

The politics of diversity in Europe

Edited by Gavan Titley and Alana Lentin

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*For
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More Benetton than barricades?

The politics of diversity in Europe

Alana Lentini and Gavan Titley

-----> The clash of diversities

Diversity, apparently, also claims its victims. In the *Financial Times* in September 2006, one of them took a stand, using the opportunity of an ‘answers to problems’ column to stubbornly declare, as the headline reads, “I’m not racist, but I had to speak out”. His testimony is as follows:

I am a white, British, male MBA student at a US business school. When we had our class picture taken for the school’s brochure all the women and the ethnic minorities were arranged at the front, and the white males were barely visible. Soon afterwards we had a class on diversity, and I mentioned that the photograph was not representative and was immediately attacked by everyone. I am a meritocrat but now I have acquired the undeserved reputation of a racist and sexist. Should I have kept quiet?

What are we to make of this complaint, and the urgent imperative to speak out? Beyond illustrating the pronounced tendency of the privileged to seek forms of compensatory victimhood – in defence of their privileges – this snapshot captures ambiguities and tensions in the increasingly prevalent idea of ‘diversity’. In turn, it is the prevalence of this idea, and the implications of these ambiguities and tensions for radical and progressive social politics in Europe, that is the subject of this introduction.

An initial point of entry into this argument is the banal observation that in this vignette, diversity is understood in different and conflicting ways. The first aspect of this is the different ways diversity is understood in time and space. The unlikely victim sees diversity as a way of describing his class in the here and now; however, as one of the respondents to his plea argues, the reason for current practices of diversity is nothing less than “centuries of racism and sexism”. The corporate gesture politics of the disputed photo is at some level influenced by a broader time–space of diversity in US society which includes legacies of slavery, migration and settlement, and the more recent legacies of struggles for civil rights, of ‘identity politics’ and of ‘culture war’ in contemporary US society.

The obliviousness of the student to the traces of formative histories is evident in another key divergence – his insistence that diversity is a descriptive notion, related to the empirical diversity of his class. Yet the clumsy reasoning behind the ‘diversity awareness classes’ on their curriculum is thoroughly prescriptive. The empirical





diversity present may have been brought into being through policy intervention in their university, and he is called to be aware through their training sessions not only that diversity is, but that it is to be valued and cultivated. The next difference flows from this, and from the injured confusion of the student: why am I excluded? His 'exclusion', as he understands it, is based on institutional practices of diversity that acknowledge – to adapt a term used by the geographer Doreen Massey (1993) – 'power geometry': the historically generated forms of privilege and status that come with dominant attributes and subject-positions, and the forms of discrimination that come with others. Thus in this case, gender and ethnicity are seen as aspects of power geometries that place 'diverse people' in different relations of power to each other. A responding reader who reminds the 'victim of diversity' that he is statistically likely to gain faster promotion and earn more money than his female, ethnic minority colleagues is pointing to the ways in which the relations of power geometry interlace across micro and macro contexts. The conventional claim of the student to be a meritocrat can be read as the conventional disavowal of power geometry by those who benefit from its immanence and invisibility.

The temporary disadvantage and lasting advantage of the MBA student illustrates a further point: that diversity is a discourse, a framework both for perceiving and interpreting human society, but also for attempting to organise human experiences of and interactions in that social world. His confusion stems from failing, or refusing, to interpret the actions in the college within a given institutional discourse of diversity. The corollary of this is that his actions are interpreted as racist and sexist within the prescriptive framework of diversity favoured in the institution. And finally, the ways in which the student was not perceived as 'diverse' makes a point that brings together these discursive and political dimensions. His claim that the photo is not representative is precisely the point: it is, however superficially, regarded as being a countervailing representation. The irony of the student's exclusion is that he is seeking entry into a composite category generated from the politics of the excluded; he is seen to represent the homogenising norms of ethnicity, gender and (possibly) sexuality that define 'diversity' as an articulation of repressed heterogeneity. Where there is diversity, there is also that which is not diversity: a situation where, as the journalist Gary Younge has written, "some identities will be subject to relentless examination, while others coast by with eternal presumption" (2004). Despite diversity's suggestions of diffusion and de-centredness, it always has a constitutive centre, unquestioned and assumed.

A final observation can be distilled from this illustration of 'diversity' in action, and that is the apparent mutual incomprehension of the classmates in discussion. The unreflective performance of the 'meritocrat' is met by an equally unhesitating counter-marginalisation of the student as a racist and sexist; in the dialectic of diversity, there is only celebration and condemnation. In this snapshot social actors perform established discursive positions that have predictable and comfortable outcomes; there is no sign of what John Tomlinson describes as the "deep hermeneutic engagement" required when "particular cultural/political interests masquerade as general ones" (1999: 194). It suggests that a clash of 'diversities' engenders forms of 'backlash' politics, where the identity of the discussants is essentialised and firmly positioned (Hage 1998, Tittle 2007).

Without over-playing the significance of a single instance of corporate angst, it does imply, unsurprisingly, that diversity is a malleable discourse suffused through a variety of institutional practices and political frameworks. Diversity may be a hybrid product of strands of contemporary thinking on identity, difference, power



and social justice, but this does not entail that discourses and practices of diversity offer the enabling or subversive possibilities associated with it in all or even many contexts. Some of the reasons for this are discussed in this introduction.

-----> Diversity politics and the politics of diversity

The ubiquity of diversity as a notion in policy, campaigning, advocacy and public debate in Europe appears to suggest all manner of good things. As a form of benevolent teleology, it promises a tentative yet perhaps final recognition of the inescapability of difference, and a corrective to the pronounced historical tendency of European nation-states to deny heterogeneity through the insistent production of imagined homogeneity (Goldberg 2001). It has become what Yudhishtir Raj Isar terms a “normative meta-narrative” widely deployed “with a view to supporting the ‘right to be different’ of many different categories of individuals/groups placed in some ways outside dominant social and cultural norms, hence including disabled people, gays and lesbians, women, as well as the poor and the elderly” (2006: 373). Its apparent descriptiveness is central to its normative character: diversity implies a value-based project of transformation towards the irreducible and irrevocable.

This meta-narrative is often deployed in the terrain of representation, where the “right to be different” is asserted against invisibility and reductive imaginaries and stereotypes circulating in the public sphere. It is also increasingly used to intervene in the distribution of material resources and opportunities in society through its deployment in equality and anti-discrimination frameworks. In European countries, regulatory frameworks and policies in the labour market, in education and in social provision progressively feature some institutional sense of diversity and its implications, and diversity policies can be found in governmental agencies, corporations, universities, trade unions, non-governmental organisations and media outlets, among others. What is important to note, however, is that this widespread discursive adoption of diversity does not imply homogeneity of understanding or purpose. As John Wrench has demonstrated, even among a limited sample of large corporations in northern Europe, institutional notions of and policies on diversity can be radically different in their scope and implications (2004). Therefore a key question addressed by research in this volume is how different aspects and dimensions of diversity politics have proliferated, and how they have been particularised in different European societies.

To address this, a contingent yet important distinction must be made between ‘diversity politics’, and what we will discuss here under the rubric of the ‘politics of diversity’. Diversity politics, according to Davina Cooper in *Challenging Diversity: Rethinking Equality and the Value of Difference* (2004), must be seen as the product of the interlacing of a range of political and analytical projects:

(Diversity) is a broad, discursive space that emerged out of the very particular social, cultural and political conditions of the 1980s and 1990s – namely, the dismantling of the Soviet Union and of the communist regimes of eastern Europe, the upsurge of neo-liberal ideology, the backlash against radical feminism, the expansion of lesbian and gay politics ... and the struggles around multiculturalism and anti-racism. Intellectually, diversity politics sits at the confluence of several currents that include liberalism, communitarianism, poststructuralism, post-Marxism, feminism, post-colonialism and queer. Into the twenty-first century, the politics of diversity continue to exert a powerful influence on progressive and radical thinking in the West. (2004: 5)



For Cooper, this broad space of diversity politics, while porous and shifting, coalesces around some key critical-political concerns. Diversity politics eschews liberal notions of tolerance, and resituates minority identities and practices in the public sphere independent of the contingencies of benevolent recognition. Radical strands of diversity politics are informed by critiques of patriarchy, racialisation, heteronormativity and ablism, and in working for social justice insist on the structuring influence of power geometries of class, gender and ethno-racial categorisation. These aspects of diversity politics are crucial, Cooper argues, as what she terms “thin and hesitant processes of differentiation” lead to confusion over what registers – and should register – as diversity in this broad discursive space. The “collective self-interpellation of seemingly powerful groups through discourses of vulnerability” (2004: 6) – for example, conservative religious groups, far-right movements, smokers, and in the UK, fox-hunters – implies that diversity politics must engage with claims of marginalised difference through a consideration of material, political and symbolic relations of dominance, and through an ethical critique of “legitimately different ways of being” (Weeks 1995: 11 in Cooper 2004: 7).

In contemporary Europe, there are plenty of reasons to welcome the ‘broad discursive space’ provided by diversity politics, and to be almost automatically grateful for such spaces at a time of racial anxiety over the political and imaginative borders of Europe. However there are also plenty of reasons to suspect that this discursive space increasingly accommodates notions of diversity that diverge from the key political commitments detailed by Davina Cooper. The emergence and widespread adoption of ‘diversity’ does not mean that the critiques of power and ‘ways of being’ associated with these converging political flows have been consolidated or furthered. Instead, it is our concern in this introduction, and volume, that the elevation of diversity as a central mobilising metaphor for vexed and complex questions of identity, positionality and power may act to dissipate the key political concerns of diversity politics. These dissipated meanings, dissipating processes and the reasons for them constitute our differentiated notion of the politics of diversity.

The range of discursive uses of diversity in European public life is manifestly beyond the scope of this introduction. Diversity can profitably be understood as an ‘ideological franchise’ (Gibbons et al 2002: 17): a mobile label, brand, framework and imaginary that can be put to work in a variety of contexts. Describing it as ideological is not to impute either intellectual coherence or hegemonic intent and capacity; instead, following the ideas of the sociologist John Urry (2000), it can be understood as a fluid phenomenon, flowing through interlocking networks of money, symbolic and material power, and political agency. Like any fluid, diversity is not solid or stable, may be temporarily contained, and is prone to leaking and changing shape and consistency. Such fluid ideas and discourses are particularly prevalent in the socio-political work of international institutions such as the UN, EU and Council of Europe, of globally networked NGOs (particularly in the field of Human Rights and interculturalism), and of transnational corporations with globally dispersed operations and administrations. They have diffused through institutional co-operation, the demands of networks and scales of governance, funding programmes and partnerships, and through the increased articulation of ideas and practices of diversity in a globalised – or at least globally porous – public sphere.



Yet while discourses of diversity must be properly analysed in contexts and instances of translation and implementation, we contend that there is a prevalent set of assumptions and positions surrounding diversity that are evidence of the dissipation of the critical possibilities of 'diversity politics'. The following indicative example from a European youth campaign points to some of the orthodox positions that 'being for diversity' generates: "The celebration of diversity, as an added value, is crucial today in a Europe which is a diverse continent. Learning more about each other is an enriching experience that usually leads someone to a greater sensitivity and understanding of others. That is why diversity is essential to ensure Europe's cohesion".² In this decontextualised and deliberately ambiguous imaginary, diversity is enhancing and dynamic, a source of cosmopolitanism for one and all, a trope waiting to enrich us if only we could open our minds and hearts. Moreover, diversity unites us, both in our diversity, and in the positive energy of being for diversity (as opposed to the surly negativity of being against racism).

In this introductory essay, we argue that diversity has become a ubiquitous and widely adopted notion and framework not because it synthesises and furthers an array of political projects and critiques, but because it provides a gently unifying, cost-free form of political commitment attuned to the mediated, consumer logics of contemporary societies. This dissipation of the transformative energies of the 'broad discursive space' of diversity politics constitutes the politics of diversity, and we argue that it involves two forms of pessimistic settlement. Firstly, diversity in its prevalent incarnations can be understood as an attempt to re-brand multiculturalism while refusing to address the foundational problems of culture, race and socio-political power that have so 'unsettled' multiculturalisms in Europe (Hesse 2000). In stating this, we are implicitly acknowledging how 'diversity' increasingly comes to stand for 'cultural diversity' in public debate. Moreover, the elevation of diversity as a key institutional and public discourse may signal a new stage in the depoliticisation of anti-racism, and a consolidation of the culturalisation of identities. Diversity discourses recognise an array of differences in society, but in knitting them together into a tableau of plurality and richness they rob difference of its critical and contextual significance: equalising all differences, and concomitantly, reducing all inequality to difference.

The dilution of diversity politics' contextual critique of power in and through the 'politics of diversity' is not only an intellectual problem, but a particular form of political commitment. In other words, the move to 'being for diversity' signals the development of a form of politics shaped by and for increasingly affluent, reflexive consumer societies. At an obvious level, there are elective affinities between diversity politics and consumer-scapes; images and celebrations of 'diversity' are congruent with the 'aesthetic cosmopolitanism' (Urry 2003) of globalised consumerism which sources and refracts images and symbols of diversity with eager promiscuity. However the politics of diversity is also designed to be easily consumed; it lapses seamlessly into what Costas Douzinas sees as the 'anti-politics' of humanitarianism (2006), where the "complexity of history, the thick political context and the plurality of possible responses" are lost. If diversity, in the introductory example, claimed its victims, it more generally adores its audience – the politics of diversity offers moral surety and instant progressiveness, and varnishes a layer of worthiness on approaches which often replicate the problems of multiculturalist philosophies without the benefit of the clear field of ideological contest which surrounds multiculturalism. This ultimately hints at the second pessimistic settlement we are interested in. The dissipation of transformative intent



that marks the politics of diversity from diversity politics signals a widespread acceptance of ‘end of history’ thinking, foregrounding individualised responses and solutions to ingrained, systemic disparities and legacies, and offering a tacit admission that visions of re-ordering power geometries of class, gender and race have given way to modest requests for appreciation and inclusion.

In what follows we are less interested in exhaustively tracing diversity as an ambiguous transnational signifier than in critiquing the contemporary currency of the concept, and in challenging those working with ‘diversity’ to audit their approaches in relation to the key political aspects outlined. This critique does not suggest that working through diversity frameworks is ineffective or bankrupt, and nor should it be taken to suggest that diversity initiatives have not and cannot make important changes in, for example, workplace conduct, institutional responses or individual attitudes. Our concern is rather that emerging diversity discourses, in contributing to the ongoing fashioning of “the political imaginary of heterogeneity” (Werbner 2002: 276), are vulnerable conceptually and politically. In our experience of a growing number of projects, campaigns and institutional approaches to diversity, few of them have political or intellectual traction in relation to modern legacies of race and racialisation, and systemic questions of power and inequality.

-----> **The problem of difference**

Unpacking the discourse of diversity requires us to reconstruct its journey to the top of the hierarchy of institutional and mediatic speech in the ‘noughties’. The language of diversity helps tell the official story of Europe, a Europe which would see itself as culturally rich, tolerant and egalitarian. This tale, however, often comes with a cautionary twist. Should we not respect and enhance the diversity of traditions that make up Europe, history (the details of which often remain unspoken) may come back to haunt us. Hence, diversity plays a dual role: it stands for what is positive and desirable about European nations, and about Europe. Yet, it also covers for the less bright aspects of the continent’s past, present and possible future in uncertain times. In other words, diversity is celebratory, but it is also a way of doing damage control. It stands euphemistically for the recognition that Europe is not experienced evenly by all those who live here: the poor, the racialised, the disabled and the ‘alien’ migrant. However, as the example of the MBA student makes clear, this second meaning is what diversity is most frequently taken to stand for. So, the attempt to reduce what we may call the ‘problem of difference’ to diversity as positive ‘added value’ does not appear to be universally convincing.

Why is this so, and what does it mean for a politics of diversity? The concept of diversity is an addition to the list of ideas and policies that have been introduced to cope discursively with the fact of difference since at least the end of the Second World War. This list includes assimilation, multiculturalism and interculturalism as strategies for explaining and dealing with the increasingly culturally heterogeneous nature of postcolonial European societies. Of these terms, diversity is perhaps the least precise and the most expansive. Because of its rejection both of a language evocative of colonial administration (assimilation) and of the specificity of culture (multiculturalism), it can more easily be applied to difference of any type (of physical and mental ability, gender and sexuality, as well as race, ethnicity and religion).

Nevertheless, as we have already pointed out, it is in fact cultural difference that diversity tends to evoke for most people. Indeed, this particular type of difference appears to pose the greatest challenge for society. In itself, however, 'culture' is as much of a euphemism as 'diversity'. Culture, in this context, has come to stand for the physical differences that distinguish groups of human beings from each other and the varying ways of life that these differences appear to give rise to. In other words, culture can often be a way of not speaking about race and the apparent incompatibility of certain groups, marked by appearance as racially different, with the European norm. This layering of the discourse we use to talk about the problem posed by the most difficult of differences – race – may ultimately be unable to yield a convincing politics. Diversity runs the risk of being seen as a politically correct nuisance by the right, a distraction from the issues at hand by many anti-racists, and a way of avoiding conflict and appearing progressive for the majority.

Diversity, then, should be seen as part of a conceptual legacy: a discursive way of dealing with the problem of difference – most specifically ethnic or racial, or what is commonly known as cultural, difference. How this legacy has been constructed and what it means for building a viable anti-racist politics in Europe's public sphere is, therefore, crucial for fully capturing how a diluted politics of diversity has emerged. Such a work of historicisation needs to be complemented by questioning what it means to speak of diversity in today's global political climate. What, specifically, are the relationships between the discourse of diversity and that of 'social cohesion' or 'integration' that appear alongside it? Why has diversity – the most loose and all-encompassing of the concepts introduced to cope with difference – gained the currency it has now at a time when politics on a global scale seem to have become synonymous with crisis? Attempting to answer these questions, among others, should help to clarify the social and political expediency of diversity today.

There is an almost unshakable belief that differences between human beings – particularly visible differences such as skin colour – are immutable and that they are crucially telling of history, culture and lifestyle. In other words, there is apparently something about the way we look that is inextricable from the way we behave. Both are said to be linked to origins, to the long histories of human 'populations', and as such tell a fundamental story about who we are. These origins can be either biological or cultural or, indeed, often a mixture of both. So far, this account appears acceptable. However, it is precisely the apparent significance of immutable difference that has proved so problematic in trying to think about ways of living together (Touraine 2000) in complex and highly culturally diverse societies such as many of the urban spaces of Europe. Furthermore, the question of the biological and/or cultural origins of these differences is at the heart of the matter.

As discussed by Alana Lentin in *Resituating Culture* (Tittle ed. 2003) and other places (Lentin 2004, 2005), following the Second World War, there was a drive to expunge the widespread idea that differences between human beings were strictly biological. The concept of race, which had risen in status to reach its explanatory height at the end of the nineteenth century, was now in disrepute. The idea that there is a hierarchy of races that divides between the superior white European race and other, progressively inferior, racial groups was seen to have led to the Nazi genocide of Jews, gypsies, homosexuals and blacks. Race was





seen predominantly as a scientific concept (Voegelin 1933) which as such could be contested on scientific grounds.

Organisations such as UNESCO, with its 1950 “Statement Against Race and Racial Prejudice”, were at the forefront of the battle to prove the scientific uselessness of race as a way of conceptualising differences between people. This was soon officially endorsed, and terms such as ethnicity and ethnocentrism gradually took over from race and racism. The former were seen as being less loaded with the weight of Europe’s recent dark history. Furthermore, ethnicity, according to influential scholars such as Claude Levi-Strauss (1975), was better able to explain the qualitative differences between human beings that were much less to do with biology or genetics than with culture and history. Many of the ways in which human groups looked and behaved differently to each other could be explained by the happenstance of geography, climate and migration. There was no way of scientifically proving significant genetic differences in the make-up of different looking people, and even if smaller-scale differences could be observed by geneticists this certainly did not infer a hierarchy of humanity with whites at the top and blacks at the bottom.

The problem with this attempt to reverse what was an extremely powerful schema for encapsulating difference was that it ignored the political salience of race-thinking. As has been argued by several influential scholars both in Europe (e.g. Balibar 1991; Varikas 1998) and the US (e.g. Goldberg 2002), the banishment of race from the lexicon of acceptable terms was more cosmetic than wholly reasoned. The complex history of race thinking can be traced back both to the possibility, that came about with the Enlightenment and developments in western science and philosophy, to classify and categorise, and to the romanticist obsession with identity and belonging that pitted nations against each other. Thinking racially was a purely modern phenomenon, emerging out of modernity’s Janus-faced heritage of both technological progress and anti-cosmopolitan territorialisation. However, as Lentin (2004) has argued, ethnicity or culture were swapped directly for race and racial type without there being a concomitant commitment to revising this political heritage: one that made thinking in terms of human difference possible in the first place.

This drive to banish race from the horizon of a new Europe in the aftermath of the Shoah goes to the heart of the problem of difference today. It is also inextricable from the ways in which solutions to persistent racism and discrimination have been formulated. Quite simply, the failure to assess the centrality of race to the European body politic and its replacement with apparently innocuous terms such as culture or ethnicity led to racism being hidden away like a dirty secret in family history. When figures such as Lévi-Strauss (1975) called for ethnocentrism to replace racism as a more explanatory term that took account of the fact that races did not exist as such, the experience of racism was in effect denied. The need to reject race and provide alternative explanations for difference provoked the idea that racism could be merely thought – or talked – away. However, as Fanon (1963; 1967) unflinchingly reminds us, it is the lived experience of racism that survives despite public declarations of the end of race (Gilroy, 1998).

-----> **The rise of diversity**

This brief recap of issues of terminology, and of the writing back in of race, is necessary to explain the subsequent directions taken by anti-racist politics and



leading eventually to the idea of diversity. The UNESCO tradition of anti-racism (Barker 1983) encouraged a vision of fighting discrimination against immigrants and so-called ethnic minorities that was based on the rejection of race. If the existence of a hierarchy of different racial groups could be disproved (which it could easily be) and this idea spread widely among European populations, racism would surely wither away. Moreover, if the idea of cultural diversity and the richness that it can bring to society could be encouraged, then ethnic and cultural heterogeneity could be seen as positive rather than threatening.

This idea of intercultural exchange and knowledge of the other has been at the centre of officialised approaches to the struggle against racism and discrimination of many states and international institutions in Europe. However, this approach suffered from two problems: Firstly, by bypassing it, it de facto denied the significance of race in the history of European modernity. Secondly, it did not think of European societies as diverse in origin. Still mired in the romanticist idea of European history as inherently national, ethnic and cultural diversity were always seen as an addition from outside. This view of ethnically pure, hermetically sealed territories penetrated by foreign bodies (immigrants) was a denial on three levels: it denied the modernity of the nation–state itself, ‘invented’ (Hobsbawm and Ranger 1983) between the eighteenth and the twentieth centuries; it therefore also denied the co-existence for generations of blacks, whites, Jews, Muslims and Roma in the space now known as Europe and the migratory nature of its peoples before the age of the passport; lastly, it denied – indeed ignored – the very recent history of colonialism and the knowledge of the non-European world brought about by this relationship of domination and exploitation. In other words, the campaign against racism officially endorsed and funded by institutions is based on a dichotomous vision of the world, divided between insiders and outsiders.

Yet, in Europe this has rarely been made explicit. The drive towards diversity must therefore be seen as a way of overcoming the ‘problem of difference’: a solution to the perceived failure of multiculturalism. Nevertheless, as we shall suggest, the version of difference it postulates cannot – any better than could either the assimilation or the multiculturalist models – deal with the capacity of racism to adapt itself to new discourses and political paradigms.

As Bonnett (2006: 1092) remarks, the (continental) European left has long revelled in an ‘anti-anti-racism’. This current reveals the co-option into what Hardt and Negri (2000) call ‘imperial racism’ of many of the tenets of anti-racist thought. Referring to Bourdieu and Wacquant’s 1998 article on United States imperialism, Bonnett rightly challenges those authors’ confusion of the proliferation of US neo-liberalism with the racialisation of other societies along a US model of race relations. Bourdieu and Lacquant’s argument that US anti-racists have exported a North American vision of a racially stratified society and imposed it upon the analysis of inequalities in Latin American contexts denies the independent existence of racism within these societies. Similarly, the tendency towards an ill thought-out ‘anti-Americanism’ among many in Europe also leads to the much more subtle ways in which US visions of racial society enter the European consciousness – mainly through marketing and popular culture – being ignored. Moreover, as Bonnett points out, in an age of globalisation, there is a moment at which the flow of discourses and models can no longer be seen as pure hegemonic manipulation. Rather, there is more of an enmeshing of different and competing discourses and models that may, when disentangled, seem like extremely strange bedfellows: a mishmash of corporatist, institutional and radical grassroots ideas and practices.



It can be argued that this has always been the case, although certainly not to as great a degree as today. Since the realisation of the full horrors of Nazism, and the move towards decolonisation, institutions have indeed listened to social movements and experts in devising an approach to racism and discrimination. To a great extent, as Bonnett argues is the case today for the World Bank, institutions such as the European Union and the Council of Europe have incorporated what they have heard, often employing the same discourse used by movements and intellectuals. Yet, ownership (if it is possible to speak in such terms) of these fluid discourses is often difficult to ascertain. At what point does an idea become co-opted and institutionalised? It may well be the case that in the interests of securing funding for projects, organisations adopt discourses initiated rather by institutions. In the end, it is proper to ask whether the question of origins is an important one when it is clearly institutions, holding the political power the grassroots lack, that have the ultimate upper hand.

This is made clear in the historical path towards diversity as a means of conceiving and coping with the apparently perennial ‘problem of difference’. Diversity can be seen as the descendant of disputed concepts such as multiculturalism and interculturalism as models for organising ‘living together’ in diverse, postcolonial societies in the Western context, although in contemporary Europe its discursive purchase is now more widespread. Historically, there has been a – not unfounded – tendency to separate between French and Anglo-American approaches towards what is still thought of in terms of immigration: the first emphasising assimilation, the latter the ‘salad bowl’ of multiculturalism (Wieviorka 1997). In reality, as policies affecting education, employment and social services, both have been employed, often quite incoherently. For example, while British multiculturalism certainly brought about the culturalisation of ‘race relations’ – with local government in the 1980s providing funding for the promotion of ‘minority culture’ in a host of ways – this did not preclude the requirement to integrate very defined ways of doing things (social norms and educational attainments) in order for non-whites to gain access to the labour market.

Nevertheless, what is clear from an analysis of the history of multiculturalism as a policy is that a failure to incorporate it into the discourse of social movements fighting against racial discrimination led to many organisations losing funding and support (Gilroy 1992). This may go some way towards explaining the extent to which it is believed that the focus on cultural authenticity and the primacy of group identity is a bottom-up phenomenon called for by disenfranchised ‘minority’ groups (cf. Taylor 1994). Critics of ‘Third Worldist’ anti-racism, basing themselves on a misreading of anti-colonialists such as Frantz Fanon, most significantly Taguieff (1991), have been vocal critics of the so-called particularisation of anti-racism. They believe that the recourse to reified cultural or racial identity denies the anti-racism that they see as inherent to democracy and human rights. The ‘racist anti-racism’ of identity politics is painted as a misplaced form of ‘reverse racism’ that seeks to take revenge for colonialism and slavery. However, such an attitude both refuses the centrality of racism and the colonial experience to European democracy itself, and shifts the responsibility of racism onto its victims. Still further, it denies the fact that the recourse to identity politics is often a direct reaction to the essentialisation of culture imposed upon ‘the other’ that segregates white and black, Christian and Muslim, national and migrant.

The first years of the new millennium have been marked by a decided turn against multiculturalism (cf. Goodhart 2004). The multiculturalist model is seen as being



unable to cope with the conflict that has purportedly become unavoidable in our times. Conflict on both local and global levels is reduced to a cultural clash (Huntington 1994). Increasingly, political events in Iraq, Palestine or Somalia are compared with those in Rotterdam, Oldham or the French *banlieues*. The notion of cultural incompatibility, in its different versions, unites left and right. The thesis of a 'new cultural racism' (Stolcke 1995) proposed that the far right-wing borrows from the anti-racist discourse of cultural relativism in order to argue against immigration. Indeed, the French *Front national* manipulates the anti-colonialist argument for self-determination to argue that immigrants would be more 'comfortable' in their own countries where their culture could be freely embraced. Not dissimilarly, the centre-left argument, endorsed in 2004 by the head of the British Commission of Racial Equality, Trevor Phillips, is that multiculturalism should be replaced by social cohesion. The move towards citizenship tests and ceremonies for new immigrants, introduced in several European countries, as well as bans on the wearing of religious symbols such as the Muslim hijab are central to this political direction. It is also accompanied by tougher restrictions on asylum seekers and undocumented migrants and the concomitant introduction of 'managed' or 'chosen' migration policies that seek to predetermine the type of migrant permitted to come to work, but not settle, in Europe. In other words, multiculturalism, originally a means of cultural governance, has been shown to have been unable to create conflict-free, multi-ethnic societies. However, solutions that envisage a return to assimilationist strategies under the guise of integration or social cohesion appear to be met with rejection by a generation that can no longer be thought of – but is often still described – as 'immigrant'.

Diversity enters the frame at this point of conflict between a perspective on culture as heterogeneous, and a more rigid and bounded one. Whereas multiculturalism envisages 'minority' groups as internally autonomous, the discourse of diversity may recognise the multiple origins of no-longer homogeneous societies, but proposes that the potential danger this connotes is surmountable. Diversity is attractive in this respect as it enlarges the field beyond narrow gauge emphases on culture, and potentially opens up possibilities for the freer articulation of identities and needs of different kinds. Having listened to the critiques of disabled and gay rights activists among others, the political proponents of diversity can offer a concept that offers a chance for wider involvement and solidarities.

Due to its expansiveness, diversity is mobilising because it potentially includes everybody. If the results of modernity were to be reduced to one key element it would be that we are all individuals and, as such, unique or, in other words, different from one another. One of the most striking things emerging from an analysis of postmodern consumer culture is the invocation of further uniqueness promised by the acquisition of the right pair of shoes, friends, or mobile phone. Grounded in modern assumptions, diversity increasingly works through a postmodern, consumer logic. With a faltering grip on the power geometries of difference that propelled diversity politics, it includes everyone because it recognises our singularity – what is special about us in an age of compulsory individualism – while promising us all a shared nirvana: tranquil co-existence. However, what this inclusivity potentially does is firstly to equalise all differences, and secondly, to reduce all inequality to difference. In other words, the specificity of racialisation or heterosexism, linked as they are to specific constructions of relationships of power along lines of race and gender in social and historical contexts, becomes lost in a general celebration of human diversity writ large. This is discussed in the next section.



Where this leaves the ‘problem of difference’ is more or less back where it started. The second half of the twentieth century in the West has been marked in this respect by the attempt to erase difference by using modern rationality to deny the foundational importance of, most significantly, race. Diversity admits difference but insists on its ultimate unimportance. Introducing a new variation on the tradition of unreflexive European humanism, diversity universalises difference itself, in a professed attempt to make it banal. The anti-racist drive to eradicate inequality is thus confused with the aim of surmounting and appreciating difference as if this alone could end discrimination. The diversity project takes a step beyond the notion of colour-blindness. It is no longer necessary to shut our eyes to difference but just to see everyone as different, and so as no different from anyone else. The right to be oneself – to be different – taken to its ultimate logical conclusion, denies the possibility of paying attention to any difference in particular. Promoting diversity above all else runs the risk of being left without the conceptual and political tools for coping with inequality, which transformed into an attribute or characteristic, becomes little more than a difference among others.

-----> **The mediated logics of diversity**

It could also be argued that this potential conceptual and political neutering is often precisely part of diversity’s charm. Embracing and celebrating diversity has become a prevalent aspect of the public identity of institutions, agencies, and indeed societies presenting themselves on the European and global stage, a prevalence made all the more remarkable by the embedded questions of power that diversity politics – in Cooper’s sense – entails. Few people actively protest against diversity, or mobilise against it; as a vague social value – like environmentalism – it has a widespread, default appeal, at least rhetorically. It is far from cynical to suggest that this owes as much to diversity’s elasticity and mediated quality as it does to any long revolution in attitudes and praxes. Diversity is not just an emerging paradigm of soft politics, it is also central to the self-imagining of late capitalist consumer societies. In other words, we may live in societies where lived difference is discriminated against in subtle and overt ways and through stubborn relations of power, but many of us – to obviously different extents in Europe – also live in mediated, consumer societies where difference has become a central commodity, and living with stylised differences a basic form of social capital.

Contemporary globalisation has intensified the circulation of commodities that source cultural and social differences as ways of differentiating products and services. Diverse cultural contexts, bodies and identities offer a mobile vocabulary of difference, and few social contexts networked by flows of commodities and information lack a substantial veneer of heterogeneity and diversity. What is important about this, for the purposes of this argument, is that human diversity in our societies is defined as much by its aesthetic power as the ethical charge accorded to it by advocates; ‘diversity’ helps us imagine the ‘inevitable diversity’ of porous, globalised societies (Delanty 2006: 35). Moreover, diversity increasingly aids us in imagining ourselves. The global minority that live in worlds of abundant information, commodities and imagery are incessantly offered mediated images and narratives of diverse cultures, lifestyles and human possibilities as variable elements in the negotiation of self and identity (cf. De Zengotita 2005). This is not to suggest that people are defined by such processes, or that this is an even or inevitable development, but it does suggest that diversity is hardly a revelation



for many, it is in the fabric of their social worlds. A politics of celebrating diversity's richness is merely congruent, in some respects, with everyday life in consumer societies.

This does not invalidate celebrating diversity as a normative commitment, and nor does it suggest that the diversification of public imaginaries is not crucially important. However it raises questions about the constructions of diversity which proliferate, and whether the rapid ascension of diversity as a post-political commitment is because the centrality of cultural difference as a prime social aesthetic constructs it as sure-footed political territory, a made-over version of what Ghassan Hage has described as "global middle class multiculturalism" (2003) In Hage's argument, the forms of cultural capital and self-expression provided by engagement with the diverse possibilities of metropolitan spaces easily bleeds into rote-like forms of liberal political expression. Diversity is an answer which supplies its own questions, it provides a mobile set of moral responses – 'it' enriches, celebrate and enhance 'it' – that potentially elide the thorny particularities of (racialised) difference in socio-historical contexts. It is this sense of decontextualised, widely adopted orthodoxy that invites the parallel with Costas Douzinas' critique of human rights activism as 'anti-politics': "the defence of 'innocents' against power without any understanding of the operation of power and without the slightest interest in the collective action that would change the causes of poverty, disease or war" (2006). The politics of diversity allows us to articulate positive values and aspirations, yet its melange of multiculturalist assumptions, management philosophies and individualist diagnoses and solutions leave it incapable of confronting the legacies and contemporary implications of racialisation, or indeed sexism and heterosexism.

Perhaps, to some extent, this clarifies diversity's ubiquity, and explains why the core issues of power geometry and differentiation elaborated by Cooper are so infrequently articulated through the politics of diversity. Such approaches are keenly calibrated to a political present where, as Walter Benn Michaels (2006) has argued, diversity provides a form of post-materialist identity politics which fuses positivity and a feeling of non-conformity with a studious avoidance of structural inequalities:

A world where some of us don't have enough money is a world where the differences between us present a problem: the need to get rid of inequality or to justify it. A world where some of us are black and some of us are white – or bi-racial or Native American or transgendered – is a world where the differences between us present a solution: appreciating our diversity.

Even allowing for significant differences in context between the USA and European nations and regions, it could be argued that Benn Michaels' blunt appraisal suggests an important dimension of the emerging politics of diversity in Europe. Celebrating diversity not only allows the well-intentioned simulation of political action in ways that signify tolerant cosmopolitan sensibilities, but it does so – again to different extents – in states where the competitive imperatives of contemporary neoliberal globalisation restrict state abilities to tackle the questions of inequality and redistribution that diversity, in Benn Michaels' understanding, represses (see also Kirby 2006, Ralston Saul 2005). Diversity appreciation is both a recognition and disavowal of this supposed powerlessness: note how many corporate and public images of smiling and harmonious diversity present, Benetton style, images of smiling, harmonious and fiscally solvent diversity. Diversity discourses



recognise – as Ghassan Hage has argued – that race and class always signify together (2003).

-----> **The dividends of diversity**

Little of this would matter politically if diversity discourses were robustly capable of providing mobilising possibilities on fundamental questions of racism, discrimination and inequality. It is more likely, however, that advocating, campaigning and urging political action through the lens of diversity will simply prove unable to cope with the specific political challenges of resurgent, mainstream nationalisms in Europe during a period where the ‘war on terror’ has given new impetus and legitimacy to racial and ethnic visions of belonging and entitlement. Given diversity’s elasticity and somewhat abstract, aspirational quality, public commitments to the enriching value of diversity on the part of governments can quite easily co-exist with more repressive approaches to specific instances of unruly diversity – asylum-seekers, the racially euphemistic category of ‘non-EU migrants’, troublesome ‘second-generation migrants’, threateningly veiled women, and so forth. If, as we have argued, diversity discourses are naïve in the face of shifting modes of racialisation and racism, they are powerless to critique the ways in which commitments to diversity are swiftly followed by ‘open debates’ about the limits of diversity. Mired in culturalist paradigms, it is difficult to confront the ways in which the politics of migration or new discourses of security construct the ‘human waste’ of globalisation as discrete issues for state intervention.

This inherent haplessness has not been lost on a variety of political actors, for whom even diversity’s up-with-people positivity is a dangerous frivolity in these days of clanging civilisations. The politics of diversity’s affinity with ‘global middle class multiculturalism’ has allowed an insistent inversion of lived reality in many European countries; ‘minority’ issues are presented as an elite interest, advanced by self-interested, cosmopolitan elites at the expense of the needs of a silent majority. The idea of ‘political correctness’ has also proved itself to be remarkably fluid, and is used to dismiss considerations of the lived experience of racism by dismissing NGOs and other bodies who campaign on racism as elite projects. Focusing on the apparent power of the advocates of ‘political correctness’ elides the realities of disempowerment experienced by those subjected to racism, and this has become a widespread and remarkably effective strategy, as Vanessa Trapani discusses in this volume in relation to Poland.

