in the argument lead us into a conceptual morass:

For example, it is true that people belonging to the category (the elderly) are unfairly discriminated against. Thompson (2001, p.35) observes that 'it is through the identification of differences that discrimination...take place'.

Next, the fact that categories are utilised to carve out a group of people, who are discriminated against, leads to the strange suggestion that one ought not to use those categorizations. The reasoning being that without the categorization there can be no differentiation; and without the differentiation, there can be no marginalization. For example Thompson says,

Terms such as 'the elderly', 'the old', 'EMI' are commonly used but are, none the less, very dehumanising – they depersonalize the people to whom they refer (Thompson 1995, p11-12).

We should avoid grouping people together according to age...abandon the 'us-them' mentality (Thompson 2001, p.102).

I agree that the elderly are often treated in shabby ways; they are the 'them' to the mainstream 'us. But to then suggest that therefore, one should not utilise the categories 'the elderly' or 'old people' is, to my mind, nonsensical.

It seems obvious to me that the categorization 'old people' *is* useful. They (and I know that all too soon I too will become a part of this 'they') *do* have very particular needs and requirements, which ought to be catered for. To treat the elderly and infirm like everyone else would surely be an exercise in negligence. Surely society ought to be discriminating in favour of them receiving more resources of a certain kind than the rest of us. I want to stress that I do not dispute the view that 'the elderly' are in many ways treated as second class citizens. But not using the categorization is not likely to change that particular situation.

Moving on.

We have just been advised that as categories create a 'them', which are then marginalised, we ought not to categorize; if we do not name 'them', then 'they' wont exist, and so they cannot be marginalised,

But now, when it comes to some of the other groups that are marginalised like Black, or woman, then we are told to do the exact opposite: to respect and celebrate the category rather than remove it from the lexicon. Why is this? Thompson's rationale on this occasion is the Diversity one, that we ought to '*emphasise the differences* between

individuals and across groups...[because] such differences are best seen as assets to be valued'. (Thompson 2001, p.34-5)

No where have I been able to find an explanation as to why the argument that applies to 'the elderly' does not apply to Jews, women, Blacks or 'trans' people: Sardar says that 'Trans people should be respected as a discrete group'(p.33).³ In my view the reason for this anomaly is the taken for granted belief that some groups are artificial, merely artefacts of ways of thinking, whilst other groups are real and have an objective existence. In proceeding in this way they are falling foul of what philosophers call the 'naturalistic fallacy' wherein one takes the world as one finds to be a natural state of affairs and not requiring questioning. To question the natural would appear as pointless as Chico Marx asking Groucho in the film *The Cocoanuts*: Why a duck?⁴

It is beholden on us to ask not only 'why a duck' but 'how a duck'? Even a cursory historical analysis shows us how groups and their names come into being through the exercise of power, and then as context changes, they fade away. As ever, we have to remember the asymmetry: some have the power to name, and others get named, and there is always the struggle between the two.

It seems to me that it is precisely because the tweaking of surface language leaves deep personal experience as well as the socio-political reality untouched, that spoken language becomes so closely policed in public life. This in turn works in the direction of creating an atmosphere of paranoia, suspicion and silence. Definitely not what the anti-discriminatory project is all about.

I would agree with Sardar when he says 'We should make visible what language renders invisible', for example, to avoid the use of Man to stand for all of humanity as it renders invisible the presence of women. Attending to language in this way makes sense to me.

But worryingly, it is also the case that this ideology also works in the direction of rendering invisible what is already visible. The category 'old' being a case in point. But even more is to be rendered invisible. Sardar says:

We should avoid the use of the word Islam...and instead use Muslims. Islamism, often used to describe extreme ideology, is an unclear term with negative connotations, so it is best avoided. Given that 'fundamentalist' is always pejorative, frequently offensive and a blanket term, it should also be avoided. The best terms to describe Muslims with literalist or socially conservative views is 'pious' 'devout' and 'politically motivated' p.30-1

I find this kind of proposal not only problematic but also highly dangerous. I would agree with Sardar that the notion of fundamentalist is pejorative. *But that is exactly what I intend when I use the term fundamentalist* – I use it in the pejorative sense. I would be being disingenuous if instead of fundamentalist I used the terms 'pious' or 'politically motivated'; this would be PC speak of the dangerous and troubling kind.

The Question of Offence and Tolerance

There is a distinction between deliberately *being* offensive and of *causing* offence, a distinction that is often collapsed so that offence itself (like discrimination) becomes the culprit. Further, offence works in both directions. 'They' might be offended by my way of life, and I might be offended by theirs. Understandably the equality movements have primarily attended to the occasions when it is 'they' that have been offended. What I

want to focus on here is on the other side of the fence: what am I to do when *I* am the offended party?

My first problem is that I am unable to trust my response. Is my antipathy towards them a racist response or an ethical one? And even if it were an ethical response, ought I to subjugate (tolerate) my disapproval, or ought I to push through the liberal taboo and ‘interfere’ by saying something? On what basis do I make that decision? What is the correct thing to do?