In the specific case of diversity discourses, this form of rhetorical dismissal is heightened by the neglect of questions of power geometry and thick differentiation as previously discussed. The right-wing Irish journalist Ian O’Doherty, for example, in an article on Muslims in Europe, snipes that ‘we live in a time of great tolerance and great understanding here in Eurabia – as long as you’re from an ethnic or religious minority’.³ Like the puzzled MBA student, O’Doherty’s complaint focuses on the contradictions between diversity’s potential all-inclusiveness and its purported role in the countervailing ‘political imaginary of heterogeneity’, the implication being that if diversity is really only about minorities, it’s because trendy elites find them exotic while being repelled by their ‘own’. Despite the undertones and intention of this kind of public comment, it does underscore – as does Julie Ringelheim’s discussion of diversity case law in this volume – that without an explicit philosophy of countervailing commitments, ‘diversity’ is easily reduced to discussions of which diversity and why, and whose diversity and what

limits. It is here that the criticism of elite imposition and the shaky foundations of culturalist dogma collide in a series of hostages to fortune: where is the proof that diversity is enriching? What democratic imperative can really insist, without irony, that diversity does not include the right not to appreciate diversity?

In a slightly more advanced version of the MBA's lament, the editor of the British magazine *Prospect*, David Goodhart, provoked widespread debate in Britain and elsewhere in 2004 with an article arguing that too much diversity weakens the civic contract between citizen and state. Presenting a vision of urban Britain as ghettoised and riven by manifold linguistic, cultural and religious divides, he argued that in a situation where citizens cannot imagine commonality and solidarity with their neighbours, their commitment to contributing to the state – and thus to mechanisms of welfare and resource distribution – is weakened. Without a sense of the collective, there can be no collective will. Goodhart's general argument – paradoxically dependent, among other weaknesses, on the essentialist ideas of culture he deplores in divisive multiculturalism – can be seen in a variety of political responses to migration and security across Europe over the past few years. Official political narratives in Denmark and the Netherlands, since the coming to power of the Liberal Party in 2005 and the Christian Democrat Party in 2006 respectively, argue that policies of 'integration' – focusing on citizenship tests, citizenship education and a variety of compulsory socio-cultural requirements – were necessitated not only by the separatist and radical tendencies of ungrateful immigrants and their progeny, but by the soft liberal multicultural excesses of previous administrations. A referendum on citizenship in Ireland in 2004 was held to prevent the foreign parents of Irish born children from receiving the automatic right to remain in the country by removing the automatic right to citizenship of the child. This effort to 'protect the integrity of Irish citizenship', resulted, according to Rebecca King O'Riain, in "a racialised two-tier system where *jus sanguinis*, or ancestry, hence race, becomes the basis and prime criterion for being an Irish citizen" (2006: 283). In France, Nicholas Sarkozy adopted the election slogan, "France: love it or leave it" – a phrase more usually associated with the extreme right – demonstrating how the discourse of resurgent nationalism has filtered down into the acceptable mainstream.

There is much that differentiates these examples and contexts, but there is one thing that unites them – the political inefficacy of diversity discourses in opposing them. Instead of mounting a foundational challenge to the 'problem of difference' and the racial nature of the modern state, diversity discourses compound the impression of ethno-racial heterogeneity as an externality, albeit a valuable one. By not deconstructing 'what is not diversity' in these contexts, diversity replicates the controlling gaze of multiculturalism's 'politics of recognition'.

-----> **The politics of diversity in Europe**

The essays collected in this publication stem from a research seminar hosted by the research partnership of the Council of Europe and European Commission in May 2006. The studies gathered here are embedded in ten different national contexts, track explicit and implicit dimensions of diversity in education, social services, jurisprudence, parliamentary proceedings and employment initiatives, and assess their significances for the social actors who must negotiate these operational frameworks. The first section, 'The world made to mean', uses Stuart Hall's oft-quoted maxim on the constitutive power of discourse to frame studies

which address how diversity is interpreted in socio-political interaction. The legal scholar Julie Ringelheim examines US case law emerging from Supreme Court considerations of affirmative action, and the confusions arising from the admittance of ‘diversity enhancing’ policies on the basis of ‘internal educational good’ rather than the ‘external goal’ of increased social justice. Vanessa Trapani, in a systematic piece of critical discourse analysis, examines how parliamentary debates in Poland on ‘diversity issues’ became lightning rods for conservative anxieties over hegemonic economic globalisation and European Union membership. Kyriaki Iacovidou considers how the categorisations of cultural difference that moderate ethno-religious relations in Cyprus have never been extended to the Roma, whose threatening nomadism falls foul of Cyprus’ border politics.

If the first section engages with how diversity is made to mean, the second questions how those who are the subject – in a dual sense – of diversity frameworks negotiate their needs, interests and identities within them. Joan Cortinas Muñoz, in a study of labour market inclusion programmes in Barcelona, teases out the interplay of individualisation and cultural essentialism in the discourse of social workers charged with ‘inserting’ Roma and other minorities into a flexibilised labour market. Dimitri, Marvakas, Parsanoglou and Petracou provide a fine-grained study of the ‘pathways of identification’ of ‘second generation migrant’ young people in Greece, and illustrate how these categorisations – shared by both populist and liberal social discourses – fail to capture the complexities of modalities and experiences of participation. Ofer Nur presents a counter-intuitive and politically suggestive comparison between young Jewish movements in early twentieth-century Europe and the predominantly Muslim youth of the Parisian *banlieues*, and argues that the culturalist paradigm used to ‘explain’ the uprisings of 2005 fails to allow for the implications of radically disempowered masculinities. Finally Madalina Gligor examines the discourses of victimhood that inform the ‘biopolitics’ of Kosovan refugee camps, and argues that ‘humanitarian intervention’ is characterised by culturalist assumptions that immobilise and disempower the refugees as citizens and political agents.

The final section examines the implications of diversity frameworks for the praxis of social workers and educators. Momodou Sallah argues from his experience of social work in the UK that interventions in Black families are often guided by sustaining polarities of cultural dogmatism or relativism, where the orthodoxies of ‘culture as race’ lead to Black social workers being expected to intrinsically understand Black families, regardless of their ethnic and linguistic differences. Lene Overgaard Mogensen continues a line of analysis developed in a previous volume in this series, *Resituating Culture* (Tittley 2004), and examines how prevalent approaches to intercultural learning are weakened by abstract idealisations of cultural identities, and by an insufficient consideration of cultural hermeneutics. Katarina Batarilo’s research examines the implementation of human rights education in Croatia and is alert to the ways in which the perceived scope and impact of human rights is negotiated in relation to ongoing social tensions and perceptions of Croatia in ‘transition’ – an unintended consequence of what Robertson (1992) terms the ‘particularisation of universalism’. Dina Kiwan’s concluding essay engages with the dilemmas posed by the ethno-national conception of belonging that underpins citizenship and the need to give substance to ideas of ‘citizenship as participation’ in an ethnically and religiously diverse society.



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2. *Youth Opinion*, Issue 1 2006: 6.
3. Ian O'Doherty, "Ello, ello: wot's all this then?", *The Irish Independent*, Wednesday, 7 February 2007.

Part 1

The world made to mean

1. Diversity and equality: an ambiguous relationship

Reflections on United States case law on affirmative action in higher education

Julie Ringelheim

-----> Introduction

In recent years, the concept of diversity has undergone a remarkable rise in equality discourse. It has become a major component of the rhetorical apparatus of advocates of voluntarist antidiscrimination policies. It sometimes even tends to be used in place of or in preference to the word “equality”. Measures adopted by governments or private actors to promote access to higher education employment or other areas of social life for members of disadvantaged minorities are often described today as aiming at “enhancing” or “achieving” diversity.¹ Such language is now common within European Union institutions as well as in many of its member states. Interestingly, “diversity talk” is also on the rise in France, a country traditionally opposed to the recognition of ethnic minorities and which remains attached to the idea that the norm of equality prohibits the taking into account of religious, ethnic or other differences in any circumstance. Expressions such as “reflecting the diversity of the French society” or the “French population” in the public service,² in private companies³ or in the media,⁴ are now widely used in political language, although their concrete implications remain somewhat vague.⁵

The increased discussion of diversity in Europe echoes – and maybe results from – a similar trend observable in the United States. In the case of the US, the notion of diversity has acquired a major place not only in political debates but also in legal discussions, especially in relation to affirmative action, in particular in higher education. To be sure, the terms “affirmative action” designate a special kind of antidiscrimination policy, which involves preferential treatment of persons belonging to disadvantaged groups or women in hiring, admission to universities or government contracting.⁶ However, the development of the diversity concept in this regard carries more general lessons as to the relationship between diversity, equality and antidiscrimination.

This article thus proposes to explore how the diversity argument emerged in US legal discourse on antidiscrimination policies, how it was constructed and



how it operates. It will focus on the promotion of minorities' access to higher education, since it is primarily in relation to higher education that the diversity argument has been developed in US case law. The discussion will be limited to the issue of racial or ethnic minorities. Although the term "diversity" is used today, depending on the context, to refer to the struggle against all kind of discrimination, whether the basis for discrimination is ethnicity or race, gender, religion, disability or sexual orientation; racial or ethnic minorities are the only groups concerned by affirmative action policies in US universities. Given the high level of sophistication attained by the US debate surrounding the theme of "diversity in higher education", these controversies can cast important light on the implications of the diversity argument for equality and the fight against discrimination. The notion of diversity may appear, at first sight, as an inherently positive one or, at least, as completely innocuous. Yet, as will be shown in this paper, a close analysis of the way this notion has been shaped and understood by the US Supreme Court highlights some of its potential ambiguities and downsides from the perspective of equality.

The article starts with a brief description of relevant US case law. It then considers two main ambiguities of diversity as a justification for special admission policies in universities. The first results from the vagueness of the term "diversity". Considered in the abstract, it may encompass all kind of differences and particularities. In consequence, absent further explanation, it is not self-evident that "achieving diversity" in higher education requires a special focus on racial or ethnic features more than on other specificities. The second ambiguity lies with the fact that the diversity argument, as constructed in US case law, tends to justify efforts to promote the inclusion of disadvantaged groups on the basis of its utility for the dominant majority, rather than as a matter of justice or moral obligation. Convincing the overall society that it should support the promotion of equal opportunities is no doubt important. But this line of argument may obfuscate more principled justifications and makes equality discourse more vulnerable to attacks based on claims that combating discrimination is not "efficient" and is thus not in the interest of the dominant majority after all.

-----> **Diversity in US case law**

The diversity argument emerged in US Supreme Court case law in *Regents of California v. Bakke* (1978).⁷ The case was brought by an unsuccessful white applicant to the Davis Medical School of the University of California, who challenged the school's special admission programme, designed to increase the number of minority students. Under this programme, minority candidates were evaluated separately, and 16 of the 100 places in the entering class were reserved for minority students. Alan Bakke claimed that he had been discriminated against on the basis of his race because some minority applicants had been admitted to the school through the special programme with grade point averages significantly lower than his.⁸

The central issue for the court to decide was whether, under the 14th Amendment of the US Constitution, which prohibits states from denying any person the equal protection of the law, governments may use race-conscious measures to redress the continuing effects of past discrimination. The court revealed itself to be deeply divided. Four judges took the view that the race-conscious admission programme of Davis Medical School was constitutional because it was aimed



at “remedying the effects of past societal discrimination” in a situation where there was “a sound basis for concluding that minority under-representation [was] substantial and chronic and caused by past discrimination”⁹ By contrast, four other judges concluded that the policy was discriminatory and that the plaintiff should be admitted to the medical school.¹⁰ The last judge, Justice Powell, took a middle-ground position. He agreed with the “conservative” judges that the specific programme in use at Davis was illegal because of its rigidity: a fixed number of places were reserved for candidates from designated ethnic or racial groups. But he concurred with the “liberal” judges in considering that, as a general matter, universities can have a legitimate interest in taking race or ethnicity into account in the admission process. Importantly, he was the only judge to discuss the medical school’s argument that a university may consider race in the selection of applicants in order to achieve a diverse student body. He agreed with this argument: obtaining diversity within a student body is, in his view, a legitimate goal for a higher education institution that could justify, under certain limitations, some form of preferential treatment. “The atmosphere of ‘speculation, experiment and creation’ – so essential to the quality of higher education – is widely believed to be promoted by a diverse student body [I]t is not too much to say that the ‘nation’s future depends upon leaders trained through wide exposure’ to the ideas and mores of students as diverse as this nation of many peoples.”¹¹ Thus, the right of universities “to select those students who will contribute the most to the ‘robust exchange of ideas’” constitutes a countervailing constitutional interest, and is necessary to enable them to pursue a goal of paramount importance in the fulfilment of their mission.¹²

Given the split among the judges in *Bakke*, uncertainty and disagreement arose in the following years among courts and commentators as to the legal value to be attributed to the diversity rationale. In *Hopwood v. Texas* (1996), a court of appeal concluded that *Bakke* was not a controlling precedent because no other judge had joined Justice Powell in his reliance on the notion of diversity. The *Hopwood* court therefore held that diversity was not a compelling state interest justifying consideration for racial or ethnic features in university admission and declared the affirmative action programme in place at the University of Texas Law School to be unconstitutional.¹³ The Supreme Court clarified the matter in two major decisions in 2003: *Grutter v. Bollinger*¹⁴ and *Gratz v. Bollinger*.¹⁵ This time, a majority of five judges expressly endorsed Justice Powell’s proposition that universities can consider race or ethnicity in admission processes if their purpose is to achieve a diverse student body. The present stance of the US Supreme Court is, therefore, that diversity does constitute a compelling state interest justifying race-conscious admission programmes in higher education institutions.¹⁶

The importance acquired by the notion of diversity within the US Supreme Court jurisprudence may be partly due to the influence of notions such as multiculturalism, identity recognition and valuing differences, which became increasingly popular in the 1980s and 1990s. However, in order to grasp the real significance of this evolution, it must be emphasised that the diversity argument became increasingly prominent in legal and political debates in a period in which most of the other justifications for affirmative action measures were progressively invalidated by the Supreme Court. Remedying the effects of past societal discrimination, ensuring distributive justice for certain disadvantaged groups in the present,¹⁷ or providing role models for members of disadvantaged minorities,¹⁸ were all discarded as not constituting compelling state interests justifying race-conscious measures.¹⁹ In effect, “diversity” became almost the sole permissible justification





for affirmative action programmes in higher education.²⁰ J. M. Balkin observes that “[t]hese precedents had ‘discourse shaping’ or ‘discourse forcing’ effects. If state governments wanted to practice race-conscious affirmative action, they had to speak in certain ways. ... Thus, the rules in place forced university administrators to speak the language of diversity.”²¹

As a matter of fact, grounding affirmative action on the objective of achieving “a diverse student body” presents several advantages. “Diversity” generally resonates positively with the overall public. It fits with classical liberal values of pluralism, freedom of speech and tolerance. In addition, the diversity argument eschews the two major objections raised against affirmative action: first, that it distorts the meritocratic character of the selection process by favouring certain people on the basis of factors irrelevant to school performances; second, that it unfairly discriminates against members of non-disadvantaged groups.²² The diversity-based justification, as constructed by Justice Powell, recharacterises affirmative action as a means to achieve “an end internal to the enterprise of education – rather than as a technique for promoting a redistributive goal external to it”.²³ It rests on the premise that students’ interaction with people with different ideas, experiences, outlooks, or ways of life, contributes to their education. This has two implications. First, it suggests that the applicant’s racial or ethnic background is, in truth, a relevant factor from an educational perspective. Second, it entails that the benefit of diversity-enhancing policies in university admission is not limited to minority applicants. Non-minority candidates with special talents or experiences may also be deemed likely to foster diversity. Seen in this light, the possibility to take racial or ethnic origins into account in admission is less likely to appear as an exception to the rule or as a form of privilege. Moreover, the diversity argument implies that the inclusion of minorities in higher education institutions is a good not just for minorities themselves, but for the whole student community, and in particular for members of the dominant majority. However, as we shall see in the two next sections, these advantages also have their flipside.

-----> **Diversity of what?**

The notion of diversity, without further specification, can refer to all kinds of differences, traits, or attributes.²⁴ It does not, in and of itself, connote the inclusion of members of discriminated groups; it is potentially much larger. The concept’s appeal is probably partly due to its vagueness, which enables various people to infuse it with different meanings. However, when the concern is to enhance minorities’ access to universities, resorting to the diversity argument begs the question: how do we explain that a policy supposedly aimed at fostering diversity in higher education should focus on racial and ethnic particularities, rather than on other characteristics? Why should these features especially matter to an educational institution more than, for instance, religious or ideological differences?²⁵

-----> **Diversity as an internal educational good**

The specificity of the diversity rationale, compared with other types of justification for affirmative action, lies with the fact that it justifies race-conscious measures as a means to achieve a benefit that is internal to universities, an “internal educational good,” as A. T. Kronman puts it, rather than an external goal, such



as promoting social justice.²⁶ As construed by Justice Powell and his followers, the argument is based on the claim that universities can legitimately consider that enhancing diversity contributes to their educational mission. Creating a stimulating environment, propitious to teaching and learning, constitutes a fundamental task for colleges and universities. A diverse student body, with a plurality of “experiences, talents, and viewpoints”, helps create such a stimulating atmosphere, conducive to a “robust exchange of ideas”. And, as the argument goes, minority students bring with them special perspectives, from which other students may benefit.

However, both Justice Powell and Justice O’Connor insist that “diversity” should not be limited to ethnic or racial diversity. “Ethnic diversity ... is only one element in a range of factors a university properly may consider in attaining the goal of a heterogeneous student body.”²⁷ Powell criticises the Davis Medical School’s programme for being concerned exclusively with ethnic or racial features. “The diversity that furthers a compelling state interest encompasses a far broader array of qualifications and characteristics of which racial and ethnic origin is but a single though important element.” In his opinion, focusing solely on ethnic diversity hinders rather than furthers attainment of “genuine diversity”.²⁸ By contrast, he mentions approvingly the admission system in place at Harvard College, where race or ethnic background may be deemed a “plus” in a particular applicant’s file, without this factor being decisive when compared with other qualities likely to promote educational pluralism, such as “exceptional personal talents, unique work or service experience, leadership potential, maturity, demonstrated compassion, a history of overcoming disadvantage, ability to communicate with the poor, or other qualifications deemed important”.²⁹ On a similar note, Justice O’Connor, in her opinion in *Grutter*, praises the fact that Michigan Law School “engages in a highly individualised, holistic review of each applicant’s file, giving serious consideration to all the ways an applicant might contribute to a diverse educational environment.”³⁰ In other words, a policy designed to promote diversity in higher education should neither automatically nor exclusively benefit members of disadvantaged racial or ethnic minorities. It should be devised so as to include all kinds of characteristics likely to enhance a diverse educational environment.

This reasoning, despite its egalitarian appeal, is not without problem. It raises at least two difficulties: one can be termed the risk of dilution, the other, the risk of essentialisation.

The first problem with this argument is that it dilutes the attention afforded to the disadvantaged minority background of certain applicants into a broader and vaguer interest in all sorts of differences. It conflates various types of diversities – “ideological diversity”, “experiential diversity”, “diversity of talents” and “demographic diversity”.³¹ Ethnic or racial differences are included among a large array of experiences and particularities that universities may take into account in the admission process. As a consequence, the particular significance of ethnic or racial origins becomes more elusive. “By treating all differences the same, [the concept of diversity as constructed in *Bakke*] ignores the ‘salience’ of certain differences in this society by extracting differences from their socio-political contexts.”³² Now, the more the fact of belonging to a disadvantaged minority is assimilated into other kinds of characteristics likely to produce various viewpoints and perspectives, the more difficult it becomes to explain why diversity policies in universities should particularly focus on specific ethnic or racial groups, or even why it should include them at all. Indeed, *Hopwood v. Texas* illustrates



that the argument for educational diversity can be endorsed, while excluding ethnic or racial differences from its scope. The majority in *Hopwood* struck down the Texas Law School affirmative action policy, holding that the use of “ethnic diversity” to achieve “racial heterogeneity” was unconstitutional.³³ Yet, at the same time, it stated that universities could legitimately take into account a host of other factors in the admission process, such as the ability to play the cello, make a downfield tackle, understand chaos theory, or even an applicant’s home state or relationship to school alumni.³⁴ It simply observed that “‘diversity’ can take many forms. To foster such diversity, state universities and law schools and other governmental entities must scrutinise applicants individually, rather than resorting to the dangerous proxy of race”. The judge writing for the majority went on to argue that the plaintiff herself was a good example of an applicant with a unique background: as the wife of a member of the military and the mother of a severely handicapped child, she could have brought a “different perspective” to the law school.³⁵

To counter the *Hopwood* logic and justify the special consideration afforded to ethnic or racial background in the selection process, while remaining in line with Justice Powell’s approach, the advocates of the diversity rationale must insist that minority applicants contribute to the diversification of the educational environment because they bring special perspectives and viewpoints. But this claim, in turn, raises another problem. The correlation it posits between a person’s racial or ethnic background and his or her outlooks, ideas or values is highly contentious. It may be criticised as suggesting that one “essential” minority viewpoint exists, thus reifying the groups concerned and neglecting their internal diversity. Furthermore, the assumption of a strong link between one’s racial or ethnic origins and one’s values or way of thinking creates the risk of reinforcing racial prejudice and stereotyping.³⁶

-----> **Diversity in context: back to racism and discrimination**

These two problems – that of dilution and that of essentialisation – reveal a fundamental weakness in the argument elaborated by Justice Powell: the mere objective of enhancing the diversity of viewpoints and conceptions represented in universities is not, as such, a sufficient argument to justify the special weight assigned to racial or ethnic features. Explaining why ethnic or racial diversity should matter to educational institutions, without resorting to essentialist assumptions about the existence of a “black” or “Hispanic” viewpoint, requires going beyond a narrow conception of educational diversity that is limited to the rather uncontroversial claim that students should be confronted with a multiplicity of opinions and ideas. It is necessary to first acknowledge the specific social context that gives racial or ethnic features their particular salience. In other words, the notion of diversity must be interpreted in the light of the social environment in which differences are constructed and exist. And this context is one that is characterised by past and continuing racism and discrimination.³⁷ The experience that minority youths therefore have in common is that of growing up as members of a group that, in the society in which they live, is racialised and discriminated against. This specific life experience may lead them to have different perspectives on certain issues than other students, who have not been personally exposed to racist attitudes, disadvantage or exclusion. To this extent, they may provide a special viewpoint on the society, on its dominant habits and patterns of thought.³⁸ There is at least a probability that they will be deeply



interested and somewhat knowledgeable in certain issues. Moreover, given their internal knowledge of the groups concerned, they are also likely to be aware of the complexities and internal divisions of the group they are associated with.³⁹ Accordingly, the inclusion of a minimum of applicants with a minority background in universities allows other students to get a better understanding of the problems of racism and exclusion. Furthermore, by providing young people with different racial or ethnic backgrounds with the opportunity to interact with each other, it helps to break down stereotypes and fostering inter-community understanding.⁴⁰

This concern, while absent from Justice Powell's analysis in *Bakke*, surfaces in Justice O'Connor's opinion in *Grutter*. She stresses that the contested Michigan Law School admission policy "promotes cross-racial understanding, helps to break down racial stereotypes, and enables [students] to better understand persons of different races".⁴¹ She also endorses the Michigan Law School's argument that it needs a "critical mass" of minority students: given its rejection of the view that minority students would express some characteristic minority viewpoint on any issue, the law school argued that it could not accomplish the goal of weakening the force of stereotypes – a goal Justice O'Connor considers to be a crucial part of the law school's mission – with only token numbers of minority students. It therefore needed a "critical mass" of under-represented minorities in order to secure the educational benefits of a diverse student body.⁴²

However, this line of thought implies a departure from the claim that the inclusion of minority students is merely aimed at contributing to the creation of an intellectually stimulating environment. It rests upon an expanded conception of the educational goals at stake; one that encompasses the objective of eliminating racist prejudice and attitudes.⁴³ But once we acknowledge that attention to racial or ethnic origins in university admission is justified by the need to combat racism, considering only the educational benefit that the presence of minority youth in universities and colleges would bring to the student community, appears strikingly narrow. What seems primarily important from the perspective of fighting racism and its consequences, namely discrimination and disadvantage, is to enhance the very access of minorities to higher education from which they continue to be disproportionately excluded.⁴⁴ Eradicating the racial prejudices that other students may hold appears as one component of a much larger enterprise that goes beyond the limits of the university: that of deracialising the society and promoting equal opportunities for all.⁴⁵ As S. Foster puts it, "the value of diversity is not only in the diverse viewpoints that individuals from different backgrounds may contribute to an institution but, more importantly, the inclusion and participation of individuals from groups that are systematically excluded and disempowered on all levels of society."⁴⁶ Indeed, "maintaining a 'mix' of differences, merely for the sake of sheer diversity, fails to promote equality in a society where certain differences have been constructed into a basis for systematic exclusion and disadvantage."⁴⁷

-----> Diversity for what purpose?

The diversity argument for special admission policies in universities in favour of ethnic or racial minorities, presents a further ambiguity. As elaborated by Justice Powell, diversity is presented as being a good primarily for the dominant majority.⁴⁸ Its main aim is supposed to be the improvement of the education of the American elite. Both Powell and O'Connor emphasise that the presence of minority students, with their special viewpoints and experiences, will enhance



the education of the “future leaders of the nation”; interacting with people of a minority background should enlarge their knowledge of the world and the society, and better prepare them to their tasks as professionals.

Justice O’Connor, writing for the majority in *Grutter*, was manifestly impressed by the large number of amicus briefs filed by other elite universities and around 500 companies, as well as by high-ranking military officers, that emphasised the importance of ethnic and racial diversity in the academy, in the workplace and in the army. She notes that, according to numerous studies, a diverse student body promotes learning outcomes and “better prepares students for an increasingly diverse workforce and society.” She further stresses that “major American businesses have made clear that the skills needed in today’s increasingly global marketplace can only be developed through exposure to widely diverse people, cultures, ideas and viewpoints.”⁴⁹ More importantly in her eyes, high-ranking retired officers and civilian leaders of the US military assert that a “highly qualified, racially diverse officer corps ... is essential to the military’s ability to fulfil its principal mission to provide national security.”⁵⁰

Remarkably, the argument in favour of special admission policies in universities is here completely detached from a reflection on the causes of the difficulties minority youth encounter in accessing higher education. This certainly contributes to the diversity rationale’s appeal in the general public. E. Volokh aptly points out that “[d]iversity is particularly appealing because ... it’s forward-looking; it ascribes no guilt, calls for no argument about compensation. It seems to ask simply for rational, unbigoted judgment.”⁵¹ To be sure, convincing members of the dominant groups that they can benefit from the inclusion of disadvantaged groups in education or employment is undeniably important. However, presenting the supposed benefits for the dominant majority as the main and primary justification for such policy is not without cost. It is a double-edged strategy. On the one hand, it may facilitate its acceptance by the majority. But on the other hand, it renders the policies at issue more vulnerable to empirically based argument that would tend to show that promoting diversity does not, in practice, produce the benefits it is said to bring. Indeed, it might be possible to find empirical evidence indicating that racial or ethnic diversity does not always promote educational excellence or efficiency.⁵² Mixing people with different backgrounds is not necessarily a smooth process; it might create tensions and difficulties within the student communities.⁵³ Thus, as S. Levinson notes, “[s]elf-regarding arguments have the advantage of appearing more hard-headed and less idealistic; they may, for better and worse, however, be subject to more stringent empirical tests than are public-regarding arguments that forthrightly admit that costs may have to be paid in order to achieve desirable social goals.”⁵⁴

At this point, the basic question to ask is: are there not more fundamental reasons to support policies aiming at this objective of promoting racial or ethnic diversity, regardless of whether or not they advance the interest of the majority? Are there no normative principles, independent of empirical evidence, that justify or require efforts in this direction? These questions take us back to the conclusion in the previous section: for diversity to remain a compelling argument in favour of the inclusion of minorities in higher education, it must remain closely linked to the principle and ideal of equality.⁵⁵ For Ch. Lawrence, diversity cannot be an end in itself because it has no inherent meaning and cannot be a compelling interest “unless we ask the prior question: diversity for what purpose? The answer to this question is that we seek racial diversity in our student bodies and faculties



because a central mission of the university must be the eradication of America's racism."⁵⁶ While there may be other reasons for promoting racial diversity in the academy, eliminating racism should be the primary one. "The diversity rationale is inseparable from the purpose of remedying our society's racism."⁵⁷ Indeed, the lack of racial and ethnic diversity in universities is significant precisely because it indicates that opportunities remain unequal.⁵⁸ Uniformity signals the persistence of exclusionary processes that disproportionately affect the members of certain ethnic or racial groups.⁵⁹ "While a racially diverse student body benefits everyone, what is really being sought through these admissions policies is access for racial minorities to institutions from which they have been and still are systematically and disproportionately excluded because of racism."⁶⁰ Promoting diversity in higher education is not merely a matter of achieving educational goals. It is part of the broader objective of redressing the effects of past and present racism, and furthering the ability of all individuals to participate fully in the society.

-----> Conclusion

United States case law on affirmative action in higher education demonstrates the ambivalence of the "diversity" concept as a justification for special measures to enhance access of disadvantaged minority youths to universities. Ultimately, the goal of diversity alone, detached from a concern of advancing equality and social justice, appears insufficient to provide a compelling defence for considering racial or ethnic origins in the university admission process. An additional argument is needed, other than a striving for diversity as such.⁶¹ This leads several commentators to argue that the objective of "increasing diversity" is merely a cover for a policy whose real aim is to promote equal opportunities for members of unjustly disadvantaged groups.⁶² It would serve to mask what is really at stake in affirmative action. The downside of this strategy is that the educational diversity rationale, if taken at face value, can spark new problems. One may adhere to the idea that a "diverse student body," with multiple viewpoints and experiences, fosters a stimulating learning environment, while contesting that ethnic or racial features are in any way relevant to this aim. Or one might claim that increasing racial or ethnic diversity does not actually result, in practice, in an improvement of the educational environment.

This is not to say that the notion of diversity is inherently flawed. On the contrary, by emphasising the positive aspect of difference, it adds a valuable dimension to the ideal of equality. It is important, however, to be aware of its ambiguities and limitations. "Diversity" as such is too vague a concept to provide a self-sufficient justification for special measures designed to promote minorities' access to higher education. It must, therefore, remain closely articulated with the principles of equality and antidiscrimination. Only insofar as it is interpreted in the light of these fundamental goals, can it valuably contribute to the advancement of equal opportunities, inclusion and participation.

-----> Endnotes

1. For instance, plans adopted by companies to combat internal discriminatory practices and encourage recruitment of members of disadvantaged minorities are commonly called either "diversity plans" or "equality plans". See *The Business Case for Diversity: Good Practices in the Workplace*. September

2005, European Commission, Directorate-General for Employment, Social Affairs and Equal Opportunities (Unit D3).

2. See G. Calvès, “Reflecting the diversity of the French Population: Birth and Development of a Fuzzy Concept”, in *International Social Science Journal*, No. 183, March 2005, pp. 165-174. See also the arguments put forward to justify the special selection process established by the French Institut d’Etudes Politiques (IEP or Science-Po) in order to foster the admission of candidates from disadvantaged neighborhoods, inhabited mainly by persons with an immigrant background: D. Sabbagh, “Affirmative Action at Sciences Po”, *French Politics, Culture & Society*, Vol. 20, No. 3, Fall 2002, pp. 52-64. The very title of the programme is “Conventions ZEP: l’excellence dans la diversité” (excellence in diversity) (see D. Sabbagh, 2002, at 57).
3. The “Charter for Diversity” (*Charte de la diversité*), launched in 2004 under the auspices of the Ministry of Interior, has been signed by 250 companies in the public and private sectors. The signatories pledge to “respect and promote the principle of non-discrimination in recruitment and promotion, in order to reflect the diversity of the French society, including cultural and ethnic diversity, in their workforce, at the different levels of qualifications.” (“respecter et promouvoir l’application du principe de non-discrimination pour l’embauche, la formation, l’avancement ou la promotion professionnelle”, afin de “refléter la diversité de la société française, notamment culturelle et ethnique, dans leurs effectifs ..., aux différents niveaux de qualification”. (*Le Monde*, 10 November 2005, p. 3))
4. The recent law on *égalité des chances* (equal opportunities), adopted on 31 March 2006, provides, under the heading “actions in favour of social cohesion and the struggle against discrimination in broadcasting”, that the Conseil supérieur de l’audiovisuel (High Broadcasting Council) shall ensure that radio and television programmes “reflect the diversity of the French society” (Loi n.2006-396 du 31 mars 2006 pour l’égalité des chances, J.O., 2 April 2006, Article 47).
5. G. Calvès, 2005.
6. See M. Rosenfeld, *Affirmative Action and Justice – A Philosophical and Constitutional Inquiry*, Yale University Press, New Haven and London, 1991, at 47; S. Leiter and W. Leiter, *Affirmative Action in Antidiscrimination Law and Policy – An Overview and Synthesis*, State University of New York Press, New York, 2002, at 1.
7. Regents of University of California v. Bakke, 438 U.S. 265 (1978).
8. He argued that the school’s admission policy contravened Title VI of the 1964 Civil Rights Act, which prohibits discrimination in education, and the Equal Protection Clause of the 14th Amendment of the US Constitution.
9. Opinion of Justices Brennan, Marshall, White, and Blackmun, concurring in the judgment in part and dissenting in part, at 362.
10. Opinion of Justice Stevens, concurring in the judgment in part and dissenting in part, in which Justices Burger, Stewart, and Rehnquist joined, at 408-21.
11. *Bakke*, at 312-313.



12. *Bakke*, at 313. Nonetheless, in the specific case at stake, he found that the programme established by the Davis Medical School was not a necessary means to that end, in particular because it included rigid quota, rather than an individualised consideration of each applicant's background and potential to contribute to the diversity of the student body.
13. *Hopwood v. Texas*, 78F.3d, at 932, 944 and 962 (5th Cir. 1996). The Supreme Court refused to grant *certiorari*, which means that it declined reviewing the court of appeal's judgment. On the *Hopwood* decision and the reactions to it, see M.G. Synnott, "The Evolving Diversity Rationale in University Admissions: From Regents v. Bakke to the University of Michigan Cases," *Cornell Law Review*, 2005, 463-504, at 476-478. For a defence of the diversity rationale as a matter of US Equal Protection doctrine, see G. Liu, "Affirmative Action in Higher Education: The Diversity Rationale and the Compelling Interest Test", in *Harvard Civil Rights-Civil Liberties Law Review*, 1998, 381-442.
14. *Grutter v. Bollinger et al.*, 539 U.S., at 321-322 (concerning the constitutionality of the University of Michigan Law School's admission policy).
15. *Gratz v. Bollinger et al.*, 539 U.S., at 267-270 (concerning the constitutionality of the University of Michigan's College of Literature, Science & the Arts' admission policy).
16. Previously, in *Metro Broadcasting, Inc. v. F.C.C.* (110S. Ct. 2997 (1990)) a majority of the Supreme Court had already upheld the diversity rationale for race-conscious policies in the context of broadcasting. Increasing broadcast diversity was deemed to be an important governmental interest, justifying race-conscious policies. On the significance of *Metro Broadcasting*, see P. Williams, "Metro Broadcasting, Inc. v. FCC: Regrouping in Singular Times," *Harvard Law Review*, 1990, 525-546; and S. Foster, "Difference and Equality: A Critical Assessment of the Concept of 'Diversity'", *Wisconsin Law Review*, 1993, 105-161.
17. *Bakke*, 438 U.S. at 306-307 (J. Powell's Opinion). See also *Wygant v. Jackson Board of Education*, 476 U.S. at 276 ("Societal discrimination, without more, is too amorphous a basis for imposing a racially classified remedy").
18. *Wygant v. Jackson Board of Education*, 476 U.S. at 275-276. In this decision, the Supreme Court dismissed the notion that providing role models for the increasing proportion of black students in a school could justify a race-conscious plan aimed at increasing the number of teachers from various racial and ethnic backgrounds.
19. The scope of permissible affirmative action measures has been further limited in *Richmond v. J.A. Croson Co.*, 488 U.S. 469 (1989) (holding that strict scrutiny – rather than the milder criteria of intermediate scrutiny – must apply to all race-based measures used by state and local governments, even when such measures aimed at remedying the effects of discrimination) and *Adarand Constructors Inc. v. Peña*, 515 U.S. 200 (1995) (extending the strict scrutiny rule to federal race-based classifications).
20. The other situation where the U.S. Supreme Court admits the validity of affirmative action is where it is proved that the concerned institution or company has been specifically responsible for identifiable past discrimination against a favoured group, that this discrimination continues to affect individual victims, and that the programme is carefully tailored to remedy this



particular wrong. See e.g. *Fullilove v. Klutznick*, 448 U.S. 448 (1980); *Franks v. Bowman Transp. Co.*, 424 U.S. 747, 777 (1976). See *inter alia* J. M. Balkin, “Plessy, Brown, and Grutter: A Play in Three Acts”, *Cardozo Law Review*, 2005, 1689-1730; T. Jones, “The Diversity Rationale: A Problematic Solution”, *Stanford Journal of Civil Rights & Civil Liberties*, 2005, 171-215, at 175; P. Schuck “Affirmative Action: Past, Present, and Future”, *Yale Law & Policy Review*, 2002, 1-92; S. Issacharoff, “Law and Misdirection in the Debate over Affirmative Action”, *University of Chicago Legal Forum*, 2002, 11-43, at 16-17; S. Levinson, “Diversity”, *University of Pennsylvania Journal of Constitutional Law*, April 2000, 573-608, at 577.

21. J. M. Balkin, 2005, at 1722. On the same note, T. Jones writes: “Because civil rights advocates were left with few legal grounds upon which to rest their efforts to eliminate discrimination, they strategically and quite pragmatically climbed onto the diversity bandwagon” (T. Jones, 2005, at 175). See also P. Schuck, 2002, at 34-35.
22. See A. T. Kronman, “Is Diversity a Value in American Higher Education?”, *Florida Law Review*, No. 5, 2000, 861-894, at 865-867.
23. A. T. Kronman, 2000, at 865.
24. S. Levinson, “Diversity”, *University of Pennsylvania Journal of Constitutional Law*, April 2000, 573-608, at 578-579.
25. See E. Volokh, “Diversity, Race as Proxy, and Religion as Proxy”, *UCLA Law Review*, 1996, 2059-2076; A. T. Kronman, 2000, at 877-884; S. Foster, 1993, at 139-140.
26. On the distinction between “internal” and “external” goal, see A. T. Kronman, 2000, at 867. For a careful discussion of the argument that racial and ethnic diversity promotes an educational good: see A. T. Kronman, 2000. For a critical analysis of this argument, see G. Sher, “Diversity”, *Philosophy & Public Affairs*, No. 2, 1999, 85-104.
27. *Bakke*, at 314.
28. *Bakke*, at 315.
29. *Bakke*, at 316-317. What is particularly important for Powell is that the admission programme should be flexible enough to consider all pertinent elements of diversity and not isolate any individual applicants from comparison with others. (*Bakke*, at 316-317).
30. Grutter.
31. On these distinctions, J. M. Balkin, 2005, at 1722-1723.
32. S. Foster, 1993, at 111. See also her observations at 130-138.
33. *Hopwood*, 78F.3d, at 945.
34. *Hopwood*, at 946. Thus, the policy of Texas Law School to set aside 80% of seats for residents of Texas and to favour children of alumni was safe from attack, while the affirmative action programme aimed at promoting access of minorities was deemed unconstitutional.
35. *Hopwood*, at 946.



36. See P. Schuck, 2002, at 41; S. Foster, 1993, at 138-139; E. Volokh, 1996, at 2060-2061. See also D. Sabbagh, *L'égalité par le droit – Les paradoxes de la discrimination positive aux Etats-Unis*, Paris, Economica, 2003, at 246-249.
37. See S. Foster, 1993, especially at 110-111; E. Anderson, “Integration, Affirmative Action, and Strict Scrutiny,” *NYU Law Review*, 2002, 1195-1271; Ch. Lawrence III, “Each Other’s Harvest: Diversity’s Deeper Meaning”, *University of San Francisco Law Review*, Summer 1997, 757-778.
38. E. Anderson, 2002, at 1222-1223; Ch. Lawrence III, 1997, at 774; P. Brest and M. Oshige, “Affirmative Action for Whom?”, *Stanford Law Review*, 1995, at 855-900, at 862; S. Foster, 1993. For a close discussion of this argument, see A. T. Kronman, 2000, at 879-884.
39. S. Levinson, 2000, at 597.
40. E. Anderson, 2002, at 1223.
41. *Grutter*, at 328.
42. *Grutter*, at 328.
43. See E. Anderson, 2002, at 1222.
44. T. Jones, 2005, at 179.
45. See S. Levinson, 2000; S. Foster, 1993.
46. S. Foster, 1993, at 141. She adds that: “The prospective value of diversity should be in the inclusion and participation of formerly excluded groups so as to empower those individuals to decide and define for themselves what outlooks and viewpoints they will have.” (ibid.)
47. S. Foster, 1993, at 137.
48. See P. Schuck, 2002, at 34.
49. *Grutter*, at 330-332. See also Justice Powell: “[I]t is not too much to say that the ‘nation’s future depends upon leaders trained through wide exposure’ to the ideas and more of students as diverse as this nation of many peoples.” (*Bakke*, at 312-313).
50. *Grutter*, at 332.
51. E. Volokh, 1996, at 2060.
52. See the observations of Levinson, at 588-592. A related objection that is sometimes raised is that in certain fields, like mathematics or physics, racial or ethnic diversity seems largely irrelevant to the goals of education. See A. T. Kronman, 2000, at 869.
53. Plausibly, “just as there are practical benefits to diversity, there may be practical benefits to uniformity. In some situations, teams may work better if their members share the same experiences, outlooks, and ideas. Uniformity has its costs, but reasonable, unprejudiced people can conclude that it can sometimes also have its benefits” (E. Volokh, 1996, at 2061-2062).
54. S. Levinson, 2000, at 592.
55. In fact, Justice O’Connor’s opinion in *Grutter* alludes to the idea of equal opportunity, but her discussion is confused by the fact that she mixes the



theme of equality with other types of arguments. Recalling that the Supreme Court has previously acknowledged that education is the very foundation of good citizenship, she infers from there that access to knowledge and opportunity provided by higher education institutions must be open to all regardless of race or ethnicity. “Effective participation by members of all racial and ethnic groups in the civic life of the nation is essential to achieve the unity and indivisibility of the nation” (*Grutter*, at 332). She adds a further argument, based on the notion of legitimacy: given that universities, and law schools in particular, represent the training ground for a large number of the nation’s leaders, “[i]n order to cultivate a set of leaders with legitimacy in the eyes of the citizenry, it is necessary that the path to leadership be visibly open to talented and qualified individuals of every race and ethnicity. All members of our heterogeneous society must have confidence in the openness and integrity of the educational institutions that provide this training” (*Grutter*, at 332). As J. M. Balkin points out, it is not clear whether Justice O’Connor means here that institutions should actually be fair and just, in order to be morally legitimate, or simply appear fair and just, in order to be seen as legitimate by the general public. (J. M. Balkin, 2005, at 1720-21).

56. Ch. *Lawrence III*, 1997, at 765.

57. Ch. *Lawrence III*, 1997, at 765. See also T. Jones, 2005, at 179.

58. G. Sher, 1999, at 94.

59. T. Jones, 2005, at 179.

60. T. Jones, 2005, at 179.

61. See *inter alia* S. Levinson, 2000, at 601; E. Anderson, 2002, at 1222-1228; G. Sher, 1999, at 90.

62. G. Sher, 1999, at 97; J. M. Balkin, 2005; P. Schuck, 2002. See also D. Sabbagh, 1993, at 363-382.

2. The discursive dimension of human rights: a discourse analysis of contemporary Polish debates

Vanessa Trapani

-----> Human rights as a discourse and as a language

The system of human rights is an integral part of modern political culture, and the formulation, development and promotion of norms of international human rights law are part of a cultural (rather than merely legal) evolution, which was imposed by the tragic events of the last century. The universalistic ambition for human rights, however, is sometimes rejected as imperialistic and opportunistic or – according to the cultural relativism argument – indifferent to cultural specificity and to traditional social patterns. Despite these disputes, it is commonly held that one of the contemporary objectives of promoting respect for human rights is to reconcile the diversity of individuals – their different cultural identities – with what is thought of as universal for all people, that is, a minimum standard of respect for inherent human dignity. Human rights should thus become what Ignatieff (2001, p. 53) calls “the lingua franca of global moral thought”. Nonetheless, as Ignatieff further clarifies:

Human rights is universal not as a vernacular of cultural prescription but as a language of moral empowerment. Its role is not in defining the content of culture but in trying to enfranchise all agents so that they can freely shape that content. (Ignatieff, 2001, p. 73)

Departing from the recognition that the universalistic ambition of human rights as a “language of moral empowerment” is often challenged by cultural objections and – even within the same society – by different perceptions as to entitlements, content, and the meaning of certain rights, this article investigates how the broad category of human rights is ascribed meaning discursively, and how an increasing pluralisation of meanings testifies to a progressive shift in human rights discourse from utopia to ideology. Drawing on Ignatieff’s position, this work aims to analyse human rights as a language or – to be more precise – as a discourse, through the methodology known as discourse analysis. In this approach, the word discourse has the underlying idea that language is structured according to different patterns that people follow when they participate in different domains of social life (Fairclough, 1992, pp. 2-4). Discourse analysis is the analysis of these patterns (Phillips and Jørgensen, 2002, p. 2) through an analysis of the written, spoken



or figurative product of any discourse – the text. An interest in the discursive dimension of social processes and claims about the importance of its study are not new. Since Michel Foucault's (1972)¹ elaboration of a theory of the “power-knowledge relationship”, an analytical stress has been placed on the processes through which discourses are constructed in ways that give the impression that they represent true or false pictures of reality. For Foucault, this “performative” (creative) power of discourse is extended to the subject. Steinar Kvale expressed this position as follows:

The self no longer uses language to express itself; rather language speaks through the person. The individual self becomes a medium for the culture and its language. (Kvale, 1992, p. 36)

Nevertheless, most modern discourse analytical approaches – such as those of Wetherell and Potter (1987) and of Norman Fairclough (1989, 1992, 1995) – taking as their starting point the claim of structuralist² and post-structuralist³ linguistic philosophy, reject such understanding of the social and the self as governed by one totalising ideology and rather examine how contrary themes of social knowledge are revealed and constructed in discourse (Gergen and Davis, 1985). According to Fairclough, in particular, different types of discourse in different social domains or institutional settings may come to be politically or ideologically “invested” in particular ways, and then “re-invested”. To understand how this process occurs we shall use the Foucauldian concept of “order of discourse” (Foucault, 1971, p. 7), which conceptualises a terrain – in the case of the present analysis the domain of human rights – that different discourses compete to fill with meaning in their own way. By concentrating on different, competing discourses within the same domain, it is possible to investigate where a particular discourse is dominant, where there is a struggle between different discourses, and which common-sense assumptions are shared by all the prevailing discourses (Phillips and Jørgensen, 2002, pp. 150-169).

Furthermore, in analysing human rights discourse(s), we shall soon find a necessary engagement with other discourses on identity, diversity, values and morals; these sub-themes are what Fairclough calls elements of the order of discourse. It should not be assumed that these elements are themselves homogeneous; on the contrary, they are potentially experienced as contradictorily structured and thereby open to having their existing political and ideological investments become the focus of contention in struggles to de-invest or re-invest them. These significations/constructions of reality are what Fairclough calls ideologies. At this point a clarification is due. Following Van Dijk, we do not assume that only dominant groups have an ideology used to legitimate their power or to manufacture consent. Human rights discourse represents a perfect example of a terrain where dominated or discriminated groups may also access a necessary ideology to organise effectively their social representations, resist the majority and claim their rights.⁴ Opposing the classical view of ideology as a coherent system of thoughts, beliefs and values subjugating the person and providing a socially shared schema of action (Althusser, 1971), we share Billig's (1988) “dilemmatic” approach to ideology, which assumes the existence in any ideological thinking of contrary themes and inner inconsistency, which can be re-elaborated in common sense and recreated in discourse.

Thus, modern discourse analysts – through the analysis of texts produced in a given social context within a given order of discourse – ought to look for the contrary or dilemmatic aspects of social beliefs and try to deconstruct them.



Contemporary social debate in Poland has been regarded as a particularly significant case to analyse because, in common with many post-communist countries, Polish society – both the ruling elite and ordinary people – is now engaged in an introspective search for its uniqueness and distinctiveness (Taras, 1995, p. 84). This discursive analysis of some contemporary Polish debates shall focus on some of those substantive dimensions in the formation of national/social identity and the categorisation of diversity – tradition, nationality, ethics, religion, ethnicity, gender – which are particularly prone to “ideologisation” processes and directly affect human rights discourses. The overall ambition of our research is to foster – through the analysis of a specific but paradigmatic case – a critical reflection on the consequences of particular fixations of meanings. In particular, in the realm of the human rights/local values dilemma, such an exercise turns out to be crucial to unmasking taken-for-granted, common-sense understandings and transforming them into potential objects for discussion and criticism, thus opening up other ways of understanding the world.

In other words, we shall see how human rights discourse is not – and cannot be – conducive to one single moral truth: rather, in a world destined – luckily, one could add – to grow more and more pluralistic, human rights must reaffirm their role of *lingua franca*.

-----> **Poland: from diversity to homogeneity**

Departing from the conviction that the potential interplay between ethnic, citizen, national, social and European identities cannot be understood in a cultural vacuum, we deem it necessary, before we proceed to the analysis *sensu stricto*, to briefly outline some salient socio-historical aspects of the indissoluble link between identity, or identities, and the politics of historical construction in Poland.

Despite the dramatic process of socioeconomic transformation experienced by former communist countries under Soviet domination, it would be misleading to think that national traits and histories were eradicated (Berglund et al., 1998). Poland, in particular, derived and still derives its peculiarity from the fact that, since its very creation, the Polish state was accompanied and strengthened by the erection of Catholic Church structures. Thus the development of both the Polish State and the Polish Church hierarchy were intertwined and the latter, on numerous historical occasions, supported state structures (Romaniszyn and Nowak, 2002, p. 255). By the 15th century – given the position of the country in the geopolitical centre of Europe – Poland’s ruling magnates became conscious of the country’s international role as *antemurale christianitatis* – Roman Catholicism’s easternmost bulwark. In political terms, Poland was viewed as the outpost of European civilisation beyond which Asian culture began.⁵ At the same time, despite the undeniably prevailing role of Roman Catholicism, the history of Poland has been characterised for centuries by a great ethnic, religious and cultural diversity (Mironowicz, 2001).⁶

Between 1764 and 1775, during the three partitions of the country,⁷ the nation without a state developed a new view of itself and a new vigour for its restoration (Zamojski, 1994). In this context, the role of the Roman Catholic Church was that of defender of *polskość* (Polishness).⁸ In 1918, the Polish Republic, after a hundred and twenty years of partition, almost miraculously re-emerged as a sovereign state manifesting the linguistic, religious and cultural features of a national state – foreigners and minorities were expected to assimilate into the dominant Polish

culture. Indeed, in early post-war Poland, after the traumas of domination under Nazi Germany and the Soviet Union, the stage was clearly set for identity politics and state-building, but also for a revival of the religious/secular dimension.

The church had been a self-appointed guardian of the Polish national tradition throughout the entire post-war period and had further increased its political influence following the election of a Polish Pope in 1978. This, together with the Helsinki process,⁹ put increasing pressure on the party system and opened the way to the birth of *Solidarność*, in August 1980 (Krok-Paszkowska and Zielonka, 2004). Nonetheless, despite the increasing permeation of European values and models – democracy and prosperity, above all – citizens’ political preferences after 1989 were largely determined by “cultural politics” rather than by interests related to their individual position in the social structure. The predominance of the cultural element at the early stages of transition still testifies to the rather strong emphasis on ethnicity, secular/religious aspects and, in some cases, urban/rural location in identification processes (Gowin, 1995).

Nowadays these cultural elements are once more gaining saliency as the country is invested by strong processes of particularisation and globalisation, and as the society at large is therefore forced to reflect upon its identity. The alleged cultural, ethnic and religious homogeneity of the country is indeed challenged both from below (by groups claiming status and rights) and from above (due to the integration into the global economy and in the European Union). This research shall thus analyse the way Poles – both the political elite and ordinary people – discursively deal with these contemporary challenges, raising the saliency of multiple and often conflicting identities. Through the analysis of samples taken from recent official and non-official debates, our overall ambition as discourse analysts is to demonstrate the process of particular fixations of meanings, to highlight the dilemmatic aspects of this process and to foster a constructivist (non-absolutist) approach to any discourse, including that on or of human rights.

-----> **Human rights discourse in action**

In the study of discourse as action and interaction, the notion of context is crucial:¹⁰ indeed, discourse is described as taking part or as being accomplished “in” a social situation. Aware of the fact that the researcher’s first step must be to capture the widest possible variations in accounts (Potter and Wetherell, 1987), we collected the corpus presented hereafter in order to give account of different processes of text production, distribution and consumption (Van Dijk, 1997a).¹¹ All the samples analysed here are “naturalistic” in the sense that there was no direct intervention of the analyst in their production, and they were all analysed in their original Polish version.

Drawing on the literature, including recent international reports on the human rights situation in Poland,¹² we firstly identified “sensitive” categories – ethnic, religious and gender minorities – and afterwards we selected two parliamentary debates concerning status, rights and claims of some of these groups within contemporary Poland. This material has further shaped our analysis: the issues raised in the parliamentary debates – first and foremost Polish identity vis-à-vis Europe – made it necessary to expand the corpus and embrace texts more directly linked to the Polish attitude towards Europe.

The whole corpus – if it has been selected properly – shall provide evidence and empirical verification to the theoretical issues found in the literature or in personal observations (Fairclough, 1992).

-----> “Others” in Polish parliamentary debates

Ethnic and national minorities

Our analysis departs from two parliamentary debates, held respectively in September 2004 and in January 2005, on a bill on national and ethnic minorities.¹³ The samples analysed are represented by two speeches delivered by a representative of the Belarusian minority, presenting and defending the above-mentioned bill before the Sejm – the lower house of the Polish Parliament – and by other MPs’ interventions and questions on the same issue.¹⁴ The access to prestigious discourse types, and prestigious and powerful subject positions within them for speakers of minority groups, can be considered as the first macro-feature of the text, the so-called the “democratisation of discourse” (Fairclough, 1992). Nonetheless, along with Fairclough (1992, p. 201) we argue that as overt markers of power asymmetry become less evident, covert markers become more potent, with the result that power asymmetry becomes more subtle as opposed to disappearing. As a matter of fact, in the speeches analysed, the minority’s representative is forced to adopt a defensive attitude towards the “tolerant” but sceptical majority and to reassure its members about the harmlessness of the proposed law. His discourse thereby softens some otherwise controversial points (such as the inadequacy of current Polish legislation on minorities) and inoculates possible objections (“lack of loyalty to the Polish State”, “threat to the integrity of the territory”, “attacks against Polish language and culture”). He introduces his claims only gradually, presenting them as the natural outcome of “traditional Polish tolerance”. A law for minority groups, which are numerically small, and see themselves as part of “our” Poland, is not even claimed in terms of a legitimate human right; nor is the government called upon to respect its international obligations, but rather to act “friendly”. The social and hegemonic structures implicit in the approach chosen by the speaker are quite clear: the language of rights is substituted by a mild request for benevolence:

The approval of this law ... would be for these groups a friendly gesture; it will be a confirmation that the [Polish] Republic is a democratic state, well disposed towards citizens willing to maintain their mother tongue, their traditions and culture.
[sample 1]

When the floor is given to the opponents of the law, their disagreement is never presented as a clear-cut denial of rights but rather as the rational outcome of objective evaluations (Van Dijk, 1997b).¹⁵ Thus, the MP of the Liga Polskich Rodzin,¹⁶ S. Gudzowski, frames his reasons for opposition in the more traditional structure of what is often referred to as “subtle” or “modern” racism.¹⁷ First of all, the rejection of the law is presented as “the only rational thing” to do. Any prejudiced attitude is denied, while the strategy of “reverse prejudice” is enacted through the presentation of the Polish people as the real “victims”:

Then it will be necessary to claim for equal rights for Poles ... in Poland, in order for us to have equal rights with foreigners and guests, who have been accepted under our roof, in the Polish home.
[sample 2]

The opposition to the law is declared more straightforwardly by the party *Polskie Stronnictwo Ludowe*¹⁸ but the argumentative structures refrain again from a blatant denial and rather draw on the mainstream discourse of patriotism.

Our group has never given and will never give its approval to the tearing of Poland. For us, our mother language is a national value and Poland is a superior value while the law proposed is anti-national.
[sample 3]

Obviously, what we are faced with is not simply a confrontation between prejudiced and discriminated speakers. Prejudice, as we could appreciate, is rarely undilemmatically straightforward: the very term refers today more than ever to irrational feelings or attitudes which are more likely to be expressed by the poorly educated. Nowadays, discrimination is rather “symbolic” and is mostly framed in terms of either traditional values or equality and fairness. Any attitude blaming diversity is thus rationalised. Therefore, what we are confronted with in these first samples is rather the dialectics of prejudice, a need for constructing one’s position so as not to appear prejudiced or irrational. The typical discursive strategy of accusation against minorities – often accompanied by self-victimisation of the majority – and consequent disclaimers of any prejudiced attitude suggests the presence of a dilemma of ideological proportions (Billig, 1988, p. 100). For example, the common reference to “our Polish Constitution” aims at supporting with a legal argument some otherwise very emotional (irrational) statements. It is the constitution that “does not accept exceptions” and “we” – the whole Polish nation – have the “duty” to protect it.

Other evidence of the complex ideological nature of such kinds of debates is provided by more purely linguistic aspects of the text, first and foremost the relationship between words and meanings: a “many-to-one” rather than “one-to-one” relationship (Fairclough, 1992, p. 170). This is true in both directions: words have various meanings, and meanings are worded in various ways.¹⁹ Let us single out some examples of this process in the debates analysed so far. Both the claims of the minority’s representative and those of the conservative majority are framed in terms of identity. The minority’s identity is expressed in terms of “achievement”, “concession”, rarely “right”, thus underlying its nature of an “innocuous” project of identity, not fully realised yet. On the contrary, the majority’s identity is rather treated as an asset, a “value” to be proud of and to defend and protect from a range of enemies, “inside and outside the country”. The very pronoun “we” is experienced as ideologically invested, and reflects the contrast described above. On the one hand, when used by the Polish ethnic majority, “we” is treated more than once as a selective-entry club where no access can be granted to “them”. On the other hand, the “we”, as discursively constructed by minorities, is an attempt to be included as equal but different, in the name of a common history and a Polish citizenship shared by groups of different ethnic and religious origins.

The same is true for “national values”. “Diversity” and “tolerance” appear to the minority’s members as the most desirable values of a democratic and multicultural country – values rooted in Poland “since the Jagellonian epoch” – whereas those who stick to a non-inclusive view of Polish identity claim territorial and linguistic “integrity” and “homogeneity” as superior national values. The very word “equality”, when used by the majority’s MPs, underplays an idea of homogeneity implying that no privileges for special groups can be tolerated. Not surprisingly, for minorities, it turns out to be a condemnation to assimilation, very far indeed from their idea of equality as “respect for diversity”. In the debates analysed,



even the word “discrimination” is open to struggle: the majority’s representatives use this word – curiously more often than the minority’s – to denounce the condition of the Polish people, discriminated by foreigners and guests, victims of “betrayers” and “liars”, within their own country.

The self-victimising discourse goes together with the discursive construction of Poland as a peaceful country free from ethnic conflicts, unlike many other countries. The metaphor of “illness” and “infectious disease”, generally used in political discourse to describe any problem coming from outside, is here used to talk about Europe, described as “an ill person, with sparks of ethnic conflicts smouldering inside”. According to conservative MPs, Poland must escape from the European illness and avoid the “infection” envisaged by the proposed law. Consequently, those Poles who are in favour of a law on minorities are blamed for “cheaters and swindlers’ activities” against Poland. The opposition’s arguments thus blame, climactically, internal and external enemies, ultimately echoing the well-known debate on the so-called “double standard” (“Western Europe itself does not know any such an odd thing as a law on minorities”). The features outlined so far, of identity and diversity discourses and the ideological construction of human rights discourse, are confirmed by the analysis of the way people talk when involved in even more values-oriented debates, where alternative models are perceived as direct attacks against the heart of cultural (and moral) identity.

Gender issues

In this section, the analysis shall be focused on a very long and dense debate, which took place in the Polish Sejm on 5 March 2004, on the occasion of the official presentation of a report on the situation of women in Poland. As emphasised by the first speaker, the Minister for Gender Equality, Mrs Jaruga-Nowacka, it is the first time since 1989 that this issue had been debated in the Sejm.

If compared with the previous debate on minorities’ rights – despite the similarity of claims for equality, non-discrimination and positive actions – this debate presents some original aspects. First of all, the tone of the speeches: while minorities asked the majority for benevolence and “good will”, here the claims are formulated in the “language of rights and responsibilities”.²⁰ In introducing the report, the minister refers to specific rights and entitlements, making detailed inter-textual references to international law. At the same time, the Polish “mentality” is blamed, more or less explicitly, as one of the root causes of women’s status in Poland. On the contrary, the European Union and its directives are presented as the awaited opportunity for gender mainstreaming in Poland. The obstacle is however identified in the “lack of political will” at the national level, and not only this, a general reflection on the nature of the self and the other leads gradually to a condemnation of the whole society:

Women and men have different cultural identities. Our difference is a value in itself. It is however impossible to build a good quality democracy ... without a system of values.

[sample 4]

The word “value”, as we noticed in the previous analysis, is highly ideological and extremely open to different hegemonic struggles. The same is true for “equality”. Here the lexical construction of the concept of equality pushes the gender discourse in the same direction as that of minorities:



After all, we know that treating equally people who are in fact different leads to discrimination.

[sample 5]

Needless to say, in the hands of the opposition, “values” and “equality” become powerful weapons against this alleged “feminist rhetoric”. Thus, in the intervention of right-wing parties the identity of women and their rights are discursively constructed according to ideological stances opposite to those of “feminist” speakers. MP Elżbieta Kruk of Prawo i Sprawiedliwość transfers the core of the debate from woman as a bearer of rights to the family as the “real victim”. This shift, and with it the construction of women’s identity as functional to the family, is testified in more than one place:

The policy of the current government so far does not offer any help to the family ... and rather propagates anti-family ideologies Mrs Minister – alienated, as she seems, from reality – doesn’t pay attention to the high value and importance of family life in the hierarchy of values in our society and the features of women’s identification By limiting the analysis of women’s status to the realm of social rights or participation in public life, you are ignoring the issue of their other roles in the society The aim of this report is not the improvement of women’s status and situation; it is rather an expression of feminist ideology.

[sample 6]

The very word “emancipation” is used instrumentally and transformed into “alienation”, “loss of identity”. The hegemonic struggle between two ideologies (and discourses) is summed up in one statement:

The real ambition of this left-wing ideology is not women’s emancipation but the emancipation of the person from traditions and culture.

[sample 7]

The construction of “our identity” as in danger, together with the appeal to the supreme value of the Polish family seems to win great praise within the hall. The stenographic transcription testifies to repeated applause from the audience, at the end of almost every sentence.²¹ The ideological and political nature of the debate is however denied also by this speaker (“There’s no place for ideology here”); the opposition, as she says, is cultural (“culture separates these two parts of the parliamentary hall”).²² The dialectic of opposition – so far mostly constructed by focusing on the ideological gap between “we” and the dangerous “anti-family” and “anti-cultural ideologies” coming from “the other part of the hall” – gradually embraces other anti-models, defined as the “real problem”:

In this hall we see a great enthusiasm about Europe and modernity, a strong support for super- and hypermarkets. But are we paying attention to the fact that in these so praised supermarkets, woman has a Third World status?

[sample 8]

Supermarkets are here treated not only as a real place, where working conditions are poor; the word is also employed as a synecdoche.²³ Obviously, “supermarkets” stand here for modernity and globalisation, as well as the use of a concrete geopolitical concept, such as “Third World”, as an effective substitute for the adjective “degrading”.²⁴ Europe and its model of civilisation are thus assimilated to the worse aspects of modernity. Of course, this view is not the only one: the issue is indeed experienced as highly controversial within the contemporary



Polish elite and a few lines further down Europe is talked about as a model of evolution and equal rights:

In countries where the national economy is respected, in the developed European countries, there, where minor entrepreneurs enjoy great appreciation, ... where the peasant is not disregarded, in these countries also women's status is very high.
[sample 9]

Still, the cultural and ideological dilemma between our model and theirs is clearly there and is formulated *expressis verbis* by a woman speaker of the Liga Polskich Rodzin, Anna Sobecka:

Poland, and consequently women in Poland, is at an important mental and cultural crossroad. On the one hand, the majority of us, women, consider that a successful marriage and family life are the most important things in their lives, but in some other women, at the same time, there is a growing acceptance of concubinage, premarital sex, lonely motherhood or killing of unborn children. This is obviously related to the crisis of faith and morality and to the attack of what the Holy Father calls the civilisation of death. We are Polish women, lost in our identity. History assigned to us the role of heroic defenders of the nation, while contemporary society turned women into sad products of civilisation, pleasure and money.
[sample 10]

We could go further and analyse other not less interesting samples of this very long debate. Though, at this point many elements have been already pushed to the forefront and need to be systematised. The ideological attribution of meanings to such words as “equality”, “discrimination”, “values” has been addressed before. Here, however, this one-to-many relationship between a word and its possible different and opposite meanings is even more evident. The reverse process – that of wording the same concept in different ways – is also largely present. The “best interest of women”, for example, is worded by different speakers in a number of different and contrasting manners (“participation”, “equality”, “empowerment”, “motherhood”, “family”) all of them ideologically constructed. Similarly, “abortion” is for some synonymous with “conscious parenthood”, and is treated as a right (“reproductive right”, “women’s right to health”); for others it is nothing more than the “unforgivable sin” of killing an unborn child.

Within discursive and social practices, success in winning acceptance for particular meanings for words and for a particular structuring of their meaning is interpretable as a matter of achieving hegemony, that is imposing one group’s version of the world. At first sight then, the analysis made so far could lead one to state that the prevailing character of the national/traditional discourse or the hegemonic role of the church in Poland are so strong that no real debate can come out of the society. Religious beliefs and national rhetoric proved indeed to have great weight in shaping discourses about values, identity and even rights. Nonetheless, this hegemony is not uncontested and the need to challenge it lies at the very core of contemporary struggles for definitions of Polish identity vis-à-vis itself and various instances of diversity, which are gaining more and more ground in the public debate and push their own discourses to the forefront.

Another point we want to make here is related, again, to ideology and its weight in shaping opposite, often conflicting discourses. Different ideologies are indeed explicitly mentioned more than once, mostly in order to keep distance from them.²⁵ Each speaker denies the ideological character of his or her intervention but then constructs his or her position as an individual (and his or her identity

as a group member) in opposition to someone else's ideology or social model. The dynamic of oppositions is the most often used device to define oneself and one's specificity – be it a majority or a minority's specificity – and therefore should not surprise. What however deserves the attention of the analyst is the choice of the entities involved in this process. Polishness and Polish values are opposed not only to the communist past but above all to modernity. Globalisation is never mentioned explicitly; the USA is blamed only once for an “exaggerated political correctness”. Europe instead is often treated as “the” antithetical model. A conservative MP sums up this opposition as follows:

Are abortion, euthanasia, homosexuality the brilliant achievements of European humanism, or rather their denial? ... We don't need foreign models, orders and rights ... Don't lead us towards the civilisation of death, represented by the symbol of many stars ... These foreign models will kill children and women, first of all.
[sample 11]

The President of the Sejm emphasises that these are “the views of a minority” of the MPs. Still, Europe is often mentioned in the debate as a source not only of deep ideological oppositions in the parliamentary hall but also, and above all, of very opposite feelings out there, among Polish-European citizens.

European dilemmas

The overall perception one gets from the analysis of the dilemmatic aspects of discourse is that they involve the clash of contrary values, as the speakers themselves repeatedly claim. It might be argued that the texts selected so far, both due to the topic and to their setting, would seem to call out for ideological themes. In fact, some of the grand themes of ideology can be seen to flow through the thoughts of everyday life. This is the case of the last set of samples, this time about the European Union (EU), understood both as a geo-political entity and as an identity project. The topic has been chosen to respond to the “demand” of the previous analyses. We saw Europe emerging from both debates as a highly controversial topic, especially with regard to the social and cultural models it exports and the standards the EU imposes on new member states. Among these standards (known as *acquis communautaire*), human rights and democratisation are the ones that have more relevance for our study. Indeed, during and after the enlargement process, the Polish elite and the society at large were forced into a revision of more than just the political structure. At the same time, this revision (and reflection) process inevitably involved the whole system of values and traditions: a process which led to very opposite reactions, ranging from acceptance – passive or enthusiastic – of the “only possible future” within the EU, to clear-cut refusals of the European “civilisation of death”.

The samples analysed hereafter are taken from an Internet debate, which took place in May 2005 on a widely known Polish website.²⁶ The forum, under the heading “French people said NO”, invited the participants to comment on the negative result of the French referendum for the adoption of the European Constitution. This discursive material appeared to us as extremely interesting for various reasons. First of all, the timing: roughly one year had passed since the formal Polish accession to the EU (through a referendum held in May 2004). Indeed, participants in the forum did not discuss all that much about the French choice; they rather speculated on how they would behave if they were asked to express their opinion on a further integration into the EU system. The nature of the debate thus led progressively to a reflection on what Poland is and is not.



One of the most recurrent themes is the image of Europe as the project of a few states (France and Germany in particular) “imposed” on the others; a project where Poland will always be a “vassal state”. Thus, while in the official pro-European speeches, integration is often talked about as a need, here non-politicians interpret this “need” as a status of “subjugation”, where no equality is foreseeable.

France was the first, and then other states will refuse the Euro-paper. Hundreds of pages of chattering which just hide the division between better and worse members of the Union.

[sample 12]

The choral outcome of these considerations is that Poland should behave like France, that is, refuse further integration into the EU system – but for different reasons. Indeed, according to many interventions, the French *non* is mainly to be interpreted as the “victory of communists and leftists”; above all of those who want a more social Europe. For others, it is a reaction to contemporary threats. In particular, the “Muslim cultural invasion” and the “communist revival” are identified by some participants in the forum as the menaces threatening French society and, implicitly, as the outcomes of a process of globalisation of which European integration is one aspect. This analysis automatically leads to a reflection on the future challenges Poland will be faced with. There is a certain awareness about the fact that Poland is also getting involved in supranational processes. What seems to be less clear is the way of dealing with this incoming new reality. The position of pro-European propaganda, which presents Europe as the only possible answer to globalisation, is here completely reversed. The refusal of the EU appears as the right point of departure “to mend the wrong way”, a way which would otherwise lead to cultural hybridisation and economic crisis. The threat to cultural identity is linked to immigration and Poland, historically a country of migrants, is already imagined as a recipient country. In general, cultural opposition is framed in religious terms:

NO TO MASON EUROPE!!! FINALLY THE CRADLE OF THE HOLY CHURCH, FRANCE, STARTED THE PROCESS OF RENAISSANCE OF THE OLD CONTINENT. NO TO: SATAN, ABORTION, COLOURED AND COMMUNISTS!

[sample 13]

This “scream”²⁷ – which echoes some of the arguments heard in the Sejm – changes the focus of the discussion: it is not anymore about yes or no to the European Constitution as such but rather to a “constitution without God”. Although a few participants do address the crucial distinction between religious values and political secularism (“after all God is not interested in being included in human pacts. He is concerned whether we pray and we live morally”), the majority of the participants do not support this distinction. The reason is – as confirmed by more than one voice – strictly related to identity issues, to the idea that “God’s means ours!!!”. Thus, God becomes the object of various opposing discourses, and is used interchangeably as a synonym of church, religion, and values or is even equated with “we”. God and Catholic moral principles are talked about as the primary source of values and even of (human) rights:

A reference to the Ten Commandments doesn’t mean restriction to freedom; on the contrary it helps in the creation of rights within the union. It avoids the increase in different kinds of anomalies, such as abortion, euthanasia, homosexuality, crimes, excess and so on.

[sample 14]

More than one participant realistically addresses the role of the church – rather than that of God – as the primary source of national identity, and as main factor of continuity for the Polish nation. At this point the dilemma is not so much spiritual but rather social and historical: would Europe provide for Poland another equally strong source of cultural continuity? Would this “new union” be different from the ones Poland has been tragically and repeatedly involved in during the past? The answer of the participants seems clearly to be “no”:

Thanks to the church, Poland survived for more than a thousand years, with the [European] Union it won't last more than ten. It is already in pieces. Do gays, lesbians, abortion, euthanasia have to decide about the future of the union?
[sample 15]

For many participants the very existence of a common constitution – although the majority admits to ignoring its content – is seen as a menace to cultural integrity, to a genuine Polish system of values. This issue gives account of the fact that any political change supposes for Poland, and indeed for the whole eastern European region, a dramatic ideological vacuum. Catholicism has recently replaced Communism. What would replace Catholicism? Europe does not seem to provide strong elements for identification:

Here it is not about the opinion of God on this issue but rather about a system of values. If we don't make reference to Christendom then to what ...??? (For example, to euthanasia like in Holland)
[sample 16]

One participant in the forum creatively sums up all the reasons of concern about the EU Constitution (and the whole European system) expressed throughout the forum:

The New Euroconstitution in 10 points:

1. God does not exist, there are only tolerance and political correctness.
2. European history begins with the Renaissance and the French Revolution.
3. All people are equal, but gays and lesbians are more equal.
4. Tolerance for all, but not for Christians and Jews.
5. All religions are equal, but Islam is more equal.
6. Free competition and markets are OK, but someone has to regulate them and grant concessions.
7. Social Europe defends the weakest and for this reason abortion and euthanasia are permitted and encouraged.
8. All countries are equal, but France and Germany are more equal.
9. It is forbidden to use such words as “Muslim terrorist” or “homosexuals” and it's mandatory to use the dictionary of politically correct language.
10. The authors of the constitution express their satisfaction and impose it unanimously (otherwise you missed the opportunity to shut up).

[sample 17]

In this ironic though harsh intervention, principles such as “tolerance” and “secularism” – nowadays representing fundamental assets of an enlarged union and the very core elements of any human rights-oriented policy – are listed in a sort of black list of anti-values. They seem to embody the essence of a Europe “which will control each person and has no moral borders”. The use of the word “border” deserves a closer analysis. For years, the Poles have perceived European



borders as a barrier separating them from wealth and democracy. Crossing these borders and finding a job or studying in the “West” has represented and represents for many Poles a dream. Interestingly enough, the very concept of border/limit is used by the anti-European propaganda as *vox media*, or a word that can mean two opposite things at the same time. Thus, beyond the borderline – both material and ideal – Poles expect to find freedom, the beginning of a new era; what they are to find is however – according to the conservative imaginary – the “absence of any moral limit”, an “unconditioned freedom” made of excess. In a word, it is not the beginning but rather the end of a system of beliefs and values. Europe’s most effective slogan of a space “without borders” is thus discursively recontextualised and directed against the very core of European propaganda.