But notice: I am *deciding* what to tolerate and what not to. In other words, the exercise of tolerance requires the engagement of one’s discriminatory process; *tolerance is not the opposite of discrimination*. Indiscriminate tolerance, of the kind that the diversity celebrators advocate, is dangerous nonsense.

But the decision as to what we will or will not tolerate is not by any means solely rational nor is it fully ethical. I am much more likely to tolerate the annoying behaviour of a large frightening man, and much less likely to tolerate the same behaviour from someone I am not intimidated by.

These decisions it has to be said are in the main subliminal or unconscious, what I will be aware of is the rationalization for my decision.

Liberalism in practice: Live and let live

Having established that discrimination is necessary to the activity of tolerance, let us ask a deeper question: just what is tolerance? To begin with, if one finds oneself readily able to accept and respect ‘their’ differences, then the activity of tolerance is unnecessary as there is nothing *to* tolerate. Tolerance is the activity of *continuing* to put up with a state of discomfort due to something that *continues* to disturb one’s equilibrium in some way.

The activity of tolerance consists of the subjugation of an internal response, of some aspect of the self. Tolerance is hard work because to be tolerating something is to be in a state of tension, a tension born of conflicting demands. This tension has its genesis in the values of liberalism which happen to point in two different directions at the same time. First, is the duty to be true to oneself, of authenticity. Second, is the duty to others, of non interference and of fairness. Both are perfectly captured in the simple but powerful phrase ‘live and let live’. But what happens to the principle of ‘live and let live’ in practice?

The imperialists and some kind of fundamentalists collapse the tension by doing away with the duty to others; their principle is not ‘live and let live, but ‘my way or no way’. As the imperialist is mostly convinced that their way is the right way, then they need feel no guilt nor any shame at riding rough shod over the other.

Meanwhile the diversity enthusiasts collapse the tension by ignoring the injunction to be true to oneself, and so end up practicing a version of ‘I defer to your way, and celebrate it’. This sort of person is controlled by guilt. Any doubts about whether ‘their’ way is the right way, would bring up feelings of guilt which would work in the direction of burying the doubts born of their own sense of right and wrong. But as they crush and abandon their own sensibilities, there must arise in them feelings of shame at negating and abdicating their ethical selves. My guess is that what happens now is that these feelings of shame are defended against by generating a state of manic positivity – doggedly respecting the Other come what may. In effect difference becomes fetishized.

And finally a certain kind of liberal does manage the feat of abiding by both duties, but only by the device of having very little to do with ‘them’. If ‘our’ world does not intersect too much with ‘theirs’, then it is easy enough to remain true to oneself, as well as not

interfere with ‘them’ and allow them the freedom to live according to their ways, as neither impinges on the other. But this strategy creates ghettos, and what is actually being practiced is not ‘live and let live’, but ‘live and leave well alone’. This is the scenario that is most prevalent in our society. This stance can breed a kind of smug complacency born of the fact that as one is not doing down the other or oneself, there is no necessity to feel guilt or shame.

Let me return to the troubling issue that I cannot truly trust the basis of my negative response to this Other. Just because my response really truly *feels* right, does not make it so as the Romantics would have it. And just because my response seems rational, does not make it fully objective, as the Enlightenment would have it, because as we have seen rationales are always to some degree rationalisations. How do I test the ethic of my response?

A way forward

That in itself is the first clue – my response has to be ‘tested’. Testing takes place in the territory between deification and denigration. It is through dialogue and engagement with the other that testing occurs. Although the idea of dialogue and engagement sounds banal, it is far from banal. True engagement is terrifying. Engagement requires me to allow your world view into me, so that I may cognitively and empathically come to know something about where you are coming from. It also requires you to genuinely countenance my world view. This kind of engagement is more than a debate and more than an exchange of rhetoric. This kind of intimate engagement consists of the exchange of ideological fluids. The danger of course is that as I let your view *into* me, then there is a real possibility that I will be changed, I will become something that I did not recognize a moment ago. If my identity shifts, then I will have become Other to myself, and this is why true engagement is not only profound, it is terrifying. But this is also the hope, that engagement is a mutually transformational process.

This picture, although terrifying is benign. What makes it less benign is the fact that the ‘engagement’ does not take place on a level playing field. This is what the whole equalities project is about after all. The protagonists are positioned in a field of power relations, and one will have more power and status than the other. The struggle, the engagement is mostly initiated, (to use Norbert Elias’ terms), by the ‘outsider’ who demands to be recognized by the ‘established’, who demands recognition as a full human being, of equal status and so deserving of the same opportunities. There is no symmetry between the parties regarding their motivation to participate in this struggle; in actual fact the established are likely to be extremely reluctant to participate at all.

Although the strategy that I have just advocated has moral merit, it is somewhat idealistic and remains individualistic. What of the larger, systemic picture? Institutions and people in general have become good at *performing* anti-unfair-discrimination by the ritualized use of rhetoric and procedure. Meanwhile in the arena of actual practice, there continue to be real problems of marginalization in the workplace and society as a whole.