-----> **Conclusion: human rights with modesty**²⁸

Epistemologically, at the very core of this study lies a sceptical attitude towards any approach that assumes that there can be established a single truth about a phenomenon. These absolutist approaches rarely consider the position of the observer (or the speaker); on the opposite side, relativists suggest that knowledge can never attain high degrees of objectivity because of the social rootedness of the observer. To escape this diametrical opposition, we have argued throughout this study in favour of a dilemmatic approach to ideology, stressing the presence of ideological structures in common sense and, consequently, in discourse. The methodology of discourse analysis has been applied to an order of discourse – that of human rights – and its many elements: prejudice, as well as identity, diversity, ethics. We identified hegemonic discourses within Polish society – above all that of Catholic morality and, inextricably linked to it, that of national values – and emerging discourses striving to impose their own worldview. The fixation of meanings, implicit in this struggle, has as its outcome not only the “ideologisation” of social discourse at all levels but also of social practice, ultimately affecting not only the perception but also the very enforcement of certain human rights.

Nonetheless, this framework does not want to foster a vision of human rights either as a superior, atemporal and ahistorical set of values, or as a sort of modern utopia (Mannheim, 1985),²⁹ towards which any social discourse should be directed. Along with Dimitrina Petrova (2004), we rather propose to consider human rights discourse as a utopian-ideological nature by its very *raison d’être*. The two “witnesses” of this fact, identified theoretically by Petrova (2004, pp. 187-212), are confirmed by our analysis. The first “witness” is what Petrova calls liberal fundamentalism, or the tendency to posit certain values as metaphysical entities and to universalise them. Thus, even in deeply (politically) antifundamentalist human rights paradigms, we can note the development of a (philosophically) fundamentalist tendency.

In particular, we dealt in our samples with the discursive opposition of “our” models, traditions, culture versus “their” capitalistic, liberal, communist, secular models, perceived as “imposed”. It is frequent in cross-cultural discourse that the spokespersons of other cultures move critics to the validity of human rights because, despite their claim of universality, they remain imprisoned in the original European context, mostly blamed by other cultures for its exaggerated individualism. This emphasis on the necessity to acknowledge the cultural rootedness of any values/rights-oriented discourse – the so-called “cultural relativism” argument – tend to be used exclusively when talking about Islamic values as opposed to Western



ones (Habermas, 1998, pp. 163-165).³⁰ While reaffirming the great relevance of this aspect in a contemporary context dominated by the frightening slogans on the “clash of civilisations”, we would argue that this vision is partial. Indeed, the Western conception of human rights is open to attack by the spokespersons of other cultures both because the concept of autonomy gives human rights an individualistic character as opposed to communitarian societal models and also because autonomy implies a secularised political authority uncoupled from religious and cosmological world-views (Habermas, 1998, p. 168). In the view of many believers, especially fundamentalist – be they Islamic, but also Christian or Jewish – their own religious claim to truth is absolute in the sense that it deserves to be enforced even by means of political power, if necessary. The very case of Poland shows that, even within “our” Western societies, there exists a phenomenon – emanating from Western (Catholic, above all) morality and deeply rooted in social discourse – that we propose to call “next-door cultural relativism”. One could argue that Poland is a peculiar case; we could then reply by referring to two recent debates in Europe. The first, which took place in May-June 2005 in Italy, was about a public referendum on artificial fecundation; the second, in Spain, was raised on the occasion of the government’s decision to pass a law allowing for homosexual marriages. Both debates were articulated in terms of Catholicism versus secularism and values versus rights: in the Italian case the debate involved Catholic warnings against an emergent “civilisation of death”;³¹ in the Spanish case, the new law was defined “a triumph of secularism which wants to transform passions and whims into human rights”.³²

Let us move to the second “witness”. An analysis of the contemporary international political and social scene would easily show how the rhetoric of universals fails to translate to all cases consistently, applying what is popularly known as the politics of a “double standard”: a phenomenon which has been and still is blamed by the mainstream anti-European propaganda in candidate (by now already member) states. Coming back to our samples, not only was this argument discursively constructed, in the Internet debate, through a chain of claims against Polish “vassalage” within the European Union; the issue was also addressed in parliamentary debates on more than one occasion. A few speakers, for example, draw attention to the unfair EU imposition on Poland, and on all the newcomers, of human rights standards higher than those enforced in Europe itself (in particular those concerning minorities). Others pointed to the gap, in developed European countries, between gender equality propaganda and the real conditions of women in Western societies.

Thus, the theory and the discursive practice confirm the suspicion that human rights discourse is undergoing a change from utopia to ideology. Namely it is what Petrova calls a gradual usurpation of the utopian discourse by the forces of the status quo, by the social and political elite at the global and national levels. From a discursive point of view, the process of “ideologisation” takes place through a gradual but irreversible pluralisation, and consequent colonisation, of the core value expressions of the human rights discourse (Petrova, 2004, p. 195). We have witnessed how opposing ideologies compete over the interpretation of the same events or processes, how each ideology strives to herd expressions towards its own ideological pen (Petrova, 2004, pp. 201-203). Thus it may easily happen that contrary claims are being expressed in human rights terms: the identity and the safety of the majority as incompatible with the claims of minority groups for special rights; the right to life of the foetus as opposed to the right of women to health or to conscious parenthood, etc. As a result, we see that human rights



are not conducive to moral truth; rather, the human rights/local values dilemma must be seen as an ongoing dialogue that presupposes some understanding of the other. The result of this position is very different from the present human rights system: a new system made of reciprocal understanding of perspectives, a shared willingness to consider one's own tradition with the eyes of the stranger (Habermas, 1998, p. 169), a system in which we will have to learn to live with the instability of plurality (Sajò, 2004).

Against this background, our ambition is to contribute to a critical reflection, which goes against a "consistent avoidance of examining social life as dilemmatic" (Billig, 1988, p. 150) and challenges the alleged universality of human rights discourse(s) at all levels. For, if we agree that human rights are "a language of moral empowerment", we need first to acknowledge that they are nothing more and nothing less than a "language", with its expressive and empowering potential as well as its contingency and inherent limitations.

-----> **Remarks and acknowledgements**

This work tries to respond to the increasing need of a more multidisciplinary approach to human rights. Starting with the conviction that by their very nature human rights are indeed more than a compilation of legal norms and should therefore cover all the areas of human life and involve very different research fields, this project opted for a multidisciplinary and multiperspective methodological approach. This would have been much harder if I had not had the opportunity to work in recent years in multidisciplinary environments and with inspiring people, among them Prof. Gianfranco Giraudò (Università degli Studi di Venezia), Prof. Patxi Lanceros (Universidad de Deusto, Bilbao), Prof. Dimitra Papadopoulou, Prof. Anastasia Grammaticaki and Dr Nikos Bozatzis (UNESCO Chair, Aristotle University of Thessaloniki), and the teaching staff of the European Inter-University Centre for Human Rights and Democratisation (EIUC). My warmest thanks go to them and all those people who have strengthened in me the belief that there can be no human rights without humanity.

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-----> Endnotes

1. Michel Foucault's concern about discourse analysis is present in all his work, both in the early "archaeological" and the later "genealogical" phase.
2. Around the beginning of the 20th century, Ferdinand de Saussure, a pioneer in this field, argued that signs consist of two sides, form (*signifiant*) and content (*signifié*), and that the relation between the two is arbitrary. The meaning we attach to words is not inherent in them but is the result of social conventions and so is changeable over time. This implied that the relationship between language and reality is also arbitrary. Saussure's famous distinction between two levels of language, *langue* and *parole*, gives further account of his pioneering ideas. *Langue* is the structure of language, the network of signs that give meaning to one another, and it is fixed and unchangeable. *Parole*, on the other hand, is situated language use, the signs actually used by people in different situations. *Parole* must always draw on *langue*, for it is the structure of language as an organised system of graphic and phonetic elements that makes specific statements possible. It is the fixed, underlying structure, the *langue*, that has become the main object of linguistics.
3. Post-structuralist theory while maintaining de Saussure's idea that signs derive their meanings not through their relations to reality but through internal relations within the network of signs rejects structuralism's view of language as a stable and unchangeable structure. Post-structuralists theorise that signs still acquire their meaning by being different from other signs, but those signs from which they differ can change according to the context in which they are used. Furthermore, structuralists considered that *parole* (situated language use), unlike *langue* (the structure of language), cannot be an object of structural study because it is too arbitrary to be able to say anything about it. On the contrary post-structuralists believe that it is "in" concrete language use that the structure is created, reproduced and changed.
4. For discussion, see J.C. Turner (1981) Some Considerations in Generalising Experimental Social Psychology, in Stephenson, G. M. and Davis, J. H. (eds) *Progress in Applied Social Psychology*, 1. London, Wiley.
5. Indeed, the concept of *antemurale* continues to have relevance today as Polish political and intellectual leaders debate what the country's role in Europe in the 21st century should involve. Different orientations advocate that Poland's speedy admission into organisations such as the European Union and NATO reflects Poland's status (and "mission") as a bulwark of Western civilisation. For a summary of the evolution of national identity in Poland, see A. Jasińska-Kania (1982).
6. During the combined kingdom with Lithuania (Union of Lublin, 1569-1776), the country was known to foreigners as *Serenissima Respublica Poloniae* or the Polish Commonwealth: its population was around 10 million inhabitants, with only 40% of Poles, concentrated in about 20% of the territory. On this great variety of peoples and religions, the Jagellonian dynasty built its enormous power, refusing the Western model of mono-confessional states (*cuius regio eius religio*) and transforming the Commonwealth into a sort of asylum for religious dissidents from all over Europe.
7. The nobility's decline and the gradual disintegration of the Commonwealth were seen by its neighbouring autocratic powers – Russia, Prussia, and



Austria – as an opportunity for expansion: between 1764 and 1775 the “Three Partitions” of the country took place, turning soon into a real colonisation.

8. In the face of the continuous attempts at germanisation and russification of the Polish culture, the population turned to religious songs and prayers and the clergy took a leading role in the fight for the survival of the national identity. In the mid-18th century, the Polish Republic re-appeared and presented, as in the past, the traits of a multi-religious and multi-ethnic country. This atmosphere of tolerance, threatened by the wave of the Counter-Reformation – when the stereotype of *Polak–katolik* (Pole–Catholic) appeared for the first time – was fostered by the spirit of the Polish Constitution, which became law on 3 May 1791, being thus the first written constitution in Europe (second internationally only to the American one).
9. In 1975, the Helsinki Final Act was finally adopted: this document provided the foundation for recommendations, commonly referred to as the “three baskets”. Human rights were among the 10 fundamental principles of the CSCE. Based on this basket, virtually all central and eastern European states began to establish Helsinki Committees and non-governmental institutions. They soon became the nucleus of a civil society that ultimately triggered the 1989 political changes. For details see M. Nowak (2003) *Introduction to the International Human Rights Regime*. Leiden/Boston, Martinus Nijhoff Publishers, p. 215.
10. Apart from the socio-historical setting, context may involve such parameters as participants, their roles and purposes, as well as properties of a setting, such as time and place.
11. In the selection of samples we have been guided by the awareness that discourse structures vary as a function of the structures of context, and may at the same time be explained in terms of these context structures. Conversely context may be shaped and changed as a function of discourse structure.
12. In particular, we have used the following official documents: *Agenda 2000. Commission’s Opinion on Poland’s Application for Membership of the European Union*, DOC/97/16, Brussels, 15 July 1997; *European Commission’s reports on Poland’s progress towards accession from 1998 to 2003*; *Report of the Commissioner for human rights, Mr Alvaro Gil-Robles, on his visit to Poland* (18-22 November 2002), Office of the Commissioner for Human Rights, Strasbourg, doc. CommDH (2003) 4, 19 March 2003; *Human Rights Committee considers Report of Poland*, UN Press Release, 28 October 2004; Fifth periodic report of Poland to the Committee on Civil and Political Rights (CCPR/POL/2004/5), 2004; *Concluding observations of the Human Rights Committee: Poland* (CCPR/CO/82/POL/Rev.1), 5 November 2004; *The 2004 United States Country Report on Human Rights Practices in Poland*; *Annual Report on Human Rights Violations* issued by the International Helsinki Federation for Human Rights, 23 June 2004; *Amnesty International Report on Poland*, covering events from January to December 2003; *Concluding Comments of the Committee on the Rights of the Child: Poland*, United Nations (doc. CRC/C/5/Add.194), 30 October 2002; *The Effects of Anti-Abortion Law in force in Poland since March 16 1993*. Report No. 2, February 1996; *Women in Poland – Report by the Helsinki Foundation, 2004*.
13. The law, already proposed in 1989 and then repeatedly amended and never passed, touches upon different substantive points, amongst them the



introduction of a second administrative language and double geographical denominations in municipalities inhabited by minority groups. The percentage of minorities living in Poland varies – depending on the source – from 1.3% (official statistics of the year 2002) to 4% (non-official data). The biggest groups are represented by Germans (officially 400 000-450 000; other sources: 800 000), Ukrainians (officially 250 000-300 000; other sources: 450 000), Belarusians (officially 200 000-250 000; other sources: 500 000). Other important groups are represented by Roma, Lithuanians, Jews, Ruthenians, Slovaks, Czechs, Russians, Greeks and Macedonians, Tatars and others. Non-official data, provided by NGOs and academia, are quoted in C. Pan and B.S Pfeil (2003) *National minorities in Europe*. Vienna, Etnos 63.

14. It is worth emphasising that all the samples analysed hereafter have been analysed in their original Polish version and afterwards translated from Polish into English. We are of course aware of the fact that any translation is indeed a first interpretation and for this reason we have tried to stick as much as possible to the original version, despite the objective terminological and syntactical discrepancies between English and Polish.
15. As pointed out by Van Dijk in his analysis of some general strategic properties of institutional talk about “others”, most interventions in parliamentary debates are for the record and are usually read and prepared in advance. Some topics – such as those treated in this debate – are particularly sensitive, given their moral and political implications, and talk about them is generally highly self-controlled.
16. League of Polish Families. Established in 2001, this party unified different Catholic parties such as Stronnictwo Narodowe, Porozumienie Polskie, Ruch Katolicko-Narodowy, Przymierze dla Polski. The main point of their programme is opposition to the sale of Polish property to foreigners. They also oppose accession to the EU and propose instead a broader co-operation with the US, Russia, or with the EU, provided that Poland is given fair and equal rights and conditions. Official webpage: www.lpr.pl
17. Such traits have been highlighted by Van Dijk in his studies on parliamentary debates in England, in the Netherlands and more generally in Western parliaments, that is in societies where the public concern about ethnic minorities – and particularly those arising from migration – is particularly strong and represents a source of social conflicts. The Polish case represents a further challenge for a researcher, due to the low profile adopted by minorities – be they ethnic, sexual or religious – in claiming special rights and the still low incidence of migratory fluxes. The discursive construction of minority identities and claims through the voices of their representatives, and the majority reactions to these claims gives account of this societal structure. See also J. Dovidio and S. Gaertner (1986).
18. The Polish Popular Party is a “Christian-popular-democratic political party, which brings into contemporary and future society the patriotic traditions of the Polish popular movement and which recognises Christian values”. Official page: www.psl.org.pl/
19. From a theoretical point of view, this means that text producers are faced with choices about how to use a word and how to word a meaning, while interpreters and analysts are faced with decisions about how to interpret the choices producers have made.



20. Linguistic features expressing moderation, such as modal verbs – which in the speech of the minority’s representative were predominant – are almost absent here, while the assertive tone is predominant.
21. This bodily involvement, whose intensity and spontaneity are not easy to judge from a written record, is a more or less constant feature of the whole debate, which further gives account of the high emotional nature of the topic.
22. This distinction reminds us very much of that proposed by Billig (1988) between the elitist aspect of ideology (intellectual ideology) and its lived version, which indeed overlaps with culture but that still is a form of ideology. The clear-cut distinction between ideology and culture, insisted on in the speech, sounds indeed very ideological itself.
23. This is a figure of speech that refers to a wider concept through the use of a word, which is related to this concept.
24. This figure of speech is known as *antonomasia*.
25. In particular, Communism and feminism but also liberalism and Catholic morals are mentioned very often.
26. Accessed 30 May 2005. Available from: <http://info.onet.pl/4,15,11,1618865,0,0,forum.html>. Only forty-eight hours after the result of the referendum was made public, 770 messages had already been posted in the forum, which testifies to a certain interest about the topic.
27. Spelling and punctuation can be objects of analysis as well; in this context, the use of capital letters by one participant could be easily interpreted as a way to be heard amongst many other voices, just as when one screams.
28. We use here an expression, particularly appropriate for our perspective, taken from the title of the recent publication András Sajó (2004) *Human rights with modesty: The Problem of Universalism*. Leiden, Koninklijke Brill NV.
29. According to Karl Mannheim’s distinction between utopia and ideology, ideological concepts are forms of interpretation and justification of the status quo in the disguise of normative values which may be former utopias “come to power”, and therefore are no longer tools of social change.
30. The criticisms that invoke traditional “values”, especially in the case of far-eastern cultures shaped by Confucianism, often point to the negative effect that an individualistic legal order has on the social cohesion of the community.
31. In Italy, the church and the Vatican itself got very much involved in the referendum propaganda through public speeches delivered by ecclesiastic authorities, distribution of leaflets, etc. The leader of the Italian Radical party, Marco Pannella, talked on that occasion of an “unbearable menace to the Italian lay state”.
32. Words of an MP belonging to the centre-right Italian political party Forza Italia, commenting on the new Spanish Law, passed in June 2005 by the government headed by the socialist J.L. Rodríguez Zapatero.

3. Cultural difference and the politics of recognition

The case of the Roma of Cyprus

Kyriaki Iacovidou

You see, he said, it is the Others and they cannot be without you and without them, there is no you. You see, he said, it is the Others and you need to confront them if you want your being to be inexhaustible and to remain just that!

Odysseas Elytis, *Axion Estin*, 1989

“I stopped walking when I came to the last house. House? To call it a house is a stretch of the imagination. It was a small container really, a 3m by 2m box. I wondered how it could be possible for a family to live in that box. Memet and Fatosh, with their two children and a third crying in its mom’s arms, came near me and invited me inside. They took off their shoes and entered the ‘house’. I did the same thing. I supposed it was a ritual that I had to respect. And it was. Next to me, an enormous TV was turned on even though nobody was watching it. It was tuned in to the BBC, and I was wondering whether Memet or Fatosh spoke English. They seemed so poor, illiterate and helpless, without even a smile, but really willing and kind. They answered all my questions and they asked me if I wanted to have some coffee. I hate coffee, but I accepted. That made me really happy, as I considered it as a way of breaking down the walls which separate the Roma from the Balamos. From that moment on, I had two friends who would be the point of reference for my meetings with the other Roma people. Every time I visited a new family, the very first thing they asked me was, ‘Coffee?’ It seemed to me that this was their ritual of getting acquainted with somebody. Why not?

“Between summer and winter, I managed to get to know them, soon after to love them and later on to start feeling the pulse of their life. Not only did I learn about their way of living but I was taught about the history of this large group of people, who are kept on the margins of society by our perceptions and narrow knowledge. In Makounta, a small deserted village in the northwest of Cyprus, one finds approximately 30 Roma families who are officially registered as Turkish Cypriots. They total 100-120 people, of which 40 are children. Most of them were settled in Makounta seven years ago. In the beginning, they had no allowances for medical treatment, education or even work. They used to live in poor tents, without any even primary facilities. After they acquired their Turkish Cypriot nationality, they were given houses, those small ones like boxes, clothes,



as well as medical and educational allowances. The problem is that, as they were settled in remote areas, their access to medical services, working areas and schools became more difficult.

“Why talk about these people? Simply because some things have a magic aura around them or a gliding fear: this shadow ... a bunch of people living in a remote village, away from the world causes only fear, the fear of the ‘unknown’. We watched them pass by us with their chariots, we watched them approach our houses opening their dirty hands and when they uttered their first word, their golden teeth glittered. This how it used to be, they existed right next to us; until a dreadful dawn when they were nowhere to be seen. After that, we heard nothing of them until the construction of this camp ... fear at the edge of its explosion. Who are they? How are they? What kind of people have they become? Without any other written sources, I started writing about the Roma, at first to satisfy my own inner curiosity. They were the Others. The Others who were not the same as me but who had in their hands the same identity card, even though their life was so different in every aspect. The Others, whose sudden presence in the southern part of the island caused a thunderstorm of political and social reactions and considerations. For the first time, Greek Cypriot people were forced to deal, consciously and responsibly, with the one thing that all of humanity fights for: the acceptance and respect of difference.”

-----> **The multicultural reality**

The mass dislocation of people, throughout the world and the ages, has affected the demographical composition of various places while at the same time constituting an important factor in the multicultural transformation of that society’s particular character and culture. The dominant perception of “multiculturalism”, as we know it, is the West’s recognition of the importance of cultural differences “from within”. It is comprehensible that through the process of migration, both the natives and the newcomers to a specific place, who “melted” together within the common living area, were strongly affected.

What differentiates the current reality of multiculturalism from the past is that today’s societies tend to become more and more multicultural, with groups who are now insisting on the recognition of their cultural differences. The major question that is asked today is to what extent can the cultural particularity of these members be acknowledged so as to ensure the free and complete development of their identity. The morality of political management of this issue, which includes the policies of assimilation of these groups and the recognition and acceptance of their differences, is a debatable matter. This new reality is present in one mass movement, concerning “the wandering people of the world”, as the Cypriot historian Kyrris (1978) describes them, or the “Bedouins of Europe” as they are characterised in an article on the Internet (TYPOS, April, 2006). I am talking, of course, about the Roma who today are scattered in most of the countries of the world. As Laska explains, the history of the Roma is a story of continuous struggle and flight.

Within this context, I have embarked on a personal effort to create an ethnography of a group of Roma; my study includes people who for the last four years have lived in a small village on the western side of Cyprus, as well as the dominant legal and moral world within which the management of the differentiation of this group operates inside the controlled borders of the Republic of Cyprus.

-----> The Cypriot historical reality

Originally, Cyprus, despite being a small island, was an intersection of cultures and civilisations. As an important port for ancient Mediterranean societies, it hosted many different cultural groups of the world at that time. Furthermore, being a trading centre, it also quickly became a cultural cradle, which, despite being strongly influenced by the morality and values of Greek culture, accepted and protected the heritage of other cultural groups. As the island was repeatedly conquered by other countries, permanent settlements of different national and cultural groups remained, each one leaving behind its specific remnants and attitudes. However, Cyprus managed, through all these changes, to preserve its own cultural character. Thus, it would not be an exaggeration if we acknowledge that today Cyprus is at the crossroads of civilisations.

The island has for centuries been home to the ethnic groups of Greek Cypriots (the largest proportion in numbers of the country), of the Turkish Cypriots and of special religious groups such as the Maronites, Armenians and Latins, with the latter being incorporated into the Greek-Cypriot community according to article 2 of the Constitution of the Republic of Cyprus (Antoniou, 2005). After acquiring Cypriot nationality, the members of these religious groups were recognised as Cypriot citizens and now enjoy the same rights as other Cypriots; which are the outcome of their state and religious identity. The Cyprus Government, within the framework of constitutional and legal requests from the above religious groups, has committed to providing them all the facilities relevant to their educational and religious needs. In addition to a complete respect for their religious freedom, at the basis of the principles of human rights including tolerance, lack of discrimination, varied information and of the right to vote, special policies are also involved, such as the foundation and support for the Armenian School Melconian, the establishment of a Maronite Primary School in 2002, the enrolment of students from these groups at the University of Cyprus as well as the creation of places of worship – such as Maronite and Armenian churches.

Moving away from these recognised groups of the island with ensured rights and obligations and with the clearly established right to live safely within the boundaries of the Republic of Cyprus, there are smaller groups, culturally different from the majority, which remain in the shadow of the other ethnic groups. Unfortunately they are not autonomous or independently recognised. One such group is the Roma, known as Gypsies or *Kkilintziri* as they are commonly referred to in Cyprus. “Are you talking of the *Kkilintziri*?” (Interview, October 2004), was the first reaction of the people who were questioned during my ethnographic work. “We used to call them *Kkilintziri*” (Interview, March 2005). In 2001, several members of this group moved from the north side of Cyprus to the south, alarming the Greek-Cypriot government while simultaneously reaffirming its own existence and, therefore, the necessity of confrontation with society.

-----> The history of Roma in Cyprus

The Roma are a minority in Cyprus, who, at present, suffer more than others. Therefore, they should be provided with, in their rights as Cypriot citizens, the fair place they deserve in the realm of this democracy. However, such a procedure is complicated by the history of the Gypsies on the island and it can be pursued fairly only if it is considered with an acknowledgement of their specific historical



background. Tracing their history is not a simple matter, mainly because sources are always minimal and inconsistent. Furthermore, its complexity demands an in-depth, multi-level study attuned to new perspectives. Every “insignificant” detail of “our” lives, but “their” lives as well, provides an opportunity to look for deeper meaning.

According to prevailing historical knowledge, the first written reports indicate that the Cypriot *Kkilintziri* or Gypsies appeared in Cyprus beginning in the Middle Ages and specifically from 1468, at the time of the Venetian possession of the island, as it is testified in various documents of the commander of Cyprus at that time, Estienne de Lusignan (Kyrris, 1969). From the same time period, we have a written report, found in the chronicle of Cyprus by Florios Voustronios, which highlights the fact that the Roma paid taxes to King James II. Moreover, the French traveller André Thérêt, in his written records from 1549, refers most likely to Roma when he remarks that on Cyprus, as on other Mediterranean islands, he met the “Egyptians or the Bohemians” and observed that their simple way of life was supported by nail production by men and belts by women, products which were sold to the local population (Kenrick and Taylor, 1986, p. 1). However, the view that appears to prevail among others, since it is the only one that is historically documented, is the one of Soulis (1946) and Kyrris (1969), who contend that the Roma of Cyprus came to the island as soldiers from Corfu. According to them, the Roma arrived for military purposes, as happened with other groups in the past, such as the Armenians, the Maronites and the Mardais. By the end of Venetian rule of the island, the military role of the Roma and other racial groups had deteriorated while during the Turkish rule, most of them became Muslims and were used by the Turks to guard paths in the mountains. Furthermore, it seems that during Turkish rule, a second wave of Roma arrived on the island. It is believed that they arrived along with the Ottomans in 1571 and that they were under the latter’s command.

Nene, 75 years old, told me,
 “Me Gypsy! Gypsy me!”
 And Ibrahim, near her age, agreed:
 “We kkilintziri, from Kormatzit”
 (Interview, 23 October 2004)

According to Papadopoulos (1965), those Roma ended up on the island as a result of Ottoman actions, during which they gathered from various areas of the east all those who were “undesirable persons, tanners, basket makers, water bringers ... and those cultivating the lands” and brought them to the island (Marsh and Strand, 2003, p. 5).

– And where do you work? Near here?
 – Well, we gather olives, grapes and beans ...
 – Are you well paid?
 – Ehm ... OK! But if my son doesn’t work for
 a day we will starve! We don’t want to starve.
 (Interview, 2 November 2004)

The fate of the *Kkilintziri* of Cyprus could not be, and was not, different from the historical destiny of continuous struggle and pursuit common to Gypsies around the world. Everywhere and all times they were poor, neglected, chased; the victims of historical and political currents who remained unknown to the rest of



society, oppressed and without a voice. In Cyprus, the numbers of Roma nomads began to shrink, and they were once again considered “unwanted” as a result of the increasing tensions that followed the end of English rule on the island, the establishment of the Republic of Cyprus and the collapse of the vulnerable and weak constitutional negotiations. Already in 1964, fights broke out between the Greek Cypriots and the Turkish Cypriots, only four years after independence and the creation of the constitution. The final outcome of this shrinking Roma population, which hit a peak with the tragic events of the Turkish invasion, was their choice to live in the northern part of Cyprus along with the Turkish Cypriots, since they thought that they had found an old “natural ally” (Marsh and Strand, 2003, p. 6). Williams (2000) believes that the main reason for this choice was more of a linguistic one than a religious one, since most of the Roma spoke Turkish (Marsh and Strand, 2003). In addition, because of the invasion, the suspicion and hostility of the Greek Cypriots turned and was directed against the Roma since the old suspicion that they were spies for the Turks had been reinvigorated.

“We used to be afraid of the Kkilintziri.
And they were afraid of us too. We didn’t go
near them. Our parents told us to beware...
They used to come to the village in August...
and then one day they were gone...
gone during the invasion...”
(Tasoula Xirihi, Interview, 3 March 2006)

According to research done by the Administrative Commissioner (AYT/E March 2003) into the living conditions of the Roma who settled in the village of Makounta, within the framework set by the Constitution of the Republic of Cyprus in 1960, the Roma living in Cyprus were considered to be members of the Turkish-Cypriot community. However, they were not called to decide, according to paragraph 2.3 of the constitution (Antoniou, 2005), the community in which they would like to live in as was done with the Armenians, the Maronites and the Latins, because as Muslims the Roma were not given the right to be a special religious group.

In October 1999, a group of Roma started to move from the occupied part to the Greek-Cypriot south, to escape their poverty, unemployment and racism. Around 20 families crossed the green line, which is the border between the Turkish-Cypriot north and the Greek-Cypriot south. The Greek-Cypriot Government, recognizing their Turkish-Cypriot identity, set them up in the Turkish-Cypriot parish of Limassol, near the old port. Some other families were transferred and settled in Turkish-Cypriot houses in Mouttallos, where there was the Turkish-Cypriot parish of Pafos and later the settlement area of Greek-Cypriot refugees. They were not given new residences and they were not settled in areas where they would mingle with the local Greek-Cypriot population; instead, they were only recognised as Turkish-Cypriot citizens, and as such they were placed in areas where the housing was in a very bad state.

A year later, in 2000, while the movement of Roma to the south continued, authorities realised that they had to decide on a specific political line and take measures to deal with those in transit, as well as for the provision of help to the newcomers. This moving of the *Athigganoi* (untouchables), as the Roma were now called by state officials (a fact which indicates the lack of knowledge or substantial interest in these people and of the spasmodic actions on behalf of the government

concerning their identity and the provision of substantial help), was done by the families themselves, each one of the them having three, four or even more children. According to this data, the ministry council decided, on 8 March 2000, the allocation of appropriate accommodation areas for the temporary location of those moving to the south and the verification of their right to Cypriot citizenship, given the danger of illegal entry of Turkish spies, immigrants or even foreign immigrants with the purpose of securing work in the free area, and eventually their permanent settlement. However, these measures never materialised. Partial measures, which were taken periodically, did not aim to protect the Roma's interests. In the following years, a complete plan to integrate the Roma into society and provide them with measures of social welfare was never developed.

Meanwhile, the Roma who continued to cross the border were settled in deserted Turkish-Cypriot houses, which did not have the necessary repairs, often without electricity and water, under circumstances of unbelievable crowding and sometimes without licence or authorisation from the state, which is considered to be the legal administrator, observer and guardian of these properties. This resulted in the annoyance of some of the local population and ended in the formation, by the then Minister of Internal Affairs, of a plan of "scattering" the Roma, as it is recalled by the District Commissioner (AYT/E 3/2003, p. 4), away from over-populated areas where a danger of their forming ghettos was present. It is obvious that the minister believed that by pushing the Roma away from residential areas the problems caused by their appearance and settlements would be solved. By the year 2001, a new wave of Gypsies from the north side to the south, due to their rising financial misery, alarmed the Greek-Cypriot government while simultaneously bringing their existence to the public's attention, which therefore highlighted the necessity for their recognition.

– Me Turkish Cypriot, me! No Roma.
– Roma, Roma Me! And Turkish Cypriot...
(Interview, 15 October 2004)

-----> The politics of acceptance and recognition

One cannot but wonder about the reasons why such a clear situation would encounter so many obstacles, acts of resistance and problems. Different human rights documents and charters, mostly creations of the so-called "sensitive" Western societies, claim without exception that a democratic society must treat its members as equals and, therefore, recognise and respect their right to difference. The main issue today is to determine to what point the cultural uniqueness of these marginalised groups can be recognised in order to enhance the free and complete development of their identity within the context of the "other" dominant culture. The matter of cultural or political recognition within the boundaries of a country is a debatable and negotiable subject with significant moral and political ramifications. Some people often have trouble accepting the culture of the "Others", perhaps due to the fact that they have difficulty perceiving themselves as "Others" as well.

As Papageorgiou states, "The just recognition does not constitute merely a matter of just keeping our typical behavioural codes towards others but it is primarily an essential human need" (Taylor, 1997, p. 20). A psychological aspect of this need,



which is associated with the need of a person to be accepted and to belong somewhere, is added by Rockefeller (in Taylor, 2000). Every person, or group of people, can claim an original way of life; everyone has an individual “measure”, an individual identity. Herder stresses that there is something special in each manner of existence, which is expressed as a way of life and is the outcome of uniqueness and authenticity (Taylor, 2000). This need does not have a social derivative but it is something born in a person, therefore, it should be respected by everyone. Herder promoted the matter of authenticity, which characterises modern philosophical thinking, from the individual level to a collective one, as the idea of a people with a common cultural inheritance.

Within the collective group, the need for uniqueness and authenticity originates in social transactions and the experiences of people, leading us to question if authenticity can remain unproblematic and pure. The value of such a vague idea could be approached by looking for the ways in which authenticity valorises a significant difference. As Taylor so rightly claims, “if I am not loyal to myself [and to my internal voice] I lose the meaning of life” (2000, p. 77). “Every internal voice has something special to say”, he continues. And by articulating its own authenticity it is self-defined. It realises its own original possibility: that each person has the task of finding his or her own path. That traditional “authority”, as Taylor suggests, must be redefined to give people, who are today called inferior citizens, the chance to live without obstacles.

“Playing and having fun and that’s all for the young Gypsies. They want to stay out all day long. They suffocate inside the class.”
(Teacher, Interview, 8 April 2006)

“Gypsies were poor people who had nothing. They were satisfied with a piece of bread and two olives to be fed. I think they were a happy community because of their simplicity and we have to take them as an example. Gypsies were not slaves of their desires.”
(Michael Pitsillides, Interview, 29 April 2001)

Perhaps, it is this original, internal historical voice that the Roma obeyed and that they managed to remain faithful to in their traditional nomadic culture, without any interference from the surrounding cultural and social propositions that caused such great changes to the identity and cultural expression of others. Society has inevitable points of exchange and transaction at different levels, such as linguistic, within meetings, within trade as well as other financial actions and compromises. Such exchanges and hybridness are also at work in the case of the Roma. However, their basic principles, ideas and the way they face reality appear to express a general stability, innovative obedience and protection as sacred ideals. Furthermore, it is a fact that the history of this specific group of people, or at least those who were part of my own ethnographical work, is characterised by many discontinuities and also by the lack of sufficient sources of information, which render the study of the evolution and the re-birth of the Roma quite difficult. The only consistent and sure thing that I could observe in



their behaviour was their secrecy; they are filled with an oppressed fear that has always dictated their choice of new places so as to protect themselves from the dominant “Others”. They characteristically said “What can we do? We leave secretly to save ourselves. I have done that ever since I was a child” (Interview with Ibrahim, 23 November 2005).

“According to the commissioner of the village of Makounta, Roma people get their things ready during the night and they leave the area after midnight, without anybody seeing them, to go to the north part of Cyprus, where their relatives live. Sometimes, they go because they are informed that they can work for awhile, somewhere in the north. But why do they leave at night? I realise that during the hot summer months they may do this because they prefer to travel with the coolness of the night. But what about in winter? This habit seemed very suspicious from the very beginning, therefore I was tempted to ask them whether they passed to the southern part by using illegal military check points. At that moment I felt like an investigator but I had to do it. On the other hand, I think that an ancient fear pushes them toward these nocturnal escapes. The only certain thing is that fear begets fear and this is probably what they try to escape from every time. Besides, this used to be how they crossed the southern borders seven years ago.” (author’s notes)

The way they move from the north to the south side of Cyprus reveals a realisation, on their part, of how negatively charged and problematic their identity is. They act as if they were illegal immigrants trying to pass secretly the frontiers of another country to escape from a negative situation. The difference with the Roma is that they can not be considered as illegal immigrants; they are Cypriot citizens and as such they should be treated as equals with their Cypriot counterparts. The unorthodox ways they use to cross over to the south part of the island make their identity even more problematic and questionable in the eyes of the Greek Cypriots.

“Personally, I am fascinated by what Roma people do. I don’t know if they themselves realise it or not, but by this nocturnal dashing, they give the impression of being haunted, dark and malice...despite the reactions and the suspicions that they provoke, it seems to me that this inventive manner of moving gives them a gliding power which helps in the revival of a previous life and simultaneously inspires fear in the ‘Others’. This hiding around and moving away in fear of the ‘Others’ is really funny since the ‘Others’ consider their nocturnal moving as a threatening situation as well.” (author’s notes)

Thus this mutual fear causes great upset. A paper on the Internet claimed that “anti-Roma sentiment has broken out following the arrival of Roma from northern Cyprus” (ERRC, June 2004). “There came the *Kkilintziri* now to create a problem. Who invited them?” (Interview, 3 October 2001) Their identity had not changed; they were still considered poor, miserable and thieves at times, but this time it was burdened or even cursed by a shadow. Now, they were not simply the *Kkilintziri* but “exploiters” and “self-interested”, since they left the north side where they had no rights and came to the south part where they could enjoy the same rights as the Greek Cypriots (such as governmental allowances, free medical care, child support and free housing) as well as the right to come and go to the north side. The Greek Cypriots’ opinion was that “they came here to eat” (interview with K. Panayi, 13 March 2006).

Their subsequent isolation in small, deserted villages that give the impression of ghettos, along with the government’s arrangements to accommodate them in



small houses of poor and questionable quality, prove the lack of an organised official policy to address their needs. An example of this lack of policy was the answer given by the Minister of Internal Affairs of Cyprus, Mr Christodoulou, to the intense hostility of the residents of Kotsiatis, a small village a few kilometres away from the capital, to the programmed settlement of a Roma group. As reported by Hellicar (2001), the minister tried to reassure the residents of the area by announcing the removal of the Roma from the promised housing as well as the construction of a separate settlement at least three kilometres away from the area of Kotsiatis. Such an action would have resulted in a Roma ghetto and locals would be forbidden to approach. Furthermore, it would intensify the spread of inaccurate stereotypes of the Roma and that would consequently lead to a cultivation of fear, aggressiveness and acts of violence towards them. All this coming from a republic that claims to be a providential state which cares for its citizens' primary needs and supports them financially and psychologically in difficult times. The efforts made by the government were spasmodic and isolated whereas the rejection of the locals was continuous. All this confusion is revealed in a typical heading of an online newspaper in which the Roma are referred to as a "political hot potato in Cyprus" (*Cyprus Mail*, 24 April 2001).

"I was astonished when I learned from the Roma themselves that they chased away Mohamet's family because they caused problems in the community. I also admired their progress and peacefulness. How could the 'Others' not want them just because they were poor and untidy?" (Auto-ethnography, 23 October 2004).

"The government has never really bothered seriously with these people. There is no information or data reporting on the Gypsies."

(Administrative Commissioner, Interview, 22 February 2005)

"... do not worry. The Gypsy campus will be constructed at least 3 kilometres away from your village."

So why are the Roma not recognised as Cypriot citizens just as the Turkish Cypriots, the Armenians, the Maronites or Latins are? Is their exile to the margins of society facilitated by the fact that their identity is confused?

"The Roma people of Makounta are Gypsies who are recognised as Turkish Cypriots. They insist that they are Muslims but in reality they have their own religion. They use the Muslim identity in order to avoid problems with the 'Turkish government' in the north of the island. Most of them were born in Morfou (north Cyprus), where they insist that they have properties. They speak Turkish and some of them Greek as well, but the commissioner and some of the oldest members of that Roma group claim that they have their own special language too, maybe Romanitsib, the language of Roma. The Turkish linguist at their school who helps the Turkish-speaking students to learn the Greek language points out that she finds it very difficult to understand what the Roma children are saying, as they use words and syntax which come from other languages. It is remarkable that young Roma say that they are not Gypsies but only Turkish Cypriots, most probably because this identity gives them more rights, allowances, recognition and protection. However, the older ones do not hesitate to clarify that they are Gypsies. According to their stories, after the sad events following the destruction of Minor Asia, a



lot of Roma people escaped to Cyprus and they stayed. Of course, they have no historic memory whatsoever. It is proven that due to the lack of written reports, the Roma have no memory of more than three or four generations. When asked “how do you know that you are Gypsies?”, most of them answered that they were told so by their grandparents. It fascinates me that their relationship with the state is totally impersonal. They have never spoken with the authorities and all their needs are discussed between them. It is obvious that they do not have the necessary abilities to handle power relationships with the state. This is one of the reasons for which they have never negotiated with the authorities concerning the recognition of their identity. I feel that any encounter with the state produces a fear in them and this fear leads to their marginalisation. In the end, where is their voice?” (author’s notes)

It is a fact that the quest for cultural recognition is a difficult procedure which is sped up only when the “Others” enter into public dialogue with important people (Taylor, 2000). Through this dialectic relationship the identity of the “Other” is revealed, which is needed to claim its recognition. This is the substantial difference that makes the present times different than others. In the past people did not refer to matters of “identity” and “recognition” because identities were more clearly defined and therefore less problematic. Assimilation was the primary “healing” method for the protection of the “authenticity” of societies. The Roma appear to have a unique and continuous resistance towards cultural assimilation. Their nomadic way of life and their different way of thinking, their free spirit and their close, small societies keep them attached to their own culture and popular tradition adds a “problematic” characteristic to their identity, that of disobedience. It is these “disobedient” cultural groups that Taylor characterises while stressing the need to recognise and respect their identity and differences, simply because from we have much to gain from this different kind of contact. Contact with others can be made in a lot of ways: politically, socially, financially and there is the risk that identity can be transformed or even deformed by an encounter with important people. The important people are the “Others” and we represent the “Others” to those from whom we make demands or claim our rights.

Thus, today, the claim for recognition is constituted at two levels: in the sphere of consciousness and in the public sphere. In the sphere of consciousness, the transformation of identity and the self occurs within the context of a continuous dialogue and debate with important people. The contact and the dialogue with these people give us the possibility to realise exactly how different we are from them and affirm our right to this difference. Undoubtedly, something like that appears in the case of the Roma whom I study. At the social level, the realisation of the fact that identities are enhanced through an open dialogue gives the policy of equal recognition a special meaning. “Equal recognition is not merely something which fits in a healthy democratic society...but its rejection can damage those who undertake it”, states Taylor (2000: 85), which leads them to their isolation in a faulty, distorted and deprived way of existence. The projection of an inferior image of others so that this image is then internalised and accepted, even by the targeted group, can lead to distortion and oppression. Racism is produced and reproduced, while at the same time threatening the meaning of authenticity. The Roma have been trapped within such a painful dead-end situation. By internalising the ancient image of inferiority projected on them by others, they were led to their current self-depreciation, which was and is one of the most powerful tools for their oppression. “I feel that their relationship with the state creates fear and that this fear produces their marginalisation, which produces and reproduces another form of marginalisation and, finally, what they accomplish is to stay in the



margin. Where is their voice?” (auto-ethnography, 3 September 2005). Their own mistaken acceptance of the distorted image of their culture has left them no other option but silence and the inability to claim their dialectical rights in the public sphere, which results in their continued oppression. As stated by Adorno, “at this case the speech of the oppressed-isolated-displaced is dictated by hunger. The poor chews words to be fed” (Katsika and Politou, 2005, p. 18). He continues by saying that:

“this half-chewed language has the necessary word of resistance, which no matter how inaccurate it is when listened to, it is the one which contains the dialect of freedom that is a necessary provision for the freedom of speech.”

The Roma of Cyprus demand the restoration of their rights: bigger houses, with more rooms. “I sleep with my wife and children, all in the same room. Shame, shame! Children are now not children, they understand.” They keep protesting for easier access to medical services and more chances to work, for rights having to do with their primary needs as defined in the first level of Maslow’s hierarchy of human needs. For the time being, their demand for the political recognition of their Roma identity remains unheeded. They care only about their most basic needs: having a piece of bread for the day and a place to sleep. As for their civil rights such as the right to vote, not a word. They do not talk about that.

To be free, as expressed by Fanon, “they should cast away all the inferior images of themselves” (Taylor, 2000, p. 120). They should seek inside themselves the ideal of their authenticity; for this authenticity creates both the difference and its recognition. There is no way the “important Others” could understand the authentic existence of a group – in this case the Roma of Makounta. For decades, the politics of the West consisted of the “superior whites” being raised above the “inferior non-whites” simply because their authenticity was expressed uniquely by its owner thus reaffirming its authentic nature.

– Where are the houses? You come and go,
come and go ... where are the houses?
– Take me to get an identity card ...
I don’t have ...
– We give you our names for
the government?
(Interview, 24 November 2005)

Still, according to Taylor, the policy of recognition means two different things. On the one hand the policy of universality valorises equality of all citizens in dignity. The objective of this policy was to assure rights and titles, and to avoid creating different categories of citizens. It is this exact policy that Cyprus is struggling to apply in the case of the Roma. On the other hand, the development of modern thinking in terms of identity created the policy of difference, according to which each individual has the right to be recognised because of the uniqueness of his or her identity. The policy of difference begins with the acknowledgement that this special element of uniqueness “has been ignored, demoted and adapted from the ruling to the majority. And this adaptation is a crime against the idealism of authenticity” (Taylor, 2000, p. 87). This uniqueness is something not yet recognised in the case of the Roma of Cyprus.



“They don’t comply, they don’t care to send their children to school, to learn how to be clean and to wash themselves like our people.”

(Commissioner of Makounta, Interview, 2 October 2004)

“Gypsy students do not concentrate during the lesson, they don’t listen, they don’t ameliorate like the other children at school.”

(Teacher, Interview, 14 March 2005)

The handling of “difference” in the framework of a community is not a simple matter. The educational system, as the primary institution of support in the procedures of social and cultural integration, is continuously called upon to play an important part in the creation of a favourable environment for the acceptance and recognition of the plurality and association as the basic elements of a social being. Cultural plurality, as an expression of political difference, introduces a system of thought which accepts that the ways of life and the values of people are different and it functions in such a way as to allow equal opportunity for everyone to play a full part in society. However, in the Cypriot educational system, there are no such allowances for the groups of “Others”, and specifically for the Roma whose education differs from any other educational experience. The lack of relevant books, the lack of interest in their culture, their inability to learn in their mother tongue, their constantly interrupted studies due to continuous moving back and forth between the north and the south of Cyprus all underline the neglect of this cultural pluralism.

“Children are integrated into normal classes, which are classes of mixed ability. Their school ages clearly do not correspond to their chronological ages. Meirem Raif is 11 today and is only in the fourth grade. According to catalogues of schooling the education of these children is spasmodic and discontinuous since they often miss school for days or even weeks due to their trips to the occupied side of the island for long periods. Several students stopped their studies in primary school from their first or second month; often some of these children, even the little ones, stay home to attend to their smaller siblings, since their parents and their older siblings work. Therefore, of the 14 children enrolled at the beginning of the year, today only 8 attend classes regularly.” (ethnographic records, 12 March 2006)

The dominant view of the teachers regarding these children is that they do not care about their education and learning. “They enrol at the beginning of the year and then they disappear”, is a common statement from teachers (Interview with Mr M. Panayi, 12 March 2006).

“The biggest problem that these children encounter in class and generally in school is the language problem. As a result of this weakness, we encounter different defence mechanisms from these children who usually express themselves with indifference while, in extreme cases, this defence takes the form of violence. Therefore, to what extent are these children going to be interested in their education in an environment that is so hostile and strange? Some of these children, however, love school since they see other Roma friends or relatives who come from nearby villages” (*Autoethnography*, 11 March 2006).



“I like school here! It’s nice here! It has a class, a good teacher. I play with my relatives at break time... Sometimes I stay home and I take care of my small brother.”
(Melek, Interview, 15 March 2005)

“Melek is entirely indifferent at school. She doesn’t compromise, she doesn’t understand what school means. Most of the time she is on the north side.”
(Teacher, Interview, 15 March 2005)

Trying to learn about Other helps in their understanding and in ours as well. When one seeks information about the Other, which is done primarily through ethnography, certain aspects are essential. The research needs to use or even invent the right tools, which facilitate interpretations, in such a way that the subject is not trapped within closed pictures but that his or her identity is outlined as objectively as possible.

“Why write? Why do an ethnography of these people? I wanted to write and talk to somebody about them. I wanted to expose with every single detail all I had witnessed while among them, so that the Others would learn to see behind their memories. I wanted to write in order to give a voice to these Roma people, so that they could find the courage to fight for their acceptance and equal recognition.” (author’s notes)

Certainly, it would be an insult for the ethnographer to consider, and to be certain, that he or she has captured the intimate thoughts of “his” or “her” people; the ethnographer can never be sure, just curious and able to estimate. That is the reason for which the contemporary form of ethnography has to be critical, self-critical and self-reflexive. This is what my own ethnographic work aspires to. That is what I call “ethnography and auto-ethnography”. Thinking and re-thinking about yourself.

During the months that I came to know the Roma, not only did I learn about their way of life but also about the history of a large group of people who are kept in the margins by situations and chance. I also gained special friends, different from others, who reminded me of ancient habits and inspired intense thoughts and feelings.

“The truth is that watching them sitting on the ground so comfortably and not caring if they got dirty or not made me jealous. Primitive desires bathed me and I longed to be close to the earth as well. In a way, I felt free. Days after, at the school where I worked, I had the tendency to sit on the floor. And I liked that! I was really enjoying it!”
(*Autoethnography*, 10 October 2004)

Within this framework I give you my definition of inter-culturalism, which proposes a new kind of thought and a new philosophical and practical perspective. One of the values I propose is that we have to live with different people and that is not a

misfortune as we are used to believing, but a unique chance to know and reflect upon ourselves. It is an opportunity to valorise the fruit of sharing living space and historical experience that “no other product of the world cultural supermarket can ever replace”, as Papageorgiou states (Taylor, 2000, p. 12). By learning about the Roma and exhibiting their culture and their needs, I hope to convince the authorities of my country to acknowledge their authentic uniqueness and to try to cover their needs within the framework of renovation, multiculturalism and dignity from which we can all gain. I am not their voice; it is they who shout to be recognised with dignity, however through my hand.

“I am a teacher and the students that I meet in school classes are different from every point of view. It’s true that, when you are not aware, it is hard to find a decent way to take care of them, to meet their needs. At the very beginning, the lesson on inter-cultural education that I was taught at the university gave me the impression that it would provide the means and the ways, the educational methods to confront my differently oriented students. However, soon after and through my ethnographical effort and its consequent difficulties, I came to realise that I was gaining something else from this experience, something more special. There is nobody who could provide us easy methods of acceptance of difference and diversity in neutral and non-native frames. What is important is to be capable and sensitive enough to realise when difference is disregarded and rejected in an unfair way and consequently fight against this rejection.” (author’s notes)

What is more, it is important to understand our limited role within the totality of human history and that the recognition and respect towards the multiple cultures around us helps us to enrich our own existence. To sum up, we are the “Others” and without “Others” we cannot know ourselves. We need them.

“I am the Other when I am, my actions are more mine, if they are of the others, to be able to be who I am, I have to be the Other, to leave me and search me among others, Others who cannot be without me and they give me full existence, I am not, I cannot be, it is always Us, life is far and away, it estranges and isolates us and always finds a face to spend away.”(Octavio Paz, *Piedra de sol*, 1957)

The Roma are a part of our culture and history. They are part of this world and they should reclaim their rightful position. During those months that I was with them I felt an immense love for the struggles seen in their eyes and the pleading present in their gestures: “Do not be a bearer of memories... we are part of this land” (Kiris, 1978, p. 95).

“Write down what I am going
to tell you now!”
(Interview, 15 February 2006)

“How fine it is to be called a Gypsy. Though it is not easy a Gypsy to be. I don’t know what I’ll become I don’t know. It would be fine to be a Gypsy. I would adore a Gypsy to be. I do not know what a Gypsy is. I don’t know.” (ROM, a gypsy song)





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Part 2

Discourse at work, working through discourse

1. Notions of participation and culture in political struggles against exclusion and their consequences: the Catalan case

Joan Cortinas Muñoz

-----> Introduction

Since the beginning of the 1990s, the idea of social exclusion has become the core of Catalan government social policy.¹ Social exclusion as an intellectual construction implies a way of analysing reality, and impacts directly on the management and orientation of social policies. One of the primary impacts or consequences of this is that having a job is considered to be the central element defining participation in society, and is a priority for governments when fighting poverty. Second, policies based on a social exclusion paradigm have erased structural causes of poverty and unemployment and have instead individualised them. In that sense, in Catalan social policies, situations of unemployment and poverty are not seen as being linked to factors such as labour-market structure and dynamics, but are conceived as being individual problems which require intervention in the skills of the individual. Thirdly, we have identified in our study the emergence of cultural and racial elements in social workers' explanatory discourses of poverty and unemployment situations which are used by those social workers to justify undue discrimination against some individuals identified as "gypsies".

I will argue that the emergence of cultural and racial arguments – which lead to the acceptance by social workers of undue discrimination – have to be understood as a product of the ideological principles of structural social policies – known as "insertion policies"² – undertaken in the name of the fight against exclusion.³

To develop this argument, I will draw on the results of research done in Barcelona, Spain between 2004 and 2005, focusing on social workers' discourse about individuals and their cases. We asked them about the "difficulties" and reasons that propel people to become a user of "insertion services" as a strategy to access social workers' discourse about insertion programme users (programmes for the "fight against exclusion").⁴ Those different programmes have had different names, and their number has increased enormously since 1990, with a variety of actions aimed at youth, gypsy women, the long-term unemployed, and so forth. What matters to us are not the differences and details of each programme but their underlying ideological principles, which I will present further in this article.



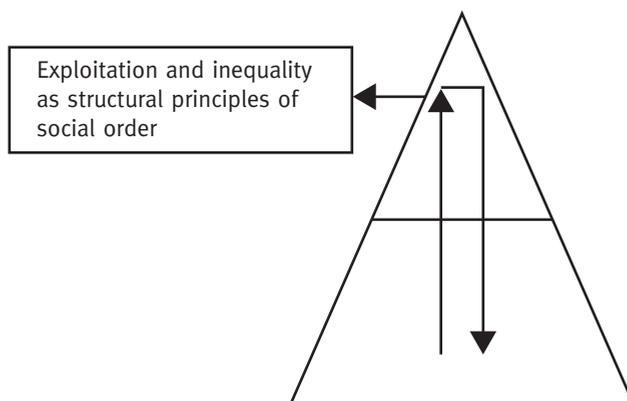
The data used here was collected in two different institutions situated in the Sant Roc quarter in Badalona. The first institution is specialised in “orientation” and “motivation” actions for different administrative categories: long-term unemployed, youth and migrants. The second institution is a foundation which runs a programme of “orientation” and “professional motivation” in different Catalan “poor suburbs”.

This chapter proceeds in the following way. First of all, it will discuss the theoretical model of social exclusion developed by Alain Touraine in 1991 and 1992, a model which summarises key ideas about social order and social structure innate in the policies “against exclusion” which have been implemented in Catalonia since the 1990s. Secondly, I will present the main characteristics of social policies since 1990 to “fight against exclusion” in Catalonia, unified under the concept of insertion policies, and characterised by what can be called the individualisation of social problems. Thirdly, we will describe the ideal individual that those insertion policies try to create, based on an ideological model that we call the “entrepreneur of the self”. Fourthly, I will examine the discourse of culture held by social workers developing insertion policies focused on “gypsies”. Finally, we will focus on one of the effects of those discourses in social workers’ practices: the acceptance of discriminatory practices by some employers towards “gypsies”.

-----> **The idea of social exclusion: a theoretical model underlying Catalan social policies**

The French sociologist Alain Touraine suggested, in two articles which appeared in the editorial *Esprit*, a new paradigm for understanding the structure of contemporary Western societies. The main concept of this new paradigm is the concept of exclusion. In the first paper called: “Face à l’exclusion” which appeared in the book *Citoyenneté et urbanité*, Touraine opposes two models of society, a model of modern societies in Europe and a new model of post-modern societies. Following his thinking, modern societies could be represented as a pyramid structured by exploitation. The result is a pyramid in which inequalities separate people in the bottom, middle or on the top of the pyramid in a vertical society.

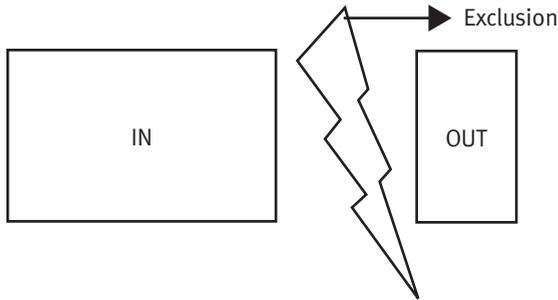
Figure 1: Social structure of modern societies in Touraine’s model



Source: author’s elaboration, 2006.

Touraine suggests that post-modern societies do not have this vertical structure any longer, but are horizontal, as the principles which structure society are no longer based on exploitation and inequality but exclusion. The result, according to Touraine, is that some people are “in” and others are “out” of society. The “out” people include suburban inhabitants, young people failing in school and the unemployed: “The problem nowadays is not exploitation but exclusion” (Touraine, 1991, p. 173).

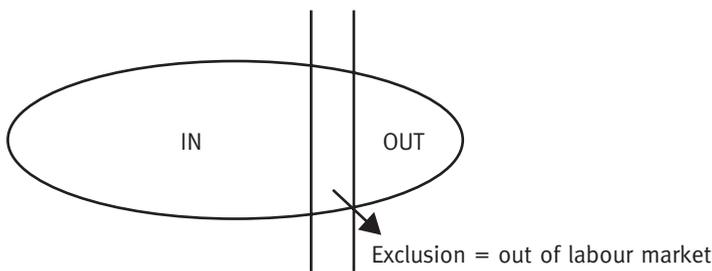
Figure 2: Social structure in post-modern societies



Source: author's elaboration, 2006.

Touraine subsequently reformulated his proposals of 1991 in the paper “Inégalités de la société industrielle, exclusion du marché” in *Justice Sociale et Inégalités* (Affichard and Foucauld, 1992). In this argument, Touraine continues to oppose these two models but he modifies the model of postmodern societies. He suggests that contemporary social structure is similar to a rugby ball in which we have a huge middle class and some privileged people on the top. This rugby ball is cut through the base, under which one finds the unemployed people who form the excluded segment.

Figure 3: Social structure in post-modern societies



Source: author's elaboration, 2006.

I do not wish to critique academically his model in this article, although one may find a variety of critical commentaries on it from different authors.⁵ Instead, I outline Touraine’s model as it summarises the conceptual basis of social policies in Catalonia since the beginning of the 1990s, especially the idea that there are people who are “out” of society and the idea that participation in the labour market is the key element to being “in”. Take, for example, the Catalan

government's presentation of its programme against poverty and exclusion in 1995:

"In fact, our society has experienced, due to the process of globalisation of technologies and markets, great transformations. These transformations imply a new work dynamic and demand life-long training to individuals. Those individuals who don't follow these demands have the risk of becoming marginal, excluded from the labour market and from social dynamics." (Departament Benestar Social 1995: 5)⁶

The idea of exclusion is based on a division of social reality into two different elements which function independently of each other. On one side we have the "included" population – with their own problems – and on the other side an "excluded" population who cannot be part of the included world because of unemployment. This division into "in" and "out" as two different realities – or at least as two realities without a link – intellectually allows or legitimises the construction of "exclusion" and "the excluded" as objects of study themselves, as objects of knowledge and intervention. The era of thinking about poverty in a relational way, taking in account labour-market dynamics, wealth distribution and other structural factors, seems to reach an end with the idea of "exclusion". The effects on social intervention derived from this idea of exclusion need to be examined.⁷

-----> **The individualisation of social problems**

A consequence of this paradigm of exclusion and the excluded, and particularly its dilution of a relational "episteme", is that unemployment is conceived of and presented as a characteristic of the "excluded". That is to say, the Catalan government promotes and projects actions onto "the excluded" to make them employable. The underlying idea in these actions is that unemployment is largely due to a lack of adaptation by individuals to labour-market demands. If unemployment is due to a lack of individual knowledge, and employment is the key to social participation, public intervention is thus focused on improving the skills of the unemployed through individual intervention. It is this process, through which individuals becomes the focus of social policy intervention in combating unemployment or poverty, that can be described as the individualisation of social problems. It is obvious and important to point out that unemployment and poverty during this period can be explained in ways that have nothing to do with individual "failures". Thus we find some authors in Catalonia, such as Garcia Nieto, arguing that technology in advanced capitalist societies has increased to a level which needs less human work to achieve a high level of production. Inevitably unemployment results from such a change in the production system and not from individual "failures or lack of knowledge". This kind of discourse is not present in policy planning.

In fact, insertion policies, as many insertion workers conveyed, focus on the client and their situation before developing what they called the project of insertion. In doing this, it is implied that individuals create social problems instead of the idea that social problems create individual conditions. For example, an individual taking part in an insertion programme will be analysed by the insertion worker through an interview with a methodology not very different from the case work methodology used by social workers at the beginning of the 20th century in the USA (Castel, 1979). In this interview, an insertion worker will try to understand the person and their environment. The aim of this interview is to try to understand

the reasons that make this person marginal to the labour market and to address those reasons. In other words, the insertion worker tries to make this person employable. We cannot detail an exact interview model as we were asked by insertion workers not to use their internal documents; however, what is important to note is the focus on individual subjectivity and narrative in analysing the unemployment situation.

In insertion practices this individualisation of social problems has concrete consequences. A crucial consequence is a “blame the victim” model present in the way “insertion” actions conceive of “un-inserted” individuals. As no connection is established by decision makers between labour-market dynamics and unemployment, all that remains are individuals with “problems” which are inappropriate for the labour market; problems it is precisely the work of insertion workers to correct through insertion techniques. An important element of this process we have witnessed is a pedagogical technique which requires that individuals acknowledge their own “failures” and correct them. For example, one technique involves simulating a job interview where individuals analyse themselves subsequent to the activity. The self-analysis process is complemented by comments from the insertion worker and the other unemployed witnesses to the role play. Another technique consists of working on the perception of the labour market that individuals have in order to reorder this perception and adapt it to “reality”. Moreover, all insertion programmes begin with a process of motivation and improvement of self-esteem. In this model, then, the situation of exclusion has to be understood as relating not only to skills and cognitive failures but also to psychological “failures” which have to be addressed. (It is not a coincidence that most insertion workers we have interviewed have a bachelor’s degree in psychology.)

This process of individualisation has a direct influence on the representation of individuals in insertion as elaborated in social workers’ discourse. Social workers’ image of “exclusion” is not far from notions of deserving poor and undeserving poor popularised by the Charity Organisations Society of London until the 1880s (Topalov, 1994). In this sense, insertion workers express feelings of compassion and empathy with individuals attending insertion programmes when they are considered to be individuals making an effort to change their situation, or when they are considered unlucky. In those cases individuals are legitimated and considered as deserving. In other cases, however, individuals can be considered as undeserving:

“Gypsies have a way of life which makes them be on the edge, there are other people who are excluded because they have had personal problems, but this a completely different situation. One thing is my culture, my family has a way of life which brings me to live from the state, this is not acceptable. Another thing is to be a person addicted to drugs who has given it up and who receives the basic income while looking for a job, that’s normal, but that’s not the case in this quarter.” (Manager of the Basic Income for Insertion programme)

And:

“Me, I have cried [talking about an unemployed migrant whose work permit has been denied] ... politicians don’t have any idea of what’s going on, they don’t understand that politics is made for people’s well-being, not for the politicians’ well-being.” (Trainer in an insertion programme for youth)



In fact, social workers identify with those individuals who show the will to be inserted, “I have cried”, otherwise the process is discontinued and sometimes they will lose the basic income – “this is not acceptable” – they had been receiving. Poor people have to demonstrate their real will to surmount their conditions or they cease to be viewed as legitimately “really poor” and deserving of the compassion of social workers.

-----> **The “entrepreneur of the self”⁸ as the ideal objective of insertion processes**

The insertion programmes’ engagement with each individual’s subjectivity attempts to promote changes in how the “un-inserted” manage their relations with the world. More precisely, the organisations in which we have conducted our field work try to promote that each individual will become what we could call an “entrepreneur of the self”. The “un-inserted” are supposed to manage their lives as an enterprise, and to learn to manage their bodies and lives following a model of action based on a cost-benefit model. In keeping with this, it is common in motivation seminars for trainers to encourage the “un-inserted” to manage their physical appearance in order to adapt it to labour-market demands. An example of this logic can be seen in the “clues” given by a trainer in a training session to women wearing a veil:

“What you have to do if you want to get the job you have to play, take off this kind of veil you wear and use one which doesn’t seem to be a veil, a nice veil which won’t be problematic.”

Or, another example of training for “gypsy” women:

“No, you can’t wear these kinds of earrings; you must use pearl earrings because pearls are much more neutral and closer to *payos* [non-gypsies] style.”

In both examples the trainers promote a way of thinking and behaviour based on a cost-benefit analysis in which personal decisions are subordinated to labour-market requirements – or assumptions about labour-market requirements – which could be characterised as “I have to change my clothes depending on what I want to get [benefit], otherwise I won’t get what I want [cost]. If I get benefits by changing my clothes and physical appearance – even if they are more than clothes – I have to change”. This reasoning is not only limited to the management of physical appearance, but is considered by many insertion workers as the right model to be applied to all dimensions of “un-inserted” lives. This model of behaviour recalls Foucault’s analysis of the enterprise model in society promoted by the Fribourg School economists:

“D’un côté, bien sûr, il s’agit de démultiplier le modèle économique, le modèle offre et demande, le modèle investissement-coût-profit, pour en faire un modèle des rapports sociaux, un modèle de l’existence même, une forme de rapport de l’individu à lui-même, au temps, à son entourage, à l’avenir, au groupe, à la famille.” (Foucault, 2004, p. 247)⁹

An illustrative methodology for “un-inserted” women features participation in mutual support groups through which some women can explain how they managed to work and take care of their children: by paying a neighbour to take care of children while they work, or by asking female family members, and so forth. It can be argued that one of the main duties of insertion workers is to teach the “un-inserted” to manage their time, money and personal relations in order to be



able to work and keep their jobs. The process of individualisation and individual “responsibilisation” of social problems implicit in “insertion” work is developed in many programmes in Catalonia. Perceived effort as the basis of legitimacy and the typology of the entrepreneur of the self as the ideal to which “un-inserted” individuals should tend are the key elements of the ideological frame of insertion work, a framework close to what Ebersold calls “managerial ideology”:

“Managerial ideology dissociates the self from society, it evacuates structural elements and social factors which affect individual lives. The social is erased; success and failures are a question of individuals.” (Ebersold, 2001, p. 125)

It is through this ideological framework – in which insertion work is developed and invested – that we can understand the discourse of social workers about gypsies and the positive role (for some social workers) that discrimination towards gypsies could have in insertion processes.

-----> **The emergence of culture in insertion processes: you know gypsies!**

This section discusses discourse analysis of insertion workers working in the Sant Roc quarter talking about “gypsies”. The presence of the discourses discussed in the previous section can be seen in the way that gypsies are evaluated in relation to their distance from a profile “adjusted” to labour-market demands, a profile displaying attitudes which insertion workers consider to be the optimal ones for labour-market insertion. I will show that this discourse about gypsies is made possible in these institutions because of the principles by which insertion programmes work. In this first description, it is clear that a “gypsy” is defined through an opposition to that which would otherwise insert him or her:

“Habits, social and personal skills, especially personal are the main problems in finding a job. ... They are not used to schedules or following rules. On the other hand, I have to mention images and communication skills, these are two special dimensions of the gypsy community and they want to keep it everywhere, even in the public sphere of employment, and that ensures that they are excluded from the labour market and finally they are limited to survival. A gypsy when he looks for a job is not looking to live properly but to survive. He doesn’t want to have a regular income but to earn 15 euros for a concrete need. Their conception of time is the present moment ... they are not looking to have plans but to live day by day. ... They don’t have sentimental education, with all my respects but the concept of family planning doesn’t exist for them. They get married and from the second month they have to make kids and they don’t stop, a person 18 years old without studies living in his or her parents’ house ... it’s a question of managing, not only sexuality but feelings too.” (Sant Roc insertion office worker 1)

In this description, a “gypsy” is abnormal, the opposite of someone who can be adapted to the labour market. It is worth noting that most of the descriptive sentences relating to “gypsies” are built through negative grammatical constructions. It follows, then, that a “gypsy” is defined by what he or she is not. In the insertion worker’s discourse we can also see that some individual behaviours and attitudes are considered cultural. The insertion worker’s perspective assumes a “cultural community” from certain individual behaviours and identifies this community by defining it through what this community is not. The images of gypsy culture are constructed in an opposition between perceived individual attitudes and behaviour and the “entrepreneur of the self” model.



This form of negative definition is clearer still in response to the question of whether all gypsies behave in the same way:

“No, there’s one boy here, he’s different. He has lots of problems, his mother was arrested in a market, but he’s different. He’s very punctual, they – boys in the insertion process – have thirty minutes to be prepared for work and he’s always the first. He’s really different, that’s why he’s succeeding.” (Teacher in insertion programme for youth)

If we read attentively, in this description the “gypsy” discussed is almost a “non-gypsy”. She repeats systematically that he is different, of course different from other gypsies, that is to say he is almost a non-gypsy – or at least he is succeeding because he seems not to be a gypsy. His efforts, and as a consequence his proximity to one of the main elements of insertion ideology, make him a “non-gypsy”. This identification of gypsies because of their non-adaptation to the norm has direct effects, as we shall see, for the ways that gypsies are treated in their insertion processes. An important effect of this is that discrimination towards gypsies in the labour market is seen by some insertion workers as being an integral part of the process of insertion; discrimination is not considered an illegal practice but an opportunity for insertion workers to improve the gypsies’ awareness of the importance of having a job.

-----> **When discrimination teaches the importance of having a job**

In responses to questions about the discrimination encountered in the labour market by “gypsies”, it is interesting to note that discrimination is recognised as an ordinary practice by insertion workers:

“When gypsies complain about the fact that enterprises don’t employ them they are right. The other day a gypsy came and told me, ‘the problem is that when they see me they don’t give me the job’ and that’s true, even if gypsies have a good attitude. Employers have stereotypes, if I receive a job offer I can send a gypsy but when he arrives at the company they won’t employ him. (Sant Roc Employment office worker 1)

The fact that a person is a gypsy that’s a real problem in order to get a job, that’s clear. I’ve got some youth doing an internship in different companies and the employer has shown racist attitudes towards those young people.” (Sant Roc Employment office worker 3)

Despite this recognition, many insertion workers do not consider discrimination as either an important issue or as being their affair. Some of them say that they try to raise awareness in companies about the importance of not being racist or not having discriminatory attitudes, but this work is considered voluntary and not especially important for insertion workers and institutions:

“We try to make employers aware about not having discriminatory attitudes but there are some companies for which things are very clear. They tell us that they don’t want gypsies, or people from the Basque country, no fat people, or... (smile).” (Sant Roc Insertion office worker 1)

This trite reduction means that discrimination or other obstacles that the “un-inserted” encounter are regarded as an injustice – and even experienced as a personal matter – by the insertion worker only when the person concerned is



considered to be someone who has invested in the insertion process, which means that he or she has shown the will to be inserted through individual effort:

“It’s completely unjust and unacceptable when you have been following a person [she’s talking about a young boy from Dominican Republic who had problems getting his work permit], a person who has been working hard and you tell him that the contract will arrive very soon, and when he’s ready he can’t get a contract for administrative reasons. It’s not possible!!!” (Trainer 2 in insertion programme for youth)

However, discourses elaborated in terms of justice and injustice are not present when the object of discriminatory attitudes is considered to be the undeserving poor. In those cases, some insertion workers consider that individuals who don’t make any “effort” to be inserted should be made aware of the difficulties of obtaining a job and endeavour to make a greater effort in their insertion processes. Discrimination is considered as a opportunity for insertion work instead of as a matter of injustice, and this has consequences for how discriminatory employers may be viewed:

“... when she (gypsy girl) speaks or just for her image, if the employer has stereotypes about gypsies he’s not going to give her the job, but she will find, she has to try, in any case she doesn’t have experience or knowledge, so she has to try and see how she can manage to get a job in her condition.” (Sant Roc Insertion office worker 2)

This suggests that the further a person is considered to be from labour-market requirements – and from the package of the “entrepreneur of the self” and an attitude based on “effort” – the more this person will be exposed to labour-market laws without recourse to criteria of justice and legality. Bluntly, the undeserving poor are not considered as possessing the same level of rights as the deserving poor. Taking into account that discrimination is an illegal practice, but accepted in relation to one part of the population, it can be contended that insertion policies create a double standard in terms of what is legal or illegal.

-----> Conclusion

In this chapter, I have tried to explain that insertion policies are based on an exclusionary model which is linked to an individualisation of citizens’ life conditions and is stripped of structural processes which could explain individual situations of material need. This individualisation process is reified in concrete techniques of social intervention that postulate that a “scientific” understanding of individual situations will solve people’s situational needs. This supposedly “scientific” social intervention posits as its main solution an education/re-education of poor unemployed people in order to adjust them to labour-market requirements. In this sense, these policies consider accessing the labour market as the main element for participation in society. This social intervention apparatus leads to an emergence of cultural/racial interpretations of positions in the social structure, and to a situation in which illegal practices such as racial discrimination are considered a potential pedagogical positive for the undeserving poor.

Based on this, it seems to me that this approach to social problems is incompatible with democratic principles and those of social justice. Many European democracies are based on the principle of equality, conceived of in terms of having similar living conditions independently of social structure position. Insertion policies tend to establish a principle of equal opportunities as a condition for equality. Equal opportunities in professional training cannot replace real socioeconomic



policies aiming at substantive social equality by attempting to improve the living conditions of the population. In that sense, economic and social elements which could explain individual living conditions cannot simply be erased from public policy, as it seems when insertion policies are taken as the basis for poverty reduction or elimination.

Furthermore, it is not within the professional boundaries of social work to promote equality, but instead to offer services to the whole population in order to improve living conditions. Insertion programmes conceived of as social work confuse levels of action and create a diffusion of responsibility. No social work intervention can replace political and economic decisions to promote equality, and social work is not an element for promoting equality but a product of governmental policies of equality. To emphasise, insertion can not take place at the individual level because poverty, unemployment or precarious labour conditions are not an individual matter but a structural issue. Unemployment will not be solved by adapting people to labour-market requirements, but by improving labour conditions and exploring ways of distributing wealth taking into account different desires, wishes and projects:

“Une instance public de régulation est plus que jamais nécessaire pour encadrer l’anarchie d’un marché dont le règne sans partage déboucherait sur une société clivée entre gagnants et perdants, nantis et misérables.” (Castel 2003, p. 92)

-----> **Acknowledgements**

I want to thank Julia and Gavan for their strategic and precious help. I would like to thank Farah and Sara for their support.