Perversely, many of the attempts at grappling with inequality at the organizational level have made things worse rather than better. For example, there is nothing wrong in organizations creating mission statements about the values that they aspire to – say, that of inclusivity. The difficulties arise when these proclamations are treated as achievable absolutes. Inclusivity then comes to mean that no one should be excluded. But we are always making decisions as to who and what to include and exclude. Inclusion without exclusion is meaningless. But to the simplistic mindset, the activities of exclusion,

judgement, discrimination are crimes *per se*, crimes that can trigger the complaints procedure juggernaut. The effect of many of these procedures is to silence and inculcate a culture of fear rather than a culture of genuine inquiry and conversation. The lethal mix of the use of 'race' in the legislation, the presence of 'mixed' in the ethnic monitoring process, and the way that funding is dispersed to the disadvantaged, all push people into further differentiating themselves as well as others. In the current situation, it becomes imperative to be known and be recognized by the legislature by a particular name, as a category, as a kind of people. This is because once a category comes to be officially recognized as such, then not only does it gain a legitimacy in public discourse, but now it is deemed to have certain 'rights' in relation to other similar entities. You are only counted (and therefore you only count) when you are of a certain kind of human being.

Oversimplifying, we can say that there are two kinds of problems, *marginalization* (racism, sexism etc.) and *culturalism*, which tend to get conflated. The problem of marginalization is located in the Established, the more powerful, the marginalizers. They are the beneficiaries of institutionalized processes that centrifuge some kinds of people to the periphery and so disenfranchise them. Multiculturalism is no answer to this mechanism. Meanwhile the more powerful amongst the dispossessed, the traditional authorities in the so called ethnic-minorities, hijack the real problem of racism and put it in the service of culturalism to bolster their positions of privilege within 'their' communities. They use it in two ways: to dismiss any challenge that certain cultural practices and beliefs are unethical, and to legitimate certain kinds of oppressions as culturally sanctioned.

When faced with the culturalist, the liberal from the Established is often paralysed for the reason mentioned before: they cannot trust the basis of their response: they are not confident of the ethical status of their response, and fear that it might be born of their racist attitudes. And rather than risk exposing that, this kind of liberal remains silent and use the liberal value of non-interference to legitimate their silence. In the guise of not offending the other, they protect themselves.

There are two further conundrums I am still left with. First, what am I to do when faced with an intolerant Other – a fundamentalist who refuses to engage in dialogue? We have to ask is it possible or even sensible for the liberal to continue trying to live by the principle of 'live and let live' when the protagonist proceeds on the basis of 'my way or no way'? I should add that in speaking of fundamentalists I do not just mean religious ones; they come in all guises, political, culinary, ecological, fiscal, cultural and psychoanalytic to name just a few.

To this sort of situation – in which it is the views and ways of the Other that are problematic – the diversity advocates and multiculturalists have given no answer. They have avoided thinking about it by the tactic of simply ignoring it. And it is ignored because it is embarrassing to the liberal sensibility which succumbs to what Bertrand Russell has called 'the fallacy of the superior virtue of the oppressed' which supposes that suffering has ennobled the oppressed (referred to by Cohen, 2007) . The reality is more nuanced.

One nuance being, that in many ways I too am a fundamentalist. In saying this, I am confronted with my second conundrum: what am I to do when faced with views that are anathema to me? I find that in some instances I do not even want to countenance a dialogue because what is proposed is so counter to my fundamental ethical values – the world view of the pederast for example or that which promotes the mutilation of female genitalia. Am I wrong in this?

To these two conundrums (ought I to try to tolerate the intolerant and ought I to try to tolerate what I find the intolerable?), there are no glib conclusions to be found. But I do know a few things. First, it is my ethical duty to keep thinking, in other words to keep discriminating. What I am arguing for is more discrimination not less. But I cannot rely fully on my discriminatory processes as in part they are constituted by values (some of which are self serving) that are taken for granted and therefore invisible to me. The encounter with the Other is essential to opening up and making visible the taken for granted for both parties. This encounter is full of potential – of potential gain as well as profound loss. Just think of the psychic earthquake that must follow when a life long belief in the existence of God collapses. Much of what was previously thought to be important is in an instance transformed into detritus.

I also know another thing – just because I have caused offence to another, does not necessarily mean that I am bad or wrong.

Even as I write this, I can hear a cry from off stage: but that is just your judgement about them, made from your belief system, and so is not valid. Or as it is often said in the colloquial: ‘Its all relative innit?’. Many, convinced by this argument retreat into paralysis and silence. But this is exactly what I want to hold onto – my right, no, my duty to hold onto my ethical values and to speak and not be rendered silent. Respect, without discrimination is meaningless. I cannot simply respect ‘them’ but have to decide which of ‘them’ I am to respect and why. My argument is that in order to exercise the faculty of respect (which I am keen to do) I have *to discriminate*. If I cease discriminating, then I cease to be human. To misquote Descartes: I discriminate therefore I am.

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¹ For substantive arguments on this matter see Dalal 2002, particularly chapter 1.

² A further curiosity – why is ‘culture’ missing from this list?

³ ‘Trans’ refers to people who have gone through a medical procedure which changes their gender from male to female or *vice versa*.

⁴ Chico mishears Groucho’s reference to the viaduct as ‘why a duck’, and existential mayhem follows.