-----> Endnotes

1. The concept of exclusion is also present in other European governments' social policies – France and Belgium for example – however each of those contexts have their own specificities in moving from concept to concrete social policies. Therefore, what is mentioned in this article has to be understood as being limited to the Catalan context. Nevertheless, we think that it is possible to use the results presented here as a hypothesis for other European contexts.
2. I will use the concept of “insertion” because it is the term used in Catalonia to identify policies based on trying to increase individual employability as the main path to a reduction of “poverty” or “unemployment”. These kinds of policies have received different names depending on the context: inclusion policies, *Políticas activas de empleo* and so forth. What matters to us here are the ideological principles implicit in these policies, regardless of their name. That is why the reader will find a detailed description of those ideological principles further in the chapter.
3. Since 1989, what we call “insertion policies” in Catalonia have taken different forms. Insertion policies were born in Catalonia as a strategy by some organisations to create individual and social transformation through education. Those first insertion practices were inspired by Paulo Freire’s writings, where insertion was a way to create individual and social transformation by and with the “oppressed”. However, since 1990, insertion practices have changed and lost their original orientation to become work on individuals to adapt them to labour-market demands. We will not describe this process of change as it is beyond the scope of this chapter, but it is important to mention that this process has its own history with its own actors.
4. This work is a part of my PhD research which is focused on analysing the emergence and definitions of poverty in contemporary social policies. The field work is based in Catalonia.
5. See for example Fretigné Cédric, *Sociologie de l'exclusion* (Paris, L'Harmattan, 1999). One of the main critical arguments offered is that this post-modern model tends to present society as being divided in two groups while forgetting the economical and political process and mechanisms which place people “out” or “in”.
6. Those kind of arguments have been present in different arenas in Europe since the 1970s. We have identified the emergence of this kind of reasoning in many documents produced by the OECD in the 1960s.
7. It is important to mention at this point that the idea of exclusion and the consequences that this idea has in terms of thinking about social reality are not only a consequence of Touraine’s writings. That the process in Catalonia follows a scheme of thought similar to that developed by Touraine does not mean that Touraine is responsible for these policies. The process is much more complex. In this chapter we use Touraine’s model as a way of clarifying the ideas which have structured insertion policies in Catalonia since the 1990s. To detail how, when and why insertion policies in Catalonia adopted a scheme of thought similar to that of Touraine would require another chapter.
8. The concept of an “entrepreneur of the self” has been translated from the French expression, *entrepreneur de soi*.



9. In English: It consists of demultiplying the economic model, supply and demand model, investment-cost model, in order to make it a model of social relations, a model of the existence itself, a model of relations of the individual to himself or herself, to time, to its environment, to the future, to the group, to the family. (author's translation)

2. Precarious trajectories: migrant youth regimes in Greece

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-----> Introduction: youth and youth-discourse in Greece

“Youth”, as a distinct social category, constitutes a popular subject in the public and academic discourse on international, national and regional levels. In recent years, youth and youth participation have been included as important issues in the political agenda of the EU. The European Commission has adopted an open method of co-ordination in the field of “youth” in order to help young people to “make their own contribution to a more solidarity-conscious society and live citizenship to the fullest” (European Commission, White Paper, 2001, p. 5). The social category labelled “youth” is defined by the age of its members which usually ranges from 15 to 24 years of age. The category can be further divided into teenagers (13 to 19 years old) and young adults (20 to 24 years old). In the EU, 56 million out of the total 375 million inhabitants are between the ages of 15 and 24.

Besides the above distinction, “youth” is presented usually as a homogeneous category and it is “imagined as both the cause and solution to various social problems” (Bessant, 2003, p. 91). Opposed to such views, we prefer a “denaturalised” and “de-standardised” (Walter, 2006, p. 120) view of “youth” which suggests that this social category is the outcome of certain sets of social practices within given social structures across numerous domains of social life. What we call the “youth regime” is the overall dynamic process that interweaves the above-mentioned social practices with social structures and values:

“The notion of ‘regimes’ relates to existing institutional settings that have a history structured not only by conflicts and the interest of specific social actors but also by the set of values and interpretations which they constantly reproduce. Institutions and concepts merge into what is conceived of as a ‘normal’ in a given context, which also includes a ‘normal’ relation between individual entitlements and collective demands. Herein, cultural and social patterns are also concerned with influencing individuals’ biographical orientations.” (Walther, 2006, p. 124)

Therefore, youth – as a product of such regimes – constitutes an unequally distributed social good. It is part of the structuring of the life course in differentiated (though historically variable) “stages” or “phases”, each one of which allocates qualitatively and quantitatively different resources and constraints (Marvakis, 1999, 2005).



Furthermore, we adopt a view which conceives theories and concepts as parts of social practices. Talking about youth (its problems, characteristics, needs, etc.) thus contributes to (or participates in) a social arena, which oversteps the limits of this particular social category and touches upon all members of society: for example the question of “normality” or “deviation” concerns the “world of adults” as well. In this sense, talking about migrant youth constitutes such a social arena and offers a chance to reflect and retheorise our view on society as a whole: “What is normal?” “Who belongs to ‘us’?” “What needs to be changed in our society, and how?”

Youth, or the new generation and its problems (or problematic behaviour), constitutes one of the most common and popular issues in public rhetoric or discourse in Greece. “Youth”, in its multiple uses in public discourse, has been identified as a special category that needs a specific academic and political approach. The social category “youth”, when addressed in a public debate, usually consists of different social categories and groups ranging from children to young citizens, including categories such as “juveniles”, “adolescents”, “pupils” and “students”. As a consequence, a variety of theories on youth have been developed that suggest appropriate policy formulation and implementation in relation to youth issues and problems. The prevalent way that youth has been represented, as a “special situation”, and the problems attributed to this situation, both construct society’s image and perception of youth. It is worth mentioning, as our first research results indicate, that there is a gap between what is commonly believed about the young and what the young actually believe about themselves, without being able to make their voice effective.

In the case of Greece, as far as youth research and discourse are concerned, it can be said that the dominant approaches oscillate between viewing “young people causing problems” and “young people having problems”.¹ The main characteristics of such approaches rely upon the fact that the interest is focused on social problems in which certain groups of young people are involved. Therefore, the object of research is not in fact youth or young people but problems allegedly caused or suffered by (some) young people – as being perceived and/or defined by social scientists and opinion leaders. Even though the discourse incorporates sympathy for young people and their problems, it deprives young people of the chance to define their own problems. A common example is the problem of drugs that is seen in a moralistic and sensationalist view lacking well-founded research for the self-perception and self-representation of young people themselves. The public youth discourse mainly focuses on issues that are connected with anti-social activity or delinquent and deviant behaviour. Thus, even though a relatively significant number of studies covering multiple issues concerning youth with a special focus on problems and propositions for their solution exist in the Greek literature, significant segments of young people are almost totally excluded from it. Young people with migrant backgrounds are in principle confronted with an obvious contradiction: in the public discourse and space they find out they are not “young”, but mainly “Albanians”, “Roma”, “dangerous”, “inclined to delinquency” or “vulnerable” (Marvakis and Pavlou, 2006).

In this paper, we focus on discourses on youth in the Greek context and how these discourses categorise youth as a population and a concept (Wyn and White, 1997), excluding some groups not only from official discourse but also from democratic participation. Furthermore, these discourses do not take into account the role of gender, class, ethnicity, sexuality, culture, geographical

location, and so forth, in youth identities. We want to point out, however, that despite the fact that some groups of young people are excluded from political discourse and participation, they develop their own forms of participation based upon their own perceptions, needs and experiences. The issues which we want to discuss are based upon in-depth interviews mostly with young Albanians and observant participation in the cities of Athens and Rethymno, Crete, undertaken in the framework of collective and ongoing research on “Experiences, social identities and forms of collective expressions of young people from migrant backgrounds”.² The axes of the interviews are the following: a) education; b) languages; c) residence; d) work and economic condition; e) relations with parents, other members of one’s age group, ethnic community, larger society; f) spare time and preferences; g) ideas, perceptions and expectations; h) self-definitions and over-determinations and i) participation in associations and organisations.

Within this article we will try to explore, focusing on the interplay between structure and agency, the ways young people with migrant backgrounds form their social identities and create new and sometimes unpredictable – for both social scientists and policy makers – pathways of participation in the social space.

-----> **Young people from migrant backgrounds in Greece**

As it is noted in international migration literature, migrant populations are predominantly young as they are comprised mainly of individuals in active age. This is also the case in Greece. We can conclude from Table 1 that the number of migrant children who are born in Greece or have arrived in the country via family reunification is increasing. According to the 2001 Census, which constitutes until today the most reliable official data on migrant population in the country, a very significant proportion of individuals with foreign citizenship belong to young age categories. In 2001, 36.8% of migrants were from 0 to 24 years old, with some nationalities, such as Albanian, which is the largest group, surpassing the average with 43.7%. If we add to the youth population the age group of 25- to 29-year-olds – according to Greek and European authorities and institutions people under 29 years old are considered young workers – this percentage concerns more than the half (50.9%) of the total migrant population; in the case of Albanians it rises to 57.8%.



Table 1: Migrant population by age categories, Census 2001 (main nationalities)

Nationality	Total	0-4	5-9	10-14	15-19	20-24	0-24	% of Total	25-29	0-29	% of Total
Total	762 191	38 434	42 814	45 842	59 635	93 511	280 236	36.8	107 443	387 679	50.9
Albania	438 036	28 733	31 848	32 929	40 616	57 275	191 401	43.7	61 847	253 248	57.8
Bulgaria	35 104	715	940	1 413	1 877	3 522	8 467	24.1	4 940	13 407	38.2
Georgia	22 875	615	1 047	1 655	1 974	2 126	7 417	32.4	2 284	9 701	42.4
Rumania	21 994	548	398	452	1 050	4 276	6 724	30.6	5 574	12 298	55.9
USA	18 140	621	845	1 098	1 194	1 508	5 266	29.0	1 671	6 937	38.2
Russian Federation	17 535	405	764	1 177	1 232	1 649	5 227	29.8	2 258	7 485	42.7
Cyprus	17 426	163	219	266	3 103	4 844	8 595	49.3	1 185	9 780	56.1
Ukrania	13 616	188	414	516	527	1 182	2 827	20.8	2 121	4 948	36.3
United Kingdom	13 196	563	551	555	483	707	2 859	21.7	974	3 833	29.0
Poland	12 831	754	549	423	457	1 157	3 340	26.0	2 538	5 878	45.8
Germany	11 806	461	565	494	513	646	2 679	22.7	883	3 562	30.2
Pakistan	11 130	77	53	73	297	2 064	2 564	23.0	2 851	5 415	48.7
Australia	8 767	249	380	441	452	632	2 154	24.6	925	3 079	35.1
Turkey	7 881	105	111	134	218	411	979	12.4	538	1 517	19.2
Armenia	7 742	235	478	578	623	778	2 692	34.8	817	3 509	45.3
Egypt	7 448	475	198	145	165	598	1 581	21.2	1 164	2 745	36.9
India	7 216	104	40	35	165	1 334	1 678	23.3	1 766	3 444	47.7
Iraq	6 936	362	426	442	660	1 374	3 264	47.1	1 256	4 520	65.2
Philippines	6 478	283	201	96	74	177	831	12.8	575	1 406	21.7
Canada	6 049	160	306	377	423	515	1 781	29.4	728	2 509	41.5
Italy	5 825	172	204	211	430	347	1 364	23.4	461	1 825	31.3
Moldova	5 716	75	175	204	265	824	1 543	27.0	1 120	2 663	46.6
Syria	5 552	355	201	134	284	677	1 651	29.7	1 012	2 663	48.0
France	5 267	233	244	295	302	293	1 367	26.0	478	1 845	35.0
Bangladesh	4 854	26	10	23	90	693	842	17.3	1 680	2 522	52.0
Serbia & Montenegro	3 832	151	149	146	155	323	924	24.1	821	1 745	45.5
Other	38 939	1 606	1 498	1 530	2 006	3 579	10 219	26.2	4 976	15 195	39.0

Source: elaboration from 2001 census



In accordance with current legislation, all children between 6 and 15 years of age are obliged to go to school³ and this also applies to the children with migrant backgrounds. The participation and distribution of migrant children of different ages in the various state schools in primary and secondary education are overall constantly increasing. According to official data, there was a clear and steady rise in the number of foreign pupils within the period from 1995 to 1999: from 3.1% (47 666) in the general school population (1 531 943) in the school year 1995/96, foreign pupils reached 5.6% (79 737) of the total population of pupils (1 431 888) in the school year 1998/99 (Drettakis, 2000). This upward trend has continued and the number of “other” pupils was about 120 000 in 1999/2000 (Frementiti and Liatsou, 2000); with schools in the region of Attica (Athens) having over 60 000 pupils and Thessaloniki about 20 000 pupils. In some areas and neighbourhoods or in specific schools the percentage of pupils not born in the country exceeds the overall 5.6%. Salteris (2001, p. 47), using data from the 43rd Bulletin of the Teachers and Kindergarten Teachers’ Association for the school year 1999/2000, notes that “in the area of Kalithea-Moschato (Athens), the percentage of returnees-foreigners in the primary schools reaches 15.2%. In a third of all units it exceeds 20% and in one or two it reaches 30%”.

This tendency is continuing as more recent official data indicate:

Table 2: Number of pupils in primary and secondary school (2002-04)

Academic year	Greek (1)	Returnees (2)	Foreigners (3)	2 and 3	Total
2002-03	1 332 611	30 954	96 899	127 853	1 460 464
2003-04	1 312 313	27 669	109 130	136 799	1 449 112
Percentage rate of change					
2002-04	-1.52%	-10.61%	12.62%	7.00%	-0.78%

Source: Institute for the Greek Diaspora Education and Intercultural Studies (IPODE).

http://www.ipode.gr/default.asp?V_ITEM_ID=904&V_LANG_ID=6

In the middle of the 1990s, various legislative adjustments (especially Law 2413/1996) attempted to deal with the special needs of non-local and minority pupils (foreigners, gypsies, Muslims in Thrace).⁴ The bulk of these efforts concerned the development of “intercultural education” (Damanakis, 1997) and the operation of some so-called “intercultural schools”. Although at the rhetoric level there is recognition of the lack of homogeneity within the pupil population and of the increasing cultural and linguistic “variety”, in practice the assimilation model remains intact. Actually, the basis of the official policy concerning intercultural education is to assist the adjustment of migrant and minority children to the curriculum of school. The Ministry of Education is rather eloquent on this point:

“The aim of the institutional change in terms of intercultural education [Ministerial Decree F10/20/G1/708/07-09-1999] is to provide a more efficient and participative-active education of returnee [children of Greek migrants who have returned to Greece] and foreign pupils in order to incorporate smoothly and harmoniously in the Greek educational system.”⁵

The above figures and facts should demonstrate clearly that young people with migrant backgrounds are far from being an occasional and marginal phenomenon in Greek society. On the contrary, it seems to be a rather dynamic aspect of the



youth population in the country that demands increasing attention and policy on behalf of societal institutions.⁶

-----> **Migrant youth regimes in Greece**

In general, the question of the so-called “second generation” is a central one in migration studies as well as in politics. Someone could argue that the whole question of migrant integration is inextricably connected to the fate of migrant children. Limited to the European experience, we could very briefly and schematically sort out three kinds of integration policies: the “assimilation” model which finds its paradigmatic form in the example of France; the “multicultural” one, elements of which are met particularly in Sweden, the Netherlands and Great Britain; and that of “social integration” through social rights which emanate from the regulations of the corporatist welfare state (Germany). In reality these models do not constitute fixed types, since in most cases the contradictions are far from being neglected (for a further discussion see among others Wieviorka, 1996; Ålund and Schierup, 1991; Joppke, 1995; Dirke, 1994). The case of Greece does not really fit in any of those models given that the last law, passed in August 2005, makes a vague reference to questions of integration, but offers no concrete measures or legal and institutional references. Although the incorporation of various ethno-linguistic populations and the sending and receiving of migrants has been a constant feature in the modern Greek State during the long process of its formation as a nation-state in the 19th and 20th centuries (Christopoulos, 2001), there still exists a very prevalent myth that it has historically been a homogeneous nation,⁷ which only very recently (in the past fifteen years) has had an influx of immigrants. This myth is being used to describe, explain or legitimise the political, practical and social refusal of the Greek Government to incorporate officially immigrants into the mainstream life of the society in which they live and work. The legal system as well as administrative practices force most migrants and their families to live in a state of permanent insecurity and dependence. Added to these obstacles are the everyday forms of discrimination and racism they experience.

Dominant national ideology – in more accurate terms nationalism – and racist exclusion cannot be artificially separated but they seem to be densely interwoven (Gilroy, 2002, xxiii). In our case, after dynamic conflicts and oscillations throughout the short history of the Greek nation-state since the 1830s, national ideology culminated in a perception of nationhood and nationality based on ethnic descent. Within this pattern, people without guarantee of Greek ancestry are excluded from citizenship as well as from several social activities. Incidents during national anniversaries are frequent when migrant students are elected as flag-carriers in commemorative parades in recognition of those pupils’ excellence. Many incidents of anger and protest of local people who cannot accept that “a foreigner holds our national symbol” (especially when this foreigner is an Albanian) have been reported throughout the country (Tzanelli, 2006). Therefore the legal framework remains rather restrictive, if not hostile, even as far as migrant children are concerned. It poses a series of structural constraints by imposing the same restraints on their parents. That is to say, a residence-work permit is required after education, in the absence of which the danger of deportation is probable. Naturalisation is rather difficult and connected to the years of residency of the parents even for those who were born in Greece. There are numerous examples of young people presented in the press who face insurmountable administrative

obstacles during the processing of their residence permit: passport and birth certificates are required even by those who were born in Greece and who cannot obtain these documents from their parents' country of origin (Kaitanidi, 2005; Tsatsis et al., 2006; Kapllani, 2006).

Very little has been put in place structurally to assist in the empowering of immigrant groups and to aid local populations in welcoming them into their communities.⁸ There is a general recognition of the existence of special needs and problems amongst children of refugees and migrants, but the lack of developed state infrastructures for migrants and refugees is being filled by the initiatives of NGOs. In initiating and running such initiatives an important role is played by funding programmes – usually from the EU. Thus, organisations such as the Greek Council for Refugees, Caritas, the Red Cross, Doctors of the World and others organise initiatives for the teaching and learning of the Greek language, providing food rations and clothing, offering medical and pharmaceutical care as well as psychological support.⁹ Thus, every attempt at social or political participation is based upon informal networks and pathways.

-----> Pathways of identification

The first question, which is inevitably posed, involves the ways in which blatant contradictions arising from this problematic institutional and societal framework are experienced by the subjects involved. In Greek society, youth from migrant backgrounds, especially young people from Albania, are usually considered as a homogenous category equated with their ethnic origin. Typical of this are the ways that the media present events related to migrants and determine migrants' identities. A current example is the murder of Edison Jahai, a 17-year-old inhabitant of Rethymno, Crete of Albanian origin, on New Year's Eve 2006. A group of seven people invaded Jahai's house and killed him in order to take revenge for a previous dispute with another young Albanian, where Edison was not involved. For the murderers as well as for the media – which were sympathetic towards the victim's father who was an eyewitness – Edison was not an individual, a person; for the media he had no other characteristic of identity than his ethnic origin, which is "Albanian". On the contrary, the same media showed a great effort to present the main offender's differentiated individual identities: it was reported that he was a "soldier in the special forces", a "teenager", a "local" or even a "champion in weight-lifting"; but never a "Greek" (see among others Lyviakis, 2006; Ta Nea, 2006; Morfonios, 2006).

Contrary to this (but in close relation to this lack of flexibility in accounting for identities of migrant youths, restricting them to their parents' ethnic or national origin), one needs only momentary contacts with migrants in order to observe the mass phenomenon of "baptising" migrants with Greek names, mostly by their employers who vehemently refuse to call them by their original names. Both variations display the ease with which the Greek dominant group switches between reducing or even fixating on their ethnic identity and at the same time denying one of the most central characteristics of Western identity: one's name.

On the side of the migrant youngsters we could record the common practice of the subjects to renounce their ethnic origin in certain domains of their life, aiming at rolling back the implicated or explicit social exclusion in which this origin results: namely being "recognised" as an "Albanian" implies very often net exclusion from various social fields and spaces. We interpret this instrumental

denial of one's identity as an extreme form of "identity management"; on the other extreme one can record a spectacular projection of identity. Both constitute ambivalent strategies of negotiating the terms of individual and collective social integration.

The experiences of pupils with migrant origins in Greek schools can be used as an example of this power-game around identity. The difficulties faced by pupils from various migrant groups that attend school stem primarily not from legal prohibitions but often from bureaucratic barriers, which start even during the enrolment procedure. In qualitative research on Albanian pupils from the 6th grade of primary school and the 1st grade of Gymnasium (Greek secondary school) on the island of Rhodes, researchers Kodakos and Govaris (2001) noted that these pupils experience school and integration as offering more barriers than possibilities. So they often develop personal strategies, such as "submissive adaptation", to the demands of school. Pupils experience and confront problems less as individuals than as representatives of a national group; their experience in the specific school reality is often one of depersonalisation. Within this context, it is hardly surprising that children – particularly those with parents from Albania – as well as adults, often hide their origin and identity (such as religion or name) stressing for example that "I am from Ioannina (a Greek town close to the Albanian border) – and not from Albania".

After discussing with young people from migrant backgrounds, we found out that the questions of self-definition and over-determination are tackled through multiple and often contradictory ways. Even the term "second generation" is not so evident for their self-definition and identification. Indicative of this is the fact that very often the discussion began with the question "do we belong in the second generation of migrants" or "what exactly does 'second generation' mean?" Therefore, it seems that the term "second generation" and the consequent theoretical approaches emerge mainly from academic discourse as a form of label. However, as migrants themselves mentioned in our research, neither do they use it nor do they completely comprehend it. They consider themselves the children of migrants and part of Greek society.

The formation of identity is not self-evident, but instead is refracted through different areas of socialisation and articulated in multiple, mixed or even contradictory ways.¹⁰ "It appears as a dynamic web of multiple and flexible multidimensional identities constructed and conceived on a value-based hierarchy. It is an open and receptive schema, subject to changes, in a continuous dynamic evolution that operates as a basis for the conception, representation and self-construction of citizenship (that is the imagined conception and the entailing vindications of effective rights and membership). A vital element is the value-based character of this web's structure and the respective hierarchy of identities in the context of individual management of 'identity' and the self-formation" (Marvakis, Pavlou and Tsiakalos, 2000). Thus the simplification of multiplicity has an ambiguous political functionality.

For our interview partners, ethnic identity is constructed usually through the relation with their parents. The family house is the place where ethnic origin, mother tongue and cultural practices are confirmed in a creative way: "between us [children] we speak mainly Greek with Albanian words, with our parents Albanian with Greek words". Though in larger society, ethnic origin might sometimes be concealed and even denied – it is significant to note that many interviewees have reported the fact that Albanians are less subjected to racism because of



the invisibility of their origin as opposed to African or Asian migrants – the confirmation of the ethnic origin functions as recognition of their parents' hard work. By keeping in touch with the past of their parents, they acknowledge the sacrifices of the latter who tried through the experience of migration to increase resources and social capital for the children.

Therefore, the relation with the migration process as well as with the country of origin is mediated through and constitutes part of the relationship with the parents. On the other hand, the country of origin is a site of continuous discovery: "For me, Albania is a place where I discover new things." So, cultural identification is proved to be a dynamic process, which defies narrow definitions: "I feel Albanian with a Greek mentality." Ethnic identity is not perceived in essentialist terms or in terms of mere cultural difference. It is mostly constructed through a grid of social relations where the agent constructs and reconstructs his or her social identity and situates himself or herself to the social hierarchy: "I wouldn't like to resign from Albanian citizenship, but I would like to have the Greek one if it helped to find a better job."

It often happens that our subjects become acutely conscious of their migrant status through their contacts with the (Greek) public administration. The procedure to obtain an independent residence permit, which is required after a certain age, marks a clear line of demarcation between these young people and the indigenous ones. This experience is for some incomprehensible, given that they were born in Greece, for others it is rather traumatic: "Four hours in the snow and you watch your father being treated as garbage", reported a 17-year-old girl from Albania who has been living in Greece for eleven years. Others found the whole procedure of the residence permit issuance bizarre if not incomprehensible and outrageous; a participant in our research reported that he was surprised and disturbed when at the age of 17, his parents told him that he should go with them to the Prefecture in order to apply for a residence permit: "a residence permit, what for?"

Other crucial factors in the construction of social identity are economic-class position and gender. The reference to class does not necessarily emanate from a global perception of society, but rather from concrete material conditions which determine the limits of social action and even socialisation. "My schoolmates were going out but, if you want to go out, you need money. For me, going to Goody's [fast food restaurant] meant that I would spend the pocket money of a whole month", as a student reported about social contacts at school. Economic difficulties are often a determinant factor in managing leisure time, given that certain goods such as cinema or theatre tickets are in many cases unaffordable. In the case of young men, an added obstacle is the stigma of the "dangerous Albanian". In the town of Rethymno, where social diffusion is not as intense as in the metropolitan area of Athens, young Albanian men are not allowed in many coffee shops.

Class consciousness and differentiation are present also when it comes to work. Institutional precariousness leads very often to socioeconomic precariousness. Students, for example, are obliged to work either in part-time jobs or in the "black market", since they hold a residence permit for studies, according to which work is forbidden. Nevertheless, for the vast majority, work is not a future issue. Even students are working at least in part-time jobs, not only for their personal expenses but even to help their families. This fact is rather significant for a class-oriented identification, which very often effaces ethnic



origin. As a young construction worker told us, “things are not equally difficult for all the Albanians. If you have your own business, it is different”. Through these contradictions, the question of identity is raised in terms of socio-political inequality. Thus, although “we live under the same sky [with Greeks], there is a difference of status” which determines self-definition as well as social relations.

-----> **Pathways of participation: diversity and inequality**

Various typologies or models have been developed by some theorists (Hart, 1992; Shier, 2001) as far as youth participation and empowerment are concerned, focusing on the involvement of adults and youth in decision making and the sharing of power between adults and youth. A significant question about youth participation and its connection with democracy, especially under the conditions of neo-liberal policies, is whether these policies promote youth in decision making, or whether it is a state strategy to increase the regulation of young people without taking into consideration the reasons and the barriers that exclude youth from the public sphere:

“Youth participation is presented as a technology of citizenship that has the effect of increasing state sponsored regulation of young people. ... If they are to enter the public sphere in its current form, they do so on an extremely unequal footing. The public sphere is not neutral in terms of age, race, socioeconomic background or gender. Unequally powerful groups develop unequally valued styles of operating with the result that subordinate groups are marginalised or excluded. Acknowledging inequality rather than ‘bracketing’ it is likely to increase the possibility of arrangements being made that reduce disparities between dominant and subordinate groups.” (Bessant, 2003, pp. 88, 97)

The outline of social conditions presented above does not seem in fact very advantageous to participation in socio-political activities. Thus, on an official level, we can find several dozen immigrant organisations in Greece, the bulk of which are in Athens, fewer are in Thessaloniki (the second largest urban centre) and a few are found in three cities on the island of Crete (Gropas and Triantafyllidou, 2005, p. 25). Nevertheless, despite structural constraints that provide rather narrow margins, we can see significant examples of young people with migrant backgrounds who organise themselves on their own initiative. We could in fact distinguish two broad types of participation without intending to deny the fact that in most cases these two types co-exist: socio-political and socio-cultural. In the first case, participation in collective areas is mainly based on political issues focusing particularly on the question of rights. Identity politics practiced in places, such as the Forum of Albanian Migrants in Athens and the Immigrants’ Centre in Rethymno – to mention just two examples where we have conducted observant participation – do not aim for the simple recognition in the public space of a specific ethnic identity or for the reproduction of a common identity. It rather has the objective to fight against inequalities imposed “from outside” and “from above”.

For example, the Immigrants’ Centre in Rethymno on the island of Crete has focused from the beginning on immigrant and local co-operation and the development of mutuality. The centre is thought of as a “meeting place” or a “hang out spot”. It is a single-family dwelling with a small yard in the back that is leased by the local non-profit association called the Solidarity Initiative



towards Immigrants. Students, immigrants and other local participants put forth all of their mechanical and handcrafting know-how in order for the physical environment to take shape. The construction materials for this endeavour came from donations provided by local merchants and businesses. This recycling of resources demonstrates one of the founding principles of the centre, as does the interdependence that is cultivated by such initiatives. From a social or community perspective, the centre is set up as an autonomously managed and operated public space in which a variety of social and community activities are organised on a volunteer basis. This public meeting place is open to activities and initiatives which can directly or indirectly contribute to the empowerment and adaptation of immigrants in the relatively small community of Rethymno as well as the community's adaptation to the changes precipitated by the influx of people from ethnically, geographically and religiously diverse backgrounds. As a social movement, the centre has the ongoing goal of bringing about a "learning democracy" and "collective socialisation" of all the people who take part in the activities, whether they are immigrants, students, or local participants. Of course, participation in this project and experiments in solidarity-socialisation influence all of the participants differently depending on their social position, their subjectivities, and their evident and latent needs (Triliva and Marvakis, 2006).

Grassroots political activism of young people from migrant backgrounds is most often connected to parts of the broader civil society and relies on a wider grid of social claims. Rather than confirmation of "migrant status", this kind of activism aims at the elimination of the inequalities and exclusion that this status implies. Thus socio-political mobilisation does not merely concentrate on migration policy, migrant rights and racism; the agenda sometimes surpasses the migrant question and broadens the scope of action. An example was the participation of the Forum of Albanian Migrants in a European anarchist festival organised in Athens from 4 to 7 May 2006, where discussions and activities covered a much larger area than migration.

As far as socio-cultural participation is concerned, one can find places, especially in Athens, where young people from different ethnic backgrounds create varied forms of alternative cultural expression. Such a place is a building in the district of Patissia in Athens occupied and renovated by young Albanians, Russians and Greeks. There and in other self-directed autonomous places we can find mixed cultural production, especially as far as music is concerned. We could say that a multi-ethnic underground music stage (especially in rap and hip-hop music) already exists in Athens. These places are in fact "places of resistance", in the meaning that young people surmount – not without difficulties – the barriers posed upon them by the overall migration regime and societal structure (for a further discussion see Raby, 2005). There and in other places, which surpass our "sociological imagination", these deprived people realise¹¹ their denied rights to participation. We must note of course that official institutions encourage none of these forms of participation. They result mainly from small-scale initiatives with or without the aid of the anti-racist movement. Thus these initiatives reach only a minority of the young population from migrant backgrounds. It would be inaccurate to suggest that young migrants demonstrate a stronger inclination towards participation than indigenous young people.



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-----> Endnotes

1. It is important to state that this “conceptual figure” is “applied” also to certain other fields, such as migration.
2. We could not find published data on the experiences, problems, needs and activities of the “other” youths of Greece (see accounts by two youngsters from the Sudan and the Philippines in the newspaper *Avghi*, 11/7/1999, pp. 4-5). A few artistic references on youth experiences could be found: a film from 1988 directed by K. Giannari, produced as a realistic documentary film with mainly amateur actors, showed the lives of various groups of youths and children of the diaspora from Russia who pursue the “Greek dream” in Athens. The 1998 Cannes Festival prize-winning film by Theo Angelopoulos *An Eternity and a day* had as its main hero an unaccompanied migrant minor from Albania. Another short film from 1994 by George Zafeiri shows the adventures of two young Albanian migrants in Greece.
3. Access to technical education presupposes the holding of both residence and work permits.
4. The “Muslim minority in Thrace” (north-east of Greece), comprising Turks, Pomaks and Muslim gypsies, is the only minority officially recognised by the Greek State. This population (as well as the Greeks in Istanbul) was excluded from the *Population Exchange Treaty* signed in 1923 in Lausanne between Greece and Turkey, just after the war in Minor Asia.
5. http://www.ypepth.gr/el_ec_category3.htm. For further information see Petracou and Xanthacou, 2004; Skourtou, Vratsalis and Govaris, 2004.
6. Greek NGOs launched an alternative report (complementing the National Report) to the UN on the subject of the implementation of children’s rights in Greece and stressed a series of important points (a brief summary was given in *Eleftherotypia*, 17/1/2002, p. 49):
 - It notes the presence of a large number of children of migrants, refugees and minorities who are forced to work and others who fall victims to sexual exploitation.
 - It stressed the lack of real access of refugees and migrants to education (such as the “multicultural schools”) because of administrative barriers such as the absence of essential certificates.
 - The implementation of special measures to protect refugee unaccompanied minors is characterised as problematic.

The absence of protection and specific policies for the children of migrants or refugees means that these children are vulnerable to exploitation by adults, both individuals and (organised) groups – even to the point of children being kidnapped (see *Eleftherotypia* 11/11/1998) from their country so they can be brought to Greece and earn a daily wage for their exploiters (see *Nea*, 22/1/1994, 12/4/1996, *Eleftherotypia*, 22/1/1994), sometimes risking their lives (see *Apogevmatini*, 17/8/1997, 2/1/1998).

7. There are few official figures on the existence and numbers of ethno-linguistic and ethno-territorial minorities living in Greece. The last census with a relevant question was that of 1951 and immediately prior to this, that of 1928. The only

census providing analytical questions on the languages spoken by citizens within the Greek State was that of 1920 (*Eleftherotypia*, 2001, p. 47).

8. See among others the contributions in Marvakis, Parsanoglou and Pavlou, 2001 and Christopoulos and Pavlou, 2004.
9. So for example, the Greek Council for Refugees started the “Pyxides” centres in 1996 aiming to help with the adjustment of young refugees to Greek society through educational and creative activity programmes. Similar programmes have been started by other NGOs. A joint programme by the Red Cross in Greece and Yugoslavia, as well as heads of local authorities from the two countries, was developed for 1 520 children (from areas of Bosnia and Kraina with experience of war) where they had the opportunity of hospitality in foster families throughout Greece and enjoyed other activities providing psychological support. A group in the “Centre for Research and Support for Victims of Maltreatment and Social Exclusion – Ioannina” examined the effects of this activity on the (psychological) health of the 20 children and their foster mothers in Ioannina who participated in the programme (Bilanakis et al., 1999; Alexiou, 1996). A colleague of this centre, Ioanna Babasika (1995), referred to another activity aimed at examining traumatic experiences of torture in the family and the experiences of exile amongst a group of children of Kurdish origin.
10. Held, Horn and Marvakis (1996, 180f) in their research about the youth of the so-called second generation of immigrants in Germany mention a series of meanings and uses of “self-positioning” of the subjects in the network of collective identities.
11. In the French meaning of the word *réaliser* which means “to make real”.

3. Learning from history: young Jewish men's reactions to anti-Semitism and immigrant youth in contemporary France

Ofer Nordheimer Nur

This paper is based on a surprising and stimulating crossing point of two seemingly disparate areas of research: immigrant Muslim youth in contemporary France and the painful history of the Jewish youth age-group in early 20th-century central Europe and its responses to anti-Semitism. The meeting point of these two areas, could help generate answers to the following burning question: how can France create an inclusive programme whose mission would be “participation through identity formation”; a programme that respects cultural difference and that could show sensitivity to the special needs and cultural make-up of the estranged generation of young, male immigrants, especially from Muslim countries?

My starting point is the Jewish young male response to the rise of a pathological and obsessively perverse phenomenon that had marred an entire age: modern anti-Semitism in Europe which grew in grotesque proportions from the 1870s and culminated in genocide in the 1940s.¹ The 19th century was the age of modern, secular anti-Semitism in European societies. Not that hatred and persecution of the Jews and of Judaism were entirely new phenomena; on the contrary, for good reason it is known as the oldest hatred, for it is as old as the Christian Church itself and its complicated relationship to Judaism.² However, up to the age of the Enlightenment in the 18th century this attitude, which expressed itself in massacres, expulsions and blood libels, was religious in its rhetoric. Religious intolerance against a defenceless minority was the problem, and the mainstream solution favoured by the Catholic tradition as well as the Lutheran Reformation was also conceived in religious doctrine: conversion, even coerced conversion, sometimes by way of torture or under the threat of abduction. With the advent of the modern age and the emancipation of the Jews into the European nations in whose midst they lived, the Christian claims waned and made way for secular, though no less intense manifestations of hatred and exclusion. During the 19th century, in the age of modern nationalism, it was claimed that the Jews, in their specific otherness, were foreign, alien and as such, an obstacle in the European nations' path to consolidation along desired national or ethnic boundaries. The presence of the Jews was perceived as destructive. It interfered, so it was claimed, with the accomplishment of national cohesion which was necessary for the creation of an “authentic” national culture. The defeat, in spirit at least, of the



liberal ideal of assimilation and “integration as equals” generated among the new and rising Jewish intelligentsia in central and eastern Europe a wave of nationalist self-understanding as of the 1880s, Zionism being but one of its varieties.

But the most important development that concerns us today was the coincidence of the turn of anti-Semitism, since the mid 19th century, to the pseudo-scientific discourse of racism, and the rise of the age of youth in Europe. This evolved from the last third of the 19th century and culminated in the rise of youth as a self-conscious cultural, social and as of the end of the First World War, political power.³ Racist anti-Semitism did not concern itself with religious difference, with ethnic difference or with differences in patterns of economic activity but with biological difference. Along with the crystallisation of race as a pseudo-science, not only claiming that human society was made up of distinct races, but also claiming that some races, notably the Nordic race, were superior and meant to rule other races. Along this line some influential racists maintained that the Jews were inferior, devoid of creativity and deformed physically and mentally. Many students in universities enthusiastically adopted an active exclusion of Jews. Campuses such as the University of Vienna gradually became racist in flavour, inciting hostilities and clashes between fraternities which since the 1880s were defined along ethnic lines, the German fraternities excluding Jewish or Slavic students from their midst, using the most abusive and hateful racist justifications.⁴

A radical turning point in European history toward the human body, especially the male body and its deficiencies, occurred as of the 1890s. Of primary importance was the well known physician Max Nordau's widely circulating theory of degeneration that haunted Europe as of 1892, the year of its publication, claiming that as a reaction to the urbanisation of European society with its fast pace, the Europeans had become mentally disturbed, their nerves had been shattered and they needed physical and mental reform.⁵ It was this theory along with the racist attacks on the inferior Jewish body and soul that elicited the most eager response from the Jews to reform themselves. As a response to Nordau's degeneration theory we see the rise of health and fitness awareness all over Europe. For example, the invention of the Olympic Games by Baron Pierre de Coubertin, which first took place in 1896 in Athens, reflected this new awareness. Few people know that de Coubertin's primary intention was to reform what he perceived as a deficient French male body in comparison with the English or Dutch youth whom he saw as athletic, fit and immersed in sport activities.⁶ Thus, exposing French youth to English or Dutch youths in an international sports event would encourage them to become more physically fit. Nordau, who became the second most politically active Zionist after Theodor Herzl and the leader of the World Zionist Congress after the death of Herzl in 1904, specifically applied his theory to the Jewish male youths and their bodies. Thus, according to his brand of Zionism which was the mainstream Zionism of his day, in Palestine, perhaps only in Palestine, Jewish youths could be reinigorated and transformed into “muscle Jews”.⁷

As of 1895 we see a mushrooming of Jewish gymnastics clubs all over central Europe. Later on we see the rise of youth movements, all devoted to this attention to athleticism and physical fitness. The call for physical and mental reform was received most keenly among Jewish youth.⁸ Anti-Semitism also transformed itself into a corporeal hatred of the other. It was to this corporeally oppressive and depressive nature of the anti-Semitic mood in Europe that the young generation of male Jews responded most keenly to. Rationalising the effects of the Jewish life in exile as responsible for physical and mental deformity and degeneration, many



young Jews set out to seek the reform of body and soul, notably in the framework of Zionist activism, in order to metamorphose into tanned and muscular objects of beauty and fitness. The corporeal dimension of exclusion was the most hurtfully perceived by this young generation for many decades and, I would maintain, is still a potent power among young Jews today.

I would like to turn now to the problem of the disaffected young Muslim youths in contemporary France. I do not wish to draw simple historical parallels in my discussion. Rather my intention is to draw conclusions that are based on this comparison. The first point of comparison is the corporeal dimension of exclusion. In the Jewish case I would claim it was objective, imposed from outside by means of hateful and distorted images. In contemporary France I would claim it is subjective, that is, corporeal difference is, most visibly maintained by those who ultimately feel excluded. The majority of my interviewees in the north-eastern neighbourhoods of Paris feel and behave differently than their colleagues of the same age cohorts who are more “veteran” in France. The most crucial aspect of their subjectively felt exclusion by French society is concerned with their bodies and a corresponding mental difference. As in the case among the Jewish youth one hundred years ago, this is the most sensitive dimension of the experience of exclusion. Religious difference or difference in economic standing and the petty racism they entail in France, I would assert, are of great consequence no doubt, but when it comes to adolescent males these are secondary in importance.

Regardless of how open and tolerant contemporary French society may be to otherness, it is still all too clear to immigrant adolescents and young adults that if they wanted to really belong, really fit in, really be accepted, they need to adapt to some norms of physical appearance and to certain modes of behaviour to which many of them actively resist. Generally, in the framework of French tolerance, otherness in tastes, social and political views or religious practices are all accepted or contested in the framework of its republican values and its most powerful agent – the educational establishment. When it comes to the French public however, a permanent sense of inhospitality is reported by young immigrants. We can call it *petit racism*. On that level of social and cultural interaction where stereotypes play a major role, if certain views, attitudes and forms of behaviour and self-presentation are detected, they mark an immigrant as other, foreign and unpopular.⁹

The most potent source of unrest in France involves the predicament of adolescent males and young adults of immigrant Muslim descent which dramatically erupted last year.¹⁰ It is here that society must place its barometers as this particular social and cultural age group is the one where insult, disappointment and frustrated aspirations are the most likely to erupt violently. The question is then, how do French immigrant youths feel different from their more “veteran” French peers? Beyond the well-known and all too important differences in cultural proficiencies, gaps in social and economic standing and disadvantages in access to sources of prosperity, or blocking of prospects of social mobility, I would like to shed light on one aspect of difference that is rarely discussed at all. This difference is corporeal and has to do with one’s gendered body and mental makeup, as they are acted out by young male immigrants, and the way in which it is perceived by the general society around them. This corporeal difference is perhaps also marked by ethnic visibility but much more importantly than that, it is produced by gendered self-fashioning, self-understanding and a particular gendered behaviour.





Even an untrained observer of young people in France of middle and high school age would detect a stark difference between the gendered self-fashioning of adolescents of immigrant descent and their more “veteran” French peers. The longer one has lived in French society, regardless of whether his or her family immigrated from Spain, Portugal, Italy or eastern Europe, the more integrated one is over time into what we can call the French way of life, a way of life that evolved very dynamically over the 20th century. We cannot get into the historical background of the particular transformation that I would like to discuss in detail, mainly because we do not know enough about it, but the following observation seems to me to be valid: the normative French model of masculine behaviour, as it developed over decades, very similarly to other societies in western Europe, has become in recent decades softer than previous middle-class and working-class models. It has become relaxed, less extreme in its outward manifestations and the personal self-understanding which it reflects. I claim that it directly responds to the rise of the co-ed situation in Western urban society where boys and girls are encouraged to mingle freely and with a great measure of equality, and also to the way in which generational relations have evolved in the West, particularly within the family.

The more a young male immigrant is integrated into contemporary French society, the more likely he is to wish to adopt this softer, non-macho masculine self-fashioning. In addition, and as a part of this perhaps Europe-wide self-fashioning, he will relate to women and femininity along increasingly egalitarian lines. For him, a girl of his age is less of an object and more of a subject. Now, this perception may seem to both Europeans and non-Europeans as a more or less permanent characteristic of the West, perhaps one of the most accepted components of the image of the West in its own eyes, as well as its image by non-Westerners. However, this condition has seen its own evolution. It is related to how relations between the sexes and between generations in the realm of family and school have evolved in the middle class's path to modernity in the past one hundred and fifty years.

If a young immigrant adopts this softer masculine model, and this by all means occurs, he could proceed to take part in another enormously important aspect of young people's lives in France, that is, an egalitarian relationship, in principle at least, hopefully romantic, that involves emotional sharing between a boy and a girl of similar ages in mixed society. Because of cultural and religious reasons, such a relationship with immigrant girls from a traditional background is not conceivable for many. Beyond one's economic standing, which nowadays manifests itself in consumer gadgets, or social distinction, which manifests itself for example in one's neighbourhood, from an adolescent male perspective one badly wants to have a girlfriend, that is the most French thing to do. It must be noted, and this came out again and again in my interviews, that in order to attract the romantic attention of a young girl, one first has to renounce a more accented masculine code and acquire a softer self-fashioning. Unless in marginal social settings such as in actual gangs where macho manliness is demanded and attracts the attention of a particular type of young women, the softening of one's masculinity is crucial if one wants to be involved in a romantic relationship.

But there is an added dimension to the obstacle that prevents young, non-European immigrants to integrate themselves into the normative male–female sociability pattern that so characterises young, contemporary French people. Certain non-middle class, even anti-middle-class cultural codes that somehow originate



in class background or can be traced to what is thought to be the desirable masculine codes in the countries of origin, impose an excessive masculinity. The need for such a contrarian self-fashioning further exacerbates exclusion because it betrays a conservative, traditional division of gender roles. Thus, in an age that is selectively inspired by the achievements of historical feminist struggles, a young French woman would normally view macho gender self-fashioning with disdain. She may not want to associate with a hyper-masculine friend who, she may fear, will not respect her wishes for equality, something she has been used to throughout her life.

We should not underestimate the anxieties that the new, softer masculinity provokes in non-Western newcomers, who see right through it, many of whom reject it. Indeed, some contemporary cultural critics share this anxiety, not unlike the ones that plagued the last decades of the 19th century in Europe. These critics have pointed out nothing less than the decline of men in the West to the point of becoming tomorrow's "second sex" with no reversal in sight, or in Lionel Tiger's words: "the chronicle of the decline of men and the ascendancy of women."¹¹ Observing American society since the 1950s the poet Robert Bly detected the rise of the "soft male" in the 1960s as a response to what males were doing in Vietnam: "The male in the past twenty years has become more thoughtful, more gentle ... He's a nice boy who pleases not only his mother but also the young woman he is living with."¹²

This decline is reflected in and is due to the disappearance of male initiation rites in modern times, a phase in a young male's life where he proceeds from the realm of his mother and father to the adoption of a second father or a "second king". In this realm, according to Bly, the young male learns from his mentor how to be a man, how to show leadership and so on. With an emotionally demanding relationship to their mothers and with the absence of this institution of mentoring, males in the modern West have become confused, sometimes angry and they lack not only skills but also values of productive manliness. I assert that the immigrant male adolescent youths in France have detected this process and have unconsciously determined it to be a predicament. If we speak about diversity, this is their most visible and blatant assertion of otherness. The normative masculinity provokes a profound anxiety in them, and so, their gender self-fashioning as an interactionist, non-essential form of behaviour. The social demand that challenges men not to lose their manliness is anxiety provoking. Thus men, young and old, immigrant or not, and even gay men, with their overdeveloped muscles, cling to, and maintain their sense of manliness at all cost, whatever that variety of manliness may be. The macho manliness that is so visibly produced by young immigrant males has unfortunate results: it further marginalises young males who adopt it from being accepted into the mainstream society. Their sense of foreignness is thus intensified by loads of daily rejection.

However unfortunate the consequences of this cultural reaction may be to a smoother integration into French society, one of its aspects contains a beneficial and creative potential. A pivotal component in the particular construction of masculinity among young Muslim male immigrants in France is their gravitation to male-bonding sociability.¹³ In simple terms, even though it is always their fantasy to have a girlfriend, in reality they either do not know how correctly to attract the romantic attention of a young girl in terms of the codes of behaviour they need to act out, or they do not wish to dilute their performance of masculinity, which they know is necessary for this purpose. The result is that the young male immigrant



group is intensely devoted to male-bonding with their peers. Contemporary research into immigrant male sociability and the formation of urban gangs in the USA shows that this tendency may be imported from traditional, possibly rural patterns of normative homosocial sociability. Certainly, they characterise normative social patterns both in non-Western societies as well as pre-modern Europe.¹⁴ And then, they may arise out of the bewildering social situation which young immigrants find themselves in the throes of the depressing *banlieues*. Young males are pushed towards this particular form of solidarity, which, when combined with extreme alienation, shatter personal experiences, and the lack of esteemed role models further pushes a small number of teenaged immigrants to join delinquent gangs.

Modern liberal societies in the West have a very limited and often distorted understanding of this intense form of bonding. They tend to see it as a menace. Throughout the 20th century in European history there transpired a long process by which the violent thorn was pulled out of this potentially violent form of sociability. Thus, according to the sociologist Norbert Elias (1986), violent male-bonding in the European past has been effectively sublimated into competitive sports and other non-violent outlets.¹⁵ As opposed to rising conservative voices who call for the breaking of the backs of riot-prone young immigrants in France, is there an alternative solution that would rather serve to empower, by giving a sense of direction to the enormous, possibly task-oriented energies that attract these young males toward each other? Could an institution be created that would effectively harness and channel these powerful energies to some meaningful identity-giving activity?

I would claim that the answer to this question is yes. This institution is none other than a compulsory universal civil service for young people in France which should be re-introduced. If managed correctly it could become monumental in creating participation along somewhat voluntary lines (people could volunteer to serve in particular units that they are drawn to). Based on the military model, for the time being obsolete in France, a universal, civil-service duty would entail many benefits including personal development and employability as it should provide vocational training which is also an identity giver. Such compulsory civil service must recruit all French youths. If managed correctly, special attention to immigrant identities could be given, thus creating a sense of belonging and an activity that generates collective memories for one's entire life, not to speak of friendships and connections.

Because of the intense male-bonding experience of immigrant youths, which in my opinion is but a temporary social fact that may disappear in a few decades, this framework is ideal mostly for them. The key to the success of such formations lies in the cultivation of organic, charismatic and somewhat older unit leaders who themselves come from immigrant backgrounds, but nonetheless demonstrate a commitment to republican values. I strongly believe that if such a grassroots leadership is cultivated, the rank and file recruits will embrace it and follow it without the use of even the least coercive measures.

The rather recent introduction of young women into battle units in the USA or the Israeli military has shown that young women can also take part successfully and rewardingly in such units so that there is no misunderstanding between the concept of male-bonding and the possibility of women taking part in it as equal peers. It is my contention that because this formation is based on a particular type of intense sociability and camaraderie, in this framework, immigrant youths

can get to know women as equals and relax their attitudes toward them much better than in school or in the streets. This could well be a starting point to meeting the crisis of living together that the recent riots have demonstrated.

To conclude and tie back my discussion to the Jewish response to anti-Semitism one hundred years ago, the Zionist movement also made use of male-bonding as a human energy that can be harnessed and channelled to task-oriented missions. This was a major characteristic of central European societies in general, especially in the German case. Male-bonding spontaneously manifested itself in the youth movement phenomenon. There is no way we can understand this particular period of modern German history without the role that the rise of the youth movements played in subsequent decades. So is the case in Jewish history. In France today, spontaneous male-bonding is only occurring in order to commit riots. These energies should not be crushed by law enforcement. Rather, they should and could be effectively harnessed, while at the same time pulling out the violent thorn.



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4. Reconstructing the international intervention discourse as “politics of difference”: achieving full participation in Kosovo refugee camps

Madalina Gligor

“Western man gradually learns what it means to be a living species in a living world, to have a body, conditions of existence, probabilities of life, an individual and collective welfare, forces that could be modified.”

(Foucault, 1984)

-----> Introduction

In a post-structuralist interpretation,¹ Western modernity marks the passage towards a new ontology of biopolitics, which focuses on the body as becoming central to the political arena; a space where the private life of the individual (primarily conceived as a subject of law in the Aristotelian tradition) is no longer separate from their public, politically qualified life.

This chapter draws on this critical literature² in approaching contemporary political practices as relations of power and knowledge – expressed at the societal level through biopolitics or “governmentality”³ – as well as with forms of resistance to this particular type of power. Through a case study of Kosovo refugee camps, and the political discursive practices employed to account for international interventions, it argues that refugee management practices allow for the possibility of exclusion through the creation of camps as “zones of indistinction”. Here individuals are reduced to their biological condition; they become *homines sacri*⁴ devoid of all their prerogatives as political and social beings. In this context the rule of law is suspended and thus the enforcement of an extra-legal – but still not illegal – form of power is legitimised by the existing state of exception. By framing international intervention as rescue⁵ activities, it is implied that the rescuers decide the means and practices of salvation, which furthermore suggests the denial of the other’s capacity for its own agency, as well as ruling out any forms of resistance as wrong. The Kosovo refugee camps are an illustrative but conclusive case of biopolitics; where the individuals become “bare life” in a state



of permanent exception instituted by an international authority whose legitimacy as “rescuer” is conveyed by the victim status of the refugees.

This argument presents resistance as an active discourse and attitude against the reality of being reduced to a condition of “bare life”. Such an attitude is made possible through the politics of difference, which call for a rethinking of our categories of the human through an open system that allows other people’s conceptions to be integrated. Thus, the key issue becomes dealing with the post-interventionist approaches and procedures, in the sense that the victims not only require a clear-cut guarantee of their human rights, but they also need to be allowed to develop their own agency and to make their own decisions. However, this cannot be achieved unless the discriminatory “us versus them” approach, as well as the conception of power as universally normalising is left aside as an inappropriate approach in these circumstances. At the same time, there is the need for a higher level of both understanding and acceptance to be employed, which would go beyond mere tolerance, and towards creating a common space of encounter between us and them. At the level of interventions practised by international authorities, this can be done by ceasing to talk on behalf of the victims, a practice that is qualified by Foucault as “indignity” (Bouchard, 1977), and instead intermediate the possibility for a context in which the refugees would be able to speak for themselves; it is furthermore argued that in this way, arbitrary politics can be indeed left behind.

This argument follows Giorgio Agamben’s post-structuralist account of “bare life”, *homines sacri* and the “camp”, which he sees as the expression of modern political life, principally due to its mechanisms and practices (Agamben, 1998). It is important to acknowledge Agamben as a useful entry point, but at the same time the limitations of his approach – his lack of interest in empirical evidence and the fact that he basically sees no possibility of escaping the reality of the camp – invites one to move beyond him when considering policy descriptions and suggestions. In this move the ideas of Foucault, Derrida and Connolly are important. While Foucault condemns the practice of international intervention missions, namely talking on behalf of the victims (Agamben, 1998), Connolly focuses on emphasising the need to ask and to listen to the other voices, so as to be able to reach the state of what he calls “agonistic care” for the “Other” (Connolly, 1993). Clearly an engagement with the thinking of these figures does not make for the development of concrete policy, however they have much to offer about how to think and act differently about refugees.

-----> **Assessing Agamben’s post-structuralist notion of the camp**

Following the significant shifts in the international system subsequent to the Cold War and after the events of 11 September 2001, it can be argued that the world order, as well as the security arrangements it entailed, were impacted as never before. In his writings, Giorgio Agamben identifies the genesis of the 20th-century European concentration camp as a direct result of national security concerns, which further allowed for a discourse of threats to be construed in order to provide the necessary legitimisation for such practices (Agamben, 1998).

Agamben sees the camp as the very expression of the politics of modernity, which is set in place when the nation–state system is confronted with a deep crisis regarding its structure, conventionally made up of clear territorial limits and controlled by the state mechanism through different sets of rules and

juridical aspects. Moreover, within this traditional paradigm, the individual is made to belong to a specific order by simply being born in a certain space; in other words, the very birth of the individual (its bare life) grants it a politically qualified status, that of a citizen within a state-run arrangement. Hence, it is argued that the camp adds itself to the conventional structure of the nation–state system precisely by signalling its crisis through a practice of dislocating localisation (Agamben, 1998) and thus, the camp becomes at the same time both excluded from and included in the state territory, since it remains inscribed in the very political and legal mechanisms that initially construed it as a place of banishment (Agamben, 1998).

Accordingly, for Agamben the camp emerges out of a state of exception, which manifests itself outside the ordinary legal order. Moreover, it appears as a place of stable exception, of permanent lack of normal juridical order, characterised by a general suspension of individual rights and freedoms, as well as of different aspects of personal privacy (Agamben, 1998). Along these lines, the camp can be regarded as a zone of indistinction between different aspects previously constructed as binary oppositions, namely the inner and the outer, exception and regulation, legal and illegal. Individuals entering this realm are taken away from their political rights as citizens belonging to a certain social order with different privileges and obligations in order to be left as simple biological beings, as *homines sacri* (Agamben, 1998). Thus they are directly confronted with different manifestations of power, without any other intervention than the different forms of governmentality. In this reality anything becomes possible: atrocities and crimes are no longer assessed and perceived as such, since the conventional law has now been replaced by a state of exception. Here power is arbitrarily exercised and political decision making constantly oscillates somewhere in between categories, hence ceasing to distinguish between law and facts, exception and rule (Agamben, 1998).⁶

The refugee or stateless subject, who cannot be included in the nation–state because of national security concerns, is therefore demoted to a restricted area – the camp – internally placed within the state boundaries, and yet external. The camp appears as the place of excellence in producing the “sacred life” as permanently exposed to death, by separating the biological, bare life (*zoe*), from its politically qualified dimension (*bios*). Thus, the refugee is constructed as *homo sacer*, the embodiment of sacred life, as well as the exception, the Other, whose reinforcement creates the required background against which the normal can define itself (Heins, 2005).

-----> Escaping the biopolitical paradigm

It can be argued that Agamben’s perception of the camp as abandoning life through the creation of zones of indistinction characterised by the suppression of law – and moreover, his interpretation of this state of exception as expanding from the periphery so as to include the entire societal dimension of the modern West – represents a rather pessimistic perspective on modern politics, which does not provide any way forward from the camp, seen as the dead-end of modernity. Furthermore, the lack of contextualisation in his narrative makes his concepts appear as abstract notions, where the particularities that construct them remain unaddressed. These limitations become of real significance to both a coherent assessment of post-structuralist theoretical frameworks regarding practices of exclusion and inclusion, and to offering possibilities for escaping the reality of the camp. The conceptual



standpoint employed here needs to be broadened so as to include a dimension of resolution, suggested by the Foucauldian analysis of modernity.

Unlike Agamben, who interprets biopower as producing sacred life by practices of exclusion, Foucault is interested in flat, empirical questions and furthermore, he submerges himself in different sites of power in an attempt to grasp their logic. Moreover, by exposing the precariousness of power relations and the contingency of things (Foucault, 2003), his work emphasises that “...wherever there is power, there is also resistance” (Foucault, 2003, p. 81). What is more, he opposes the so-called technologies of domination⁷ – as well as the technologies of political power⁸ – to the technologies of the self, which allow individuals to affect, through their own means or with the help of others, a certain number of operations imposed upon their own bodies. Moreover, by admitting the fact that one can never be in full control of oneself, the technologies of the self can be seen as the individual attempts of people to modify themselves according to certain templates provided by the society, through participation in different processes of refashioning themselves in line with concepts that come from outside (Foucault, 1986) – and thus, to act towards escaping the biopolitical paradigm surrounding them.

Foucault identifies different forms of power as a continuum; power is a mutable, reversible, strategic relationship between people attempting to shape each other’s conduct reciprocally, as well as being institutionalised, asymmetrical domination (Foucault, 1986). Furthermore, resistance to these forms of power can be materialised through the politics of difference, construed as a critique towards the paternalistic power relations and advocating for change. Thus, post-modernist thinking, employed here as the theoretical framework, needs to address the social space that would facilitate this acknowledgment of difference and would thus create a space of encounter between the Self and the Other. Moreover, from the perspective of the Other being most of the times constructed as the Same (Levinas, 1991), there is also a clear need for representation and differentiation, in order to be able to further acknowledge the Other as not inferior, but simply different.

Thus, by questioning the origins and ethical confines of our language and discursive performances, Foucault’s notion of a counter-discourse (Bouchard, 1977) emerges as a feasible solution for incorporating a meaningful dialogue with the Other. Moreover, bringing the limits of our knowledge and procedures to light can be achieved through the practice of deconstruction, which is made possible by the contingency of power constructions. Hence, it can be argued that the consequences of traumatic experiences represent the most severe forms of materialising the failure and indignity of language – and in this sense, discursive resistance appears as an aesthetic form of language that allows for the possibility of self-esteem in speaking of others.

Along the lines of a Foucauldian interpretation and analysing the distinctions between morality (as traditionally ingrained in Western thinking and practices) and ethics (as a higher form of sensibility and care for the Other), there is the work of William Connolly, who also seeks a feasible solution concerning the possibilities to escape the biopoliticised existence and practices (Connolly, 1993). Departing from Foucault’s notion of ethical sensibility (understood as leaving aside the binary constructions of political discourse, developing the capacity to go beyond resentment, the cultivation of a generous sensibility, as well as constantly searching for possibilities of co-existing with the Other), he argues that in order to be able to both think and feel in terms of accepting the Other as different, it becomes necessary to substitute resentment with the politics of forgetfulness



and move on from the binary construction framework of “good versus evil”, as characterising Western culture (Connolly, 1993). Such an endeavour can be achieved by converting the existing antagonism into agonistic respect for the Other, which is seen as different from liberal tolerance, in the sense that it goes beyond it by establishing a bond with the Other and by starting to identify both with and against it through the development of sensibility, care and political agency towards it (Connolly, 1993).

Still arguing in the line of possible solutions provided by a post-structuralist approach to the refugee issue, one can take Derrida’s approach of bringing in the perspective of full acceptance and inclusion of the Other, by perceiving the Western practices of tolerance as one-sided, exclusive and tied to the reason of the most powerful. In this sense, tolerance is viewed as a conditional form of hospitality, since the Other is accepted only under certain conditions and thus, under the sovereignty, law and authority of the strongest – while his alternative suggests a return to unconditional hospitality as unrestricted openness towards the Other and without any attempts to confine it within artificial limits (Borradori, 2003).

-----> **The discourse of refugees and the Kosovo camps paradigm**

Refugees, whose number currently exceeds 13 million worldwide (Stanton Russell, 2002), have been discursively constructed in a range of manners that reflect the complexity of the issue. However, according to international law treaties, the main definition of a refugee is found in the 1951 United Nations Convention Relating to the Status of Refugees and its 1967 Protocol Relating to the Status of Refugees (United Nations High Commissioner for Refugees (UNHCR) 1996), which identify a refugee as an individual who “owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality, and is unable or unwilling to avail himself of the protection of that country” (The 1951 Convention Relating to the Status of Refugees, Chapter 1, Art. 1, Section A/2. in: United Nations High Commissioner for Refugees (UNHCR) 1996). Furthermore, since this early definition only covered the category of statutory refugees and did not make any reference to cases of mass departure from conflict areas, more inclusive agreements were developed by regional bodies, such as the Organization for African Unity (OAU) with the OAU Convention of 1969. These expanded the initial characterisation of refugees so as to include not only individuals facing maltreatment, but also each human being “who, owing to external aggression, occupation, foreign domination, or events seriously disturbing the public order ... is compelled to leave ... to seek refuge in another place outside his country of origin or nationality” (Organization for African Unity, 1969).

The refugee camps in Kosovo were built as a response to a post-conflict crisis situation and for an indefinite period of time. The people settled within these locations were perceived exclusively as “bare lives” needing to be safeguarded, without taking into account the political dimension of their existence (Edkins, 2000). Moreover, the focus of the camp administrators, mainly represented by NATO troops, remained constantly on the physical condition and well-being of the refugees, in other words on aspects related solely to their construction as *homines sacri*. Crucially, the encamped victims were expected to display an attitude of passive acceptance of the external aid and intervention provided, up to and including being spoken for in the name of their safety (Edkins, 2000).



Due both to massive inflows of refugees, and the determination of the international intervention missions to avoid casualties in their ranks, the state of affairs in Kosovo was securitised from the very beginning. In this sense, the refugees were treated as mere biological bodies, with the only objective being to provide them with basic organic needs. Thus, people who had previously been socialised within political, economic and civic frameworks, suddenly saw all these rights taken away from them in the name of the need to secure their “bare lives”; they were left to proceed with their lives within the reality of refugee camps as *homines sacri*, devoid of their status or active political agency as citizens (Edkins, 2000). Additionally, due to the indefinite duration of camps as places of active exclusion,⁹ such processes of learning in some cases also imply the socialisation of children along the standard paradigm of normality, since they are basically told how to behave and act with respect to different external stimuli. What is more, if one were to consider the above-mentioned situation, the refugee camps could be perceived as places of forming both minds and bodies according to a desired set of standards and rules, which were drafted as a result of pre-established notions about the local people – in other words, as producing “bare life” at the same time as sovereignty. And at a closer analysis, such realities do match the condition and practices of the NATO troops deployed throughout Kosovo, since the status of these troops was, from the very beginning of the operations, a special one, encapsulating this dual dimension of producing sovereignty at the same time with “bare life”. The status of NATO troops has oscillated between that of an oppressive force, bombing and turning the Kosovans into refugees who needed to be safeguarded into camps and turned into *homines sacri* – while later on, with the developments of the conflict and the refugee crisis, and when the bombings came to have a more solid justification, it became the benevolent pastor, the sovereign power within the camps (Edkins, 2000), with the mission to protect and organise the lives of the people inside, now devoid of all their civilian prerogatives. Most of these camps, near the Kosovo-Macedonian border (the most important ones being those at Stenkovec and Brazda), were set up, guarded and governed by the NATO soldiers: “But here in the camps, for the first two weeks of this crisis, NATO has been everything – the provider of food, water and shelter, the guarantor of peace and security” (Parry, 1999).

By projecting the image of these people through constantly reinforcing binary constructions of rescuers versus the disempowered, of those who own the knowledge versus those who need to be taught the right way – and thus, basically rejecting their humanity – these populaces become “bare life”, they are left open to discriminatory and biased practices (Norris, 2004), such as control over food, sleeping areas, medical services and, *in extremis*, control over the lives of the encamped refugee people.

Still in this line of argumentation, post-conflict interventions can be interpreted as attempts at refashioning the subjectivities of people, and not simply allowing them the free choice towards continuing their lives (Jiwani, 2004). In this sense, the power of language, as well as the context and discourse shaping the meaning of the language, become crucial for the reality of the camp, since refugees are being socialised in a particular language community, by using certain frames in order to name different things. Thus, by using a language of rescuing and democracy promotion, international intervention in Kosovo can be seen as hailing the refugees in a particular subjected position, constructed as unable to manage the crisis situation they are in and incapable of speaking for themselves (Jiwani, 2004). This furthermore entails the need for salvation and protection that the

international rescue missions claim as their rationale for intervening in post-war societies. Moreover, in what concerns the majority of UN peace-building and peace-keeping operations, their discourse is mainly grounded in pre-established images and ideas concerning the behaviour and mentality of aboriginal populations, which is precisely the case with the Kosovan refugees.

In this sense, it is worth mentioning a common practice of international intervention missions in Kosovo, that of primarily focusing on the emotional state of the refugees and thus constructing them as traumatised populaces, according to a pre-established Western pattern of tackling social issues (Pupavac, 2002). Hence, by giving priority to such actions as counselling programmes and psychological intervention, a therapeutic paradigm is put up, where the Western practices, rooted in a post-traumatic culture, become universally applicable recipes, presumably good enough for any post-war transitional society, like that of Kosovo. However, what is at stake here is even more than a misplaced emphasis on the specific needs of the Kosovan people, it refers to deeper implications of such pre-established international intervention practices: on one hand, there is the reality that different cultures and beliefs have distinct ways of coping with extreme situations and therefore, such universally applicable models will not do; and on the other hand, by constructing the Kosovan society as traumatised, it further implies its disqualification from self-government, which leads to a self-legitimation of international interventions and administration (Pupavac, 2002).

Nevertheless, by denying the refugees' capacity for agency or self-government and furthermore deeming any of their attempts at resisting the forms of international aid as outside the norm – these practices of universal good governance in line with Western criteria appear as the very embodiment of biopower. Illustrating this point are international interventions in the post-conflict society of Kosovo which, following Western views, interpreted the situation as primarily rooted in distressing memories of trauma and feelings of revenge that furthermore fuelled the ethnic hatred phenomenon – but in this way, leaving aside a more obvious and applicable motive, namely the present politics as keeping the nationalistic sentiments, and thus the conflict itself, alive (Pupavac, 2002).

In what concerns the current refugee discourse, one notices a predisposition towards categorising the refugees as constantly needing to be rescued from different practices of maltreatment (Bouwen, 2004). Moreover, since refugees are generally defined as people fleeing persecution, this discursive construction only reinforces the perception of these individuals as a special category, primarily requiring aid and protection (Stanton Russell, 2002). Furthermore, by taking into consideration the genealogy of aid as an international practice, it can be argued that traditionally, the notion implied a short-term action of limited help and separated from the political field – while after the Cold War, one can see a clear marginalisation of this approach, towards long-term concerns including politics and ideology, so that nowadays aid is being increasingly coupled with security issues (Duffield, 2002). Hence, it can be contended that this modern version of governmentally supported aid represents a process of constituting regularity, since other forms of organising life than Western ones are perceived as abnormal and thus in need of a normalising intervention. Nonetheless, in order to allow for an escape window out of this biopoliticised approach, one has to question what are the sources which supposedly confer an overall legitimacy to Western standards and thus suspend such normative judgments as good versus bad and accept the legitimacy of other versions of rationalities as different (Duffield, 2002).

Subsequently, it becomes necessary to re-evaluate the idea according to which there is a responsibility of the international community to protect and thus normalise the individuals perceived as victims of conflicts and the state failure to care for them. However, the remaining pressing issue refers to the post-salvation status of these people, when they need to regain their own agency in order to be able to enjoy their political and socioeconomic rights, which became suspended during the crisis period. In other words, it can be argued that, besides the economic stalemate, one of the principal problems regarding the aftermath of conflict and linked to the international intervention missions, is now the complete reactivation of the politically qualified life of these individuals – and in this sense, the refugees need to be perceived as persons who can be invested in (Stanton Russell, 2002) by highlighting their social, political and especially their economic potential, so as to integrate them into the local circuits in a first phase and thus, make available the possibility for change regarding their status as refugees later on.¹⁰

In order to be able to move beyond different practices of biopolitics, there is the need to depoliticise international interventions as they currently are and to question the very foundations of these pastoral, paternalistic practices. Thus, by rejecting this paradigm and acknowledging that different cultures and beliefs may display different attitudes and responses towards difficult situations, and also, by creating a space of encounter between the rescuers and the refugees within camps, where these people are actually in a position to reclaim their capacity for agency and self-evaluation – it is argued that there is a possibility for regenerating the post-conflict society of Kosovo.

-----> **Concluding remarks and final assessment**

Summing up, this chapter constitutes a post-structuralist account of the manifested structures of power within present-day modern society, with a particular focus on the forms of exclusion allowed by the employed discursive practices. Moreover, the arguments concerning the Kosovo refugee camps represent a concrete outline of a particular type of discourse: constructing the Other as different and, consequently, allowing for discrimination and the creation of the refugee camp as a zone of indistinction. Not only is this fresh perspective employed here of an increased relevance for the realities within current society, but also the proposed political agenda improvement to escape the current discourse of binary constructions and exclusion can be applied as a feasible practice of real inclusion via the politics of difference, a solution hinted at through the empirical analysis of the Kosovo refugee camps.

Nevertheless, since this paper draws on a post-structuralist approach, one cannot expect clear-cut solutions to be provided to the outlined problems – but rather an indication of what is out there. Moreover, the decision to escape the biopolitical life of normalising practices, as well as the path to follow in order to achieve this target, are both left at the individual level. Post-structuralism is about questioning the existing, about deconstructing and thus probing the meta-narratives (which made judgments of right versus wrong possible), challenging the limits of our knowledge and reassessing different concepts and notions – and in this way, individual choice and the self-reflection regarding the decisions one makes can gain ground. Therefore, it is along this line that the solutions are presented in this chapter, namely as a call for rethinking the previously employed paternalistic politics vis-à-vis refugees, as well as acknowledging the need to create a space of encounter between the Self and the Other, so as to achieve full participation of all societal elements.



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-----> Endnotes

1. One of the main post-structuralist claims is that there is nothing outside discourse and language, which frame our concepts and views of the world.
2. Critical or post-structuralist authors, such as Michel Foucault, Giorgio Agamben, Maurizio Lazzarato, Jenny Edkins, Judith Butler (among others).
3. The terms biopolitics and governmentality, although not completely identical, display a convergence in meanings; they refer to the modern alternative to sovereignty (as the power to kill, owned by the ruler), a new form of power (to make live or to let die) concerned with administrative aspects of providing the good life for its citizens; it is also a normalising power that operates outside the rule of sovereign law, which seeks to organise, discipline and classify the behaviour of individuals according to certain standards that fit the frames envisaged by authorities.
4. The term *homines sacri* is used by Giorgio Agamben in order to express the idea of individuals as “bare life” – a life that, due to the state of exception characterising the refugee camp, can be taken at any time, this constituting neither a crime nor a sacrifice (Lazzarato, 2002).
5. The term “rescuers” is employed by Yasmin Jiwani, in its traditional meaning, to define the authoritative educators as embodied by the nineteenth-century colonisers, as well as in its current signification as administrators of peace-building sites, in post-war afflicted societies (Jiwani, 2004).
6. Having reached this level, Agamben however fails to deepen his theoretical stance by adding an empirical dimension to it – which is why it is at this point that his post-structuralist notions can be happily merged with those of Foucault, since the latter not only shows more interest in empirical facts, but he also regards such notions as power, biopolitics and sovereignty in a different manner, which provides other ways forward for Western modernity, not simply the pessimistic Agamben suggestion of throwing away all the practices used so far and starting everything anew. Agamben seeks to elucidate the nature and structure of power as a metaphysical principle, while Foucault is interested in how the power works, he sees it as historically contingent and having multiple forms, and it is precisely this type of interpretation that allows for an emphasis on practical, day-to-day examples to illustrate his theoretical arguments. Thus, by applying the Foucauldian analysis to the refugee camp paradigm, one can identify several examples of control and power practices being exercised within its confined space. For example, the surveillance or panoptic power refers to the fact that people inside refugee camps tend to act in accordance with the reality that they always need to control their movements and language, since they are aware of being constantly watched by guards and security personnel; also, the discipline power can be seen as the sets of conduct rules inside the refugee camps, which are justified as intra-camp management, but eventually lead to the construction of the so-called “docile bodies” (Foucault, 1984, p. 57).
7. The technologies of domination, exercised by the government, represent coercive measures employed to shape political subjects, such as the power manifested through the regulation of consumption for different goods and services: medical, labour, education (Foucault, 1986).

8. The technologies of political power represent practical means of achieving solutions for problems; they encompass the technologies of agencies, namely fostering certain skills, values and attitudes, so as to build a certain type of social conduct, and the technologies of performance, namely the control over spaces in which people's behaviour can be improved for the purpose of optimising the subjects and internal efficiency (Foucault, 1986).
9. In what concerns the recent refugee situation in Kosovo, the statistics were still showing in 2005 over 2 000 people being monitored by the United Nations High Commissioner for Refugees – more exactly, 2 158 camped refugees (United Nations High Commissioner for Refugees/UNHCR, 2006, p. 85).
10. When speaking of the best approach towards solving the issue of post-conflict societies and its most pressing aspect, the refugee problem, Mulenga Nkula points towards Resettlement and Local Integration versus (Voluntary) Repatriation and Reintegration, as the most common sets of choices that the international community can make use of. Furthermore, based on case studies of the societies of Mozambique and Kosovo, the author finds that the latter solution package is most favoured by the international community, since it implies a short-term, lower-cost resolution – while the former approach requires a long-term perspective, as well as more effort in settling the refugee issue (Nkula, 2005).

Part 3

**implementations, ambiguities,
possibilities**

1. Black young people in the UK: charting the tensions of relativism and dogmatism in social service praxis

Momodou Sallah

-----> Introduction

The term “black” is used in this article in a sense derived from the political context of the United Kingdom (UK), signifying people of African, African-Caribbean, Bangladeshi, Indian and Pakistani descent. The present situation of many black people in the UK is dismal, involving socioeconomic disadvantage in all facets of life including housing, education, employment, health, criminal justice and equality of opportunity or the lack of it (Sallah 2005; Dacombe and Sallah, 2006). Institutional racism is both a cause and consequence of these disadvantages, and this article examines how this seeps into child-rearing practices. The polarisation of two extremes in praxis: cultural relativism and dogmatism, is often to the detriment of black children, sometimes fatally, as in the case of Victoria Climbié.¹

The central argument of this chapter is that black people in the UK sometimes have a different reality from the practitioners who intervene in their lives, and the practitioner’s response in service provision is sometimes (fatally) dogmatic or relativist. Mainly based on research I conducted before 2005, this paper looks at influences in the formation of black parents’ realities and the location of the child in the child-rearing process. These findings are then juxtaposed with the praxis of those who intervene with statutory authority – mainly social workers – and how their construction of reality greatly affects how they work with black children and young people.

This was predominantly a qualitative study conducted across five counties in England. The first part involved semi-structured, individual interviews with 25 parents of Indian, Pakistani, Bangladeshi, African-Caribbean and African origins with children between the ages of 12 and 16 living in the UK. The second part involved group interviews with 41 young people mainly between 12 and 16 years of age. There were seven group interviews across the five ethnic groups that constitute the black community as well as individually self-administered questionnaires. The research findings were centred on themes of reward and sanction: black people’s perceptions of and experiences with social services; the way black parents were brought up in comparison to the way they bring up their children; and the boundary between abuse and discipline. This chapter will focus on the second theme: black



people's perceptions of and experiences with social services and how mainstream practitioners engage with or intervene in young black people's lives.

-----> **Influences in the formation of parents' concepts of reality**

Each and every person has a way of looking at the world – what Berger and Luckmann (1966) refer to as a “symbolic universe” – and of applying meaning and significance to events, experiences and situations. These accumulated layers form the “consciousness” of the individual, and become the basis of their interactions with the rest of the world in deciding what is right and wrong, fair or foul, just or unjust. It is the basis by which we interpret and attach meaning to our interaction, like a pair of spectacles through which we view the world and engage with it. This process of “human meaning making” (Rogers, 1989, p. 26) illustrates how our concept of reality determines our actions and reactions. Black parents' experiences are to a large extent influenced and determined by a multiplicity of obvious factors including upbringing, religion, culture, community influences, spouses and the media, but also by different things from that of mainstream society, including the legacies of colonialism, immigration, and discrimination.

Any consideration of the mass “exodus” of black people into Babylon² suggests the movement of different cultures and, as a part of this, different child-rearing practices. In order to contextualise and approach practitioners' interventions in the cultural fabric of black families, we need to acknowledge that this cultural situation immediately raises philosophical questions of right and wrong, justice and injustice, and positions ranging from forms of cultural relativism to dogmatism engaged by questions of marriage practices, Islamic dress and female circumcision/genital mutilation. These kinds of issues have been placed at the centre of equality and British social policy debates, particularly in a period of multiculturalism and reactive “community cohesion” initiatives (Dacombe and Sallah, 2006), and a more recent emphasis on “integration”.³

In interviews, a number of parents argued that mainstream society refuses to recognise their cultural differences, especially in child-rearing, and that when this involves service provision, it is tantamount to institutionalised racism. On the other hand, some parents countered that the cultural dynamics of “second and third generation immigrants” contribute to frozen, “time warp” cultural practices, including parenting practices. From my perspective, a cause of concern is the young people trapped by intensely held views, and occupying positions between mainstream culture, black culture and the youth subculture. Young people here have to go through the processes of “racial socialisation” (Peters, 1985) and “triple consciousness” (Boykin and Toms, 1985). This sometimes means that young people become versatile and adapt by adopting different cultural roles depending on whether they are at school, in the streets “chilling” with their mates or at home. Yet some young people may not be able to negotiate the boundaries of these different cultures, in a number of cases leading to identity crises or significantly affected self-esteem.

-----> **Black children's different realities**

These cultural dynamics can be analysed in parental perspectives on the strictness of their own upbringing. Most parents – who were either brought up in the UK or in their countries of origin – had a far stricter upbringing than they presently exercise



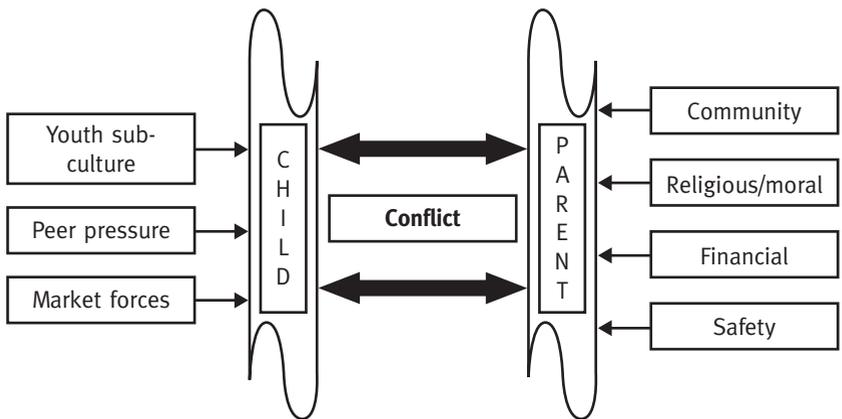
with their children, indeed some would argue that the sanction methods used with them were nothing less than child abuse by today's standards. In some parents' countries of origin, challenging parental authority is the gravest misdemeanour that can be committed, because it is not just an affront to the individual parent but to the family as an institution of the community. Therefore some parents recall being severely beaten, or even denied food, to drive home the message that the home was not a democracy but an autocracy where the parent had supreme power, and made all decisions unquestionably for the good of the family.

This is in contrast to mainstream social assumptions of the child as an individual with an emphasis on his or her entrenched rights. Such a child-centred approach entails a Eurocentric concept of self as "a cognitive and emotional universe, the centre of awareness, emotion, judgement and action" (Landrine, 1992, p. 403). It assumes that all actions emanate from and must be directed towards satisfying the self, it is in effect the basis of reference, what Landrine calls the "referential self" (1992, p. 403):

"The referential self of Western culture is construed as an autonomous entity defined by its distinctiveness and separateness from the natural and social world. It is construed to be a unit, a region, a universe unto itself that is inviolate, protected within the body and, a priori, free. In other words, the referential self is presumed to be a free agent – to be an agent that does what it wishes. Thereby the self has rights – the right to privacy, autonomy and to be protected from intrusions from others being foremost among these. Thus the failure of the family to respect the privacy and autonomy of its members is defined as a type of family pathology, and various family members are construed as enmeshed, victimised, domineering, smothering and the like." (Landrine 1992, p. 404)

As opposed to the referential self, the collective (Owusu-Bempah, 1998) or the indexical (Gaines, 1982; Landrine, 1992) self works from a sociocentric perspective that posits no omnipotent self in the collective, but as part of a network where every individual sees herself as indexed to others, a link in the chain whose every intention is to make the wheel move. In the upbringing of respondent parents, the needs of the extended family and the community were primary to the needs of the self, as opposed to the present condition where the self is primary to everything else. For many parents, this is a key factor responsible for the "inter-generational conflict" summarised in the diagram below:

Figure 1: Causes of inter-generational conflict in black families



-----> **The place of the child in upbringing**

Throughout this research, it has been apparent that the reward and sanctions system applied in households is defined by either sociocentric or Eurocentric approaches, with a question of cardinal significance being the future role parents expect their children to play in society. Is the emphasis on the individual or the collective role? If it is the former then the focus is on developing the child to recognise his or her individual needs and rights and to pursue them actively. On the other hand, the latter implies bringing up the child to be part of a community and to learn to put family and community needs first, hence the African saying that “it takes a whole village to raise a child”. This effectively determines the place the child is allowed to take from a young age.

A significant number of respondents were very clear that the child “is an extension of me” and not a separate individual. In other words, the child is not seen as a separate entity endowed with superseding individual rights; inherent in this thinking is that such “individualism” is subordinate to the needs of the immediate family, extended family and community. An implication of this is that any outside intervention – especially from social services – is seen as an attempt to interfere in the family’s symbiotic processes, and is often resisted and rejected with hostility. This often ends up in a lack of co-operation with social services and a sense of disempowerment for black parents.

A significant number of parents stated that the restrictions placed on them by social services demonstrated disrespect for their child-rearing practices; perhaps the following parent encapsulates this view:

“You can only extend your discipline or your punishment to a level that is deemed to be acceptable in society and not beyond that and I find that a challenging area in the sense that society is OK to treat a community differently because of its culture, its faith or its language and say that you have to be culturally sensitive to the Sikh community and the Muslim community because of these traditions that they have, so it’s OK to be culturally sensitive to them but when it comes to those communities wanting to extend their culture and pass on their cultural values to the next generation then that sensitivity or that acknowledgement of their culture is curtailed by saying well you can only chastise in this way and not in any other way.”
(Interview with British parent of Indian origin)

This view has been consistently expressed throughout the research by a majority of parents: practitioners, such as teachers and social workers, who deal with their children on a face-to-face basis, often do not know enough about the cultural background of a child to make a fair judgment in the best interest of the child. Here two examples come to mind; one is that of a parent having problems with her daughter, as a result of which they attended a conference meeting at which the child was deemed abusive and disruptive. The parent explains:

“She was mouthing, I thought shamefully, she was mouthing and I said to her ‘be quiet’.

‘No, why should I be quiet?’

And I said to her, ‘Taniqua,⁴ the only thing left for me to do is to slap you’ and the woman (social worker) said ‘if you slap her, I would put you in jail’ and from then she’s used that ... against me because the social services’ woman sat there in front

of her and said if you slap her I'm sorry you are the one who is going to be put in jail. She hadn't heard the story, she hadn't heard my problems, she hadn't heard my depression, she hadn't heard nothing and that's the first thing she said and that's what Taniqua uses: 'If you hit me, I'm gonna phone social services'." (Interview with British parent of Caribbean origin)

The second incident involved a pastor who was invited from Zimbabwe to come and preach in England and came along with his wife and daughter. His teenage daughter started returning home late thereby breaking the sacred rules of the house. Both mum and dad beat the child, as a result of which the child was taken into care and the parents sent back home. How do these interventions relate to the cultural context of child-rearing? In the first story involving Taniqua and her mum, the social worker might not have known that the worst thing you can do in most black cultures is to swear in front of one's parents, particularly in public. As a result, the mother wanted to use what over half of black parents in the research found acceptable, a slap, which the social worker disqualified while undermining the authority of the parent in front of the child.⁵ The second story involves a household where children have clearly defined rules to play within and clear boundaries of what is acceptable and what is not. In breaking these rules, in the view of the parents, the daughter suggested to the community that the pastor was not in control of his family, thus undermining his role in that community. In the social service's intervention, the cultural values as well as the influence of the community were not considered. This argument does not aim to condone such physical cruelty or chastisement, but instead to underline the need to locate children culturally. As Maitra explains:

"If early environments are so different across cultures it may well be that the infant's sense of itself, its feelings, attributions of meaning and so on, may not proceed in similar fashion in all cultures, nor result in universal configurations of the adult self." (Maitra, 1996, p. 290)

Thus the Eurocentric suppositions of the intervention, we can argue, are embedded structurally in the relationships institutionalised between mainstream agencies and minorities, or as Maitra puts it, "minority cultural groups (and their professional members) do not have an autonomous existence, and are overseen in their practices towards their children by British laws and British professional expectations" (Maitra, 1996, p. 289). What resonates throughout the research is that social services and associated agencies' intervention do not usually consider the child's role and community expectations. In most cases, they construct the child as an individual entity, dislocated from what constitutes the child's concept of reality:

"The self includes persons and things that Western clinicians ordinarily construe to be separate from the external to the self; the boundaries to the self are drawn not around an individual but around a 'foyer' (Gaines, 1982) that includes family members, and significant others as part of, and powerful competing voices within, the self. Their desires, their demands are felt as one's own. The self then consists of persons and forces over which the individual has little control. These persons, forces, and immaterial beings, rather than the self, are seen as responsible for the self's actions." (Landrine 1992, p. 407)

This lack of cultural location may negate the role and influence of the extended family, and leaves social services perceived as "those who come to take our children away and destroy our families". Shazia Irfan observes in this context that,

“Trust needs to be built by shifting the balance from child protection intervention to preventative and family support for Asian parents. This can best be achieved by putting resources into Asian voluntary sector organisations” (2004, p. 43). My research would lead me to agree with this in terms of black communities in general, while resisting the suggestion that voluntary sector activity – while not denying the vital and able services black organisations provide – may be seen as a substitute for publicly funded services, especially when British multiculturalism has often led to situations where communities compete for limited amounts of funding.

The fundamental question remains, however, how do we decide on the best interest of the child? Is there a way beyond relativist or dogmatic stances? In a significant number of cases, as we have seen, the cultural context of the child is subordinate to the individual rights of the child. However it is important to note how, in other cases, the rights of the child are disregarded because of cultural ignorance. An extreme example is the death of Victoria Climbié, where cultural relativism is understood to have played a part in allowing her to remain in an abusive and ultimately fatal domestic situation. In general, there is a trend among some white social workers to adopt a cultural relativist approach, whereby professionals shy away from making decisions and justify everything under cultural difference. On the other hand, some black people adopt a dogmatic defence of their culture whereby any attempt to challenge entrenched practices is branded racist. These two opposing views, to put it mildly, endanger the best interests of the child.

What we must strive for is an environment where white professionals feel safe to question and challenge cultural practices without fear of being branded racist. It must also be an environment where white professionals are not culturally dogmatic in their interventions. Relatedly, black professionals must refrain from giving the impression that they are “omnipotent prophets of culture”, resulting in all matters involving black children being passed on to them, thereby allowing everyone else to evade it. Everyone involved must take an active interest in dislodging stereotyping and cultural relativism as well as dogmatism.

-----> Critiquing the Eurocentric model of child-rearing

I use the idea of a Eurocentric model to capture how research participants referred to the ways that mainstream society brings up its children and expects them to be brought up. This mainly focuses on child-rearing practices and the demarcation of the child’s rights from the parent’s responsibilities. A significant number of parents stated that the over-emphasis of the rights and individuality of the child makes it difficult to bring up children “properly”. They recounted that children, in their view, disproportionately use “rights talk” instead of the good of the collective. Consequently the potential for conflict is maximised as some social service interventions de-contextualise these tensions in the family over roles and expectations. This, as many parents pointed out, results in a significant number of black children being caught up in the care and legal system. A large number of parents were keen to note that most black young people inserted into the care system end up worse off, as the existing boundaries in most care homes cannot be fully enforced, and even where they are, the focus rests on the rights of the



child. The argument is developed by contending that such young people end up exposed to and involved in drug abuse, prostitution and offending behaviour. The view held by a significant number of parents is that social services' interventions do not often give the parent due regard or take into account the contextual application of sanctions.

Nevertheless, one might question whether or not this a one-sided view which side-steps questions of parental responsibility and the initial reasons for the interventions, as well as the appropriateness and harshness of sanctions and the nature of their disciplinary expectations. As has been demonstrated, most parents experienced a far harder discipline regime than the one they administer, most of which would now be considered abusive. However, this does not remove the tensions between their predominantly "collective approach to the self" and the more fluid movement of young people in and through the youth sub-culture as well as the minority and mainstream cultures. What we recommend then is the rethinking of values and approaches both by social services and black parents, taking into consideration the multicultural dynamics impacting on the young black child.

This involves clarifying the rights of the child – as opposed to the responsibilities of the parent – in a sociocentric setting. These are inextricably linked, therefore the focus should not be on separating the two, but on how they can work together harmoniously. A practical application of this could involve the social services providing clear and simple guidelines to parents on how the rights of children are meant to be complementary to the responsibilities of parents, shifting the balance from intervention to prevention and family support work.

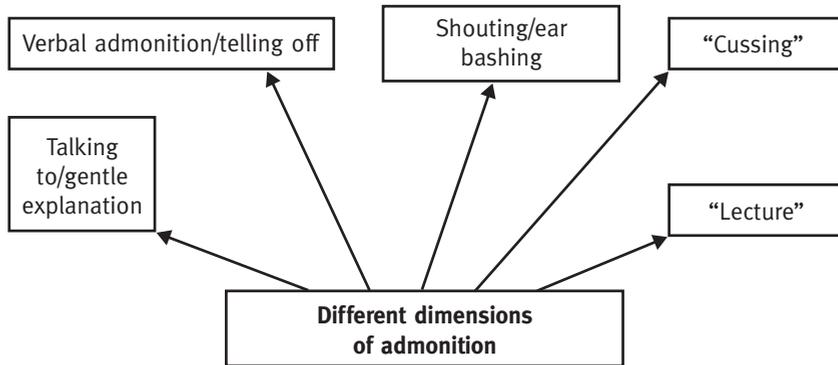
On a similar note, child protection legislation remains highly inaccessible to parents. In my research the overwhelming majority of interviewees had never heard of the 1989 Children Act and were very unclear as to what they can and cannot do. This has very serious implications. Whilst not justifying ignorance as an excuse, the vast majority of research participants struggled with what constitutes abuse. Moreover they also struggled with the concept of "significant harm" from a legal mainstream perspective. Again the use of simple and accessible guidelines, given from an informal angle through national children's charities like NSPCC, community associations and voluntary organisations, might greatly help to demystify child protection for a large number of black parents.

A constant issue raised during the research was that of parent abuse. Both parents and young people have gone to great lengths to explain how some parents are on the receiving end of abuse from their children. This is mainly due to parents being afraid of the law or not knowing enough about child protection legislation. Other parents, however, find themselves incapable of dealing with parenting in Britain and adapting to their new environment, making them vulnerable to abuse from their children. Restricted social mobility, in some cases not being able to speak English well, and not knowing one's "way around the system" make it very difficult for some newly arrived parents (especially when they feel that their children could manipulate the system). This issue evoked emotive discussions and requires further investigation in the future.



-----> **Differences within black culture concerning discipline**

Figure 2: Diagram showing the different stages of verbal admonition



The variations shown in the diagram instigated disagreement among young people about appropriateness. The African group of young people did not like the “lecture” variant of verbal admonition – denoting a serious dressing down – and thought that its effect could have serious consequences. On the other hand, the African-Caribbean group saw nothing wrong with being “cussed” by their parents; it was viewed as an acceptable means of discipline. Obviously this illustrates the absurdity of assuming that all black people have exactly the same cultural understanding, but also that these differences can be of huge significance, as the case of Victoria Climbié illustrates (Owusu-Bempah, 2003). In this case, there is a strong belief that the caseworker assigned to Victoria Climbié’s case was assigned because of her colour; the case social worker was from the Caribbean, Victoria Climbié from the Ivory Coast, and the two countries of origin have significant differences in child-rearing. Despite this, the assignment pointed to an assumption that black culture is the same and that any black person can competently deal with any black cultural issue. As Owusu-Bempah points out:

“In her evidence to the same enquiry, the black key social worker admitted that she did not even know that Victoria hailed from the Ivory Coast, West Africa... she accepted also that it was poor judgement to equate her own experience, the experience of an African-Caribbean person born and living in England with that of a French-speaking African girl who had been brought up in the Ivory Coast.” (Owusu-Bempah, 2003, p. 56)

This once again brings into focus aspects of cultural relativism and dogmatism. Does the fear of being called racist scare white social workers from challenging accepted or perceived cultural practices that have detrimental effects on the child? As an experienced white social worker told me, he feels “disabled” by the atmosphere of “political correctness” he operates in, as the stigma of being branded a racist can be very uncomfortable. In his critique of political correctness, Owusu-Bempah captures this as well:

“(White workers) avoid involvement with black clients even where they know that they could be more effective than their black colleagues, or where a case would benefit from their expertise. This is one of the hidden faces of political correctness...” (Owusu-Bempah, 2003, p. 56)

This means that the justification that “it is their culture and they know best” may be a path of least resistance, and to the detriment of the child. In a catalogue of the most high-profile cases involving the abuse of black children from 1973 to 2002 including Maria Colwell in 1973, Jasmine Beckford in 1984, Tyra Henry in 1984, Heidie Koseda in 1984, Kimberley Carlisle in 1986, Doreen Mason in 1987, Leanne White in 1992, Rikki Neave in 1994, Chelsea Brown in 1999, Victoria Climbié in 2002 and Lauren Wright in 2002 (all of which resulted in fatalities), Owusu-Bempah (2003) suggests that political correctness may have been a factor in all of these cases, even though it was only acknowledged in the case of Victoria Climbié and alluded to in the Tyra Henry case.

In this light, we need to consider how to ameliorate this situation. How do we promote a safe environment for white professionals to be able to challenge established or perceived cultural practices that militate against the best interests of the child? At the other culturally dogmatic end of the continuum – where the concept of “the family” is a Eurocentric postulate that negates any other mode of constructing social reality – we encounter insensitivity to the needs of different cultures, and concomitant resistance and even hostility from those at the receiving end. This dogmatic approach is not only adopted by white social workers but sometimes by black social workers as well, as it is centrally a matter of the training of social workers from a Eurocentric perspective embedded in the very structures of society.

Social and childcare workers are by the very nature of their jobs entrusted with making life and death decisions, and therefore the need to train them to a minimally accepted standard of cultural competency is non-negotiable. Social Work, Youth Offending, Probation and Youth Work must urgently and adequately address this imbalance between cultural relativism and dogmatism. What we should hope to achieve, as Poole (1998) and Owusu-Bempah (2003) put it, is cultural competency, which is about:

“Recognising similarities and differences in the values, norms, customs, history and institutions of groups of people who vary by ethnicity, gender, religion ... culturally competent practitioners understand the impact of discrimination, oppression, and stereotyping on practice. They recognise their own biases towards or against certain cultural groups; they rely on (scientific) evidence and moral reasoning to work effectively in cross cultural situations.” (Owusu-Bempah, 2003, p. 60)

Both cultural relativism and dogmatism are dangerous and insensitive stances at extreme ends of the cultural continuum. Conversely, forms of cultural competence sensitive to cultural needs yet grounded in the best interests of the child and accepted standards of child-rearing across cultures are key. This emphasises that cultural competency should not seek to assimilate or operate in two separate cultures that hardly intersect. Similarly, cases should not be assigned to black people because of stereotyped assumptions; instead the training should be sensitive enough to make any social worker competent enough to work across contexts in multi-cultural, multi-ethnic and multi-faith Britain.



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-----> Endnotes

1. Victoria died on 25 February 2001 after being abused and tortured to death by her aunt and her aunt's partner. Social services had been informed of Victoria's case since 14 July 1999.
2. Babylon mainly refers to the West but more specifically in this case to the UK.
3. It could be argued that the 7 July 2005 London bombings ushered in a rhetorical and policy shift from "multiculturalism" to integration, with the launch of the Commission for Integration and Cohesion by Ruth Kelly in August 2006. More recently, Jack Straw's October 2006 request for Muslim women to take off their veils in his political constituency meetings and the seemingly calculated nature of the debate he ignited – confirmed shortly after when Tony Blair called for a debate on how the Muslim community "integrates" into mainstream Britain – indicates that the demise of multiculturalism and the new euphemism of "integration" can be interpreted as an attack on equality and a return to assimilationist logics.
4. Fictitious name used to protect the young person's identity.
5. Smacking of children with the excuse of "reasonable chastisement" is still permissible under UK law.

2. Learning to be aware of culture or learning to increase participation?

Lene O. Mogensen

-----> Introduction

Opinion polls conducted by the European Commission show a tendency towards intolerance in European societies (Thalhammer et al., 2001)¹ and scholars agree that racism has not disappeared, though the term racist has become a term of abuse, and only a minority of a given population would admit to being racist (Gullestad, 2002). Though racism has not died, I do suggest as many others (for example Stolcke, 1995; Baumann, 1997; Miles, 1993), that it has taken new forms. It no longer finds its ideology in a theory of races, but rather in theories of cultures and nations. However, culture and diversity are at the same time concepts which are drawn upon in the name of humanism to try to overcome the concept of race. In fact, Lentin (2004) describes how much post-war anti-racist work has been constructed around the assumption that racism is a problem of ignorant individuals and that it can be overcome by education. In this anti-racist work it was furthermore assumed that culture could be used as an alternative to race to describe differences between groups.

In this essay I argue that this is exemplified by the educational approach that both the EU and the Council of Europe support by publishing training material and financing international seminars. These institutions claim to fight intolerance through intercultural learning. Much of this work is founded on the assumption that intolerance is based on stereotypes about “the others”, and that these stereotypes can be fought by letting people from different cultures come in contact with each other during international gatherings and become aware of their cultural differences through intercultural learning. I suggest that there is a paradox in the way that the concepts of culture and diversity are on the one hand drawn upon as a means for inclusion and on the other hand believed to play a part in processes of exclusion. This paradox arises, as it will be shown, due to the construction of culture as an essence not much different from race in a way that hides the role of history and the state in the marginalisation of certain population groups (Lentin, 2004).

This essay will explore the educational practice around anti-racist work carried out as part of intercultural learning in European institutions. I will first discuss the concept of culture in such intercultural learning, and compare this to the concept of culture involved in processes of exclusion in the general public. Secondly, I will



discuss the concept of learning in this approach. I will do this by challenging the assumption that education of an individual in order to change his or her attitudes is a sufficient and adequate response to intolerance and discrimination. Finally, I will outline some recommendations towards rethinking the role of educational approaches in combating intolerance.

-----> **The use of culture, the discourse of “the other”**

Lentin (2004) describes a shift in the concept of culture after the Second World War – particularly in UNESCO’s response to fascist ideologies – to a sense that could describe differences between groups appropriately without implying the innate hierarchy of theories of race. Through the history of the social sciences there have been many definitions of culture. Previously many of them implied an essentialised concept of culture, where culture was assumed to be some kind of pattern or structure, that each person was socialised into and after that carried around and behaved according to. A consequence of this understanding is that humans are divided into different groups in which all members share the same culture. Gupta and Ferguson (1997) and Miles (1993) describe how this understanding of culture is connected to place; ethnic groups belong to a certain territory and citizens of a nation share the same culture. Baumann (1999) adds that culture comes to represent a timeless, unchangeable entity floating in homogenous groups without being able to explain development, as it is simply passed on through tradition. Culture therefore also points towards a distant past, and in the case of refugees and immigrants towards a past in a different place. This culture is an almost unchangeable structure that determines their acts – and which is different from the so-called culture of other groups.

Lentin (2004) argues further that this understanding of culture did not manage to get rid of the hierarchical organisation with some groups above others. This has to be seen in connection with modernisation theory. Titley (2005) describes how post-war Western modernisation theorists viewed progress as a development from tradition to modernity. Culture was seen as a characteristic of “traditional societies”, whereas modern societies had “overcome their traditional/cultural beliefs” and were instead guided by innovation and rationality. Culture was in this perspective a form of obstacle to modernisation, which had to be overcome. Even though race has been replaced with culture, the hierarchy between unrelated groups – the traditional and the modern – is still implicit, and the logic of these theories therefore strikingly similar.

At this stage, most competent social scientists have rejected this understanding of culture. During the last few decades they have instead turned their focus towards relations, processes, fluidity and agency (Gullestad, 1998). Barth (1989) proposes “streams of cultural traditions” to emphasise the complex co-existence and mutual influence of different traditions and groups. Baumann (1999) advocates an idea of “cross-cutting cleavages”, focusing on the multi-faceted identities of individuals, which are either used by the individual or ascribed to the individual by the surrounding society, to obtain different rights or resources and to negotiate a position in society. There is focus on how people construct the social reality by the way they talk about things and act accordingly. Humans engage in the constant social construction of reality, because they try to make sense out of what is going on around them; they try to understand the connectedness between

flows of events and to control their own role in them (Potter and Wetherell, 1987; Bruner, 1986).

Foucault (1982) argues that the social constructions act as a kind of “truth” about the world, about what is right and wrong, and about who has the right to which privileges. This truth is institutionalised through legal structures and organisational procedures, and thus constitutes real power in society. According to Giddens (1996) social science plays a key role in this social construction of reality; as theories diffuse they occupy key discursive spaces in society and contribute to wider social frameworks and social truths. This at least partly explains what has happened with the concept of culture, where past theories on culture as an essence have been acknowledged by the general public as the truth about culture while at the same time being rejected within social science itself (Wikan, 2002; Staunæs, 1998).

In focusing on an analysis of educational practices in non-formal learning in youth work, I will discuss to what extent this essentialised and hierarchical understanding of culture has diffused into the practice of intercultural learning, and give some examples of the public discourse of exclusion that it might be reinforcing.

-----> **Ethnic minorities as “survivors from the past”**

An example of an intercultural learning exercise – often used at European youth training programmes – is the exercise of “The Derdians” from the *T-kit on Intercultural Learning* (Martinelli et al., 2000). In this exercise half of an educational group play the role of engineers, who have to teach the other half – people from Dardia – how to build a bridge. The engineers are instructed in the criteria for the bridge, and that they have to teach the Derdians how to build bridges. The “culture” of the engineers is not specified – they have science and knowledge, which they can use to teach something to the other group. The Derdians on the other hand do have a “culture”. The engineers are instructed in this “cultural behaviour” with such characteristics as kissing on shoulders, hugging, saying yes when they mean no, clear gender division prescribed from tradition and religion, and so forth. The conflict of the simulation turns out to be that the so-called culture of the Derdians complicates the mission of the engineers – namely to bring them knowledge and development. Striking parallels can be drawn between this exercise and the essentialised understandings of culture and tradition inherent in modernisation theory discussed previously.

Intercultural learning exercises are not alone in portraying “others” as survivors from the past. The same tendency can be found in the formal education system. A concrete example comes from an article in the Danish newspaper *Berlingske Tidende* (2004) where a high-school director is quoted explaining the difficulty of integrating and teaching certain second and third generation immigrants in the school system by ascribing their “dogmatic perspectives” to a feudal system that was left behind in Denmark centuries ago. His proposal is to set a maximum limit for bilingual students allowed at each school, which according to him would relieve the burden on the schools with the most bilingual students. Despite the implications of bilingualism, the director assumes that being bilingual means having “a different culture”, and that ultimately the teachers experience the same difficulties as the engineers who try to teach the Derdians how to build bridges.



Understanding ethnic minorities as tradition-bound leads to different treatment for them than for members of the majority. The Norwegian anthropologist Unni Wikan (2002) describes how authorities and professionals in Norwegian society now believe that they have to ask the spokespersons of a given culture – often the elderly men – what the correct culture is, as the oldest must have the best knowledge of the roots and the traditions from the past. She gives the example of social authorities accepting the child abuse of girls with ethnic minority backgrounds, and of schools allowing exemptions for such girls from participation in physical education or class-trips that were otherwise obligatory for fear of not respecting their culture. However, not everyone is determined by their cultural roots and traditions. Rather Wikan points out that culture is an othering mechanism, used for those that have crossed “our” national border, and culture therefore becomes a concept for the different, the exotic and often the negative – for the Derdians. It is for instance not common to ask the grandfathers of young Norwegians how their grandchildren ought to behave, so Wikan continues by asking why we consider it appropriate when it comes to ethnic minorities. Wikan claims that by such acts women with ethnic minority backgrounds are deprived of opportunities given to the majority population, and men are given a position of power far beyond what they held in the place they once emigrated from. These are Scandinavian examples of how the “culturally different” are constructed in practice. Education is the main focus for the majority population, whereas preservation of the traditional culture is perceived to be both the aim and the greatest obstacle in dealing with ethnic minorities. The Derdian exercise seems to simply reinforce such constructions.

-----> **Ethnic minorities as helpless victims**

There are of course other intercultural learning exercises which do not so clearly distinguish between the “modern scientists” and the “traditional exotic people”. *The All Equal All Different Education Pack* (Gomes, 1995)² has an exercise called “The Refugee”, where the participants have to develop a given story about Miriam who arrived in their town two months ago from her country where she feared for her life because of economic circumstances or political beliefs. The participants are guided by questions such as: What difficulties does she face? How is she being supported? What did she leave behind? Another example is from the human rights manual *Compass* (Brander et al., 2003).³ In the exercise “Take a step forward” each participant gets a role of a person who is more or less advantaged (for example, an unemployed young single mother, the owner of a successful import-export company, an illegal immigrant from Mali). In this role they have to decide whether they will be able to do certain things or not (such as find proper housing, never feel discriminated against). One of the main aims of these exercises is to raise awareness about inequality and problems of immigrants and refugees. So far so good, but why are there no questions about Miriam’s resources, or hopes, or contributions? Moreover, the role cards in the exercise that describe disadvantaged ethnic minorities privilege two, as a photo-model and a fast-food maker respectively. But does not cultural diversity bring more than just music, fashion and food?

These exercises seem to reflect a more humanist version of the discourse about “traditional ethnic others”, a version which according to Wikan (2002) states that ethnic minorities do indeed lack something due to their cultural differences, a lack that gives “us” the responsibility to help, educate and teach



them the things needed for their participation in society. Grüneberg (1997) calls this the discourse of the helpless victims, and argues that many humanitarian organisations replicate this discourse. Lentin (2004) also discusses “solidarity-type” anti-racism, where the majority may take on a paternalistic attitude towards new immigrants based on their feeling of a duty to help. There is a fine line between an ethics of care and paternalism. The Scandinavian countries are probably good examples of this discourse in practice. Eriksen (1990) argues that there is a widespread pacifying of asylum seekers and refugees in the Scandinavian countries, where processes of care involve taking responsibility away from the persons involved. This is a point that Staunæs (1998) develops. During fieldwork in a Danish asylum centre, she distributed cameras to young asylum seekers. It struck her that the grown-up residents mainly appeared passive in the pictures they took, in contrast to the active professionals. In Staunæs’ attempt to understand the pictures she raises the question of what it means to be categorised as somebody that has to be “worked with” and “helped”, somebody who is not participating in but just living in the margins of a society (particularly the case for asylum seekers who are frequently deprived of the right to work or study during their application process).

Relatedly, Preis’ (1996) comparative study of Tamil refugees in Denmark and the United Kingdom concludes that the refugees in Denmark are “clientised” by a system that hinders their own initiatives and encourages gratitude to their helpers. Whereas the refugees in the United Kingdom talked about their work, the ones in Denmark talked about their caseworker, and how they were sent from course to course. Preis argues that the group is confronted with caseworkers who expect that it will be difficult for them to access the labour market.⁴ In addition, Järvinen and Mik-Meyer (2003) describe how caseworkers in the welfare system tend to emphasise personal problems more than personal resources, as it is the problems that justify that measures that can be taken. Preis questions the accuracy of this discourse, especially when it is applied to “immigrants” that have been resident for significant periods of time, or their descendants. Research of this kind and other sources illustrate how the willingness to help and support can easily over time be transformed into a discourse of personal and moral deficiency (Wodak, 1997). A recent example is the evacuation of Danish citizens from Lebanon, which quickly generated widespread media discussion about the possible necessity to check how many dual citizens were committing social fraud by leaving the country while on social benefit. In one newspaper it was stated that, “Immigrants have low employment and a part of them have, in the words of the National Directorate of Labour, a different view on the payment of social benefit” (*Berlingske Tidende*, 2006).

There seems to be a tendency, in at least the Scandinavian societies, towards an essentialised understanding of culture, and a construction of ethnic minorities as determined by their culture and as helpless victims without agency. My reading of widely circulated educational material suggests that intercultural learning and anti-racist exercises may do little to undermine, and may reinforce, this tendency. What should have been a well-meant attempt at fighting prejudices might equally reinforce discursive aspects of exclusion. It might be argued that slight changes in the concrete exercises, or the addition of a few questions might overcome this problem. However, as I will argue in the next section, there are severe limitations in the learning approaches implicit in these exercises.



-----> **Learning to be aware of cultural differences and discrimination**

A common aspect of many of the educational resources under discussion is the emphasis placed on creating awareness about cultural differences, discrimination, and the need for attitudinal change. An assumption can be inferred from this: a change in behaviour follows almost automatically from a change in awareness and attitude. However, many social psychological studies have shown that the relationship between awareness and attitudes on the one hand and change in behaviour on the other is far from simple, and that other factors play a very important role. Such factors include the general public opinion, concrete competences to act differently, access to needed resources, as well as institutional factors (Stahlberg and Frey, 1996; Manstead, 1996). There are lots of everyday examples underlining this, most obviously the fact that smoking and HIV infection continue after years of awareness-raising initiatives.

Non-formal learning is often drawn upon as an alternative to formal “top-down” learning in school. It is claimed that because it is based on the participants’ own experiences while participating in exercises and discussions, it can be transferred meaningfully to other situations. Kolb (1984) is well recognised within educational sciences for his theory of experiential learning. While Kolb’s thinking is often cited in non-formal education, there are problems with the way experience is constructed as a means for learning in intercultural education that prevent awareness from being translated into desired action. Simulation exercises, for example, aim at raising awareness about intercultural differences by giving participants instructions that they have to follow (for example, kiss on the shoulders or don’t speak). Yet these same rules are exactly the ones creating the difficulties in solving the problem or accomplishing the task of the exercise, thereby creating the experience of conflict. The outcome of the exercise may be that the participants become aware of the problematic aspects of certain behaviours, and the need to behave differently. The participants might thus become aware of the importance of intercultural competences, or of communication during teamwork. However, they did not get a chance to actually practise any of these new skills, as they had to stick to artificial rules that maintained the problem. If learning derives from experience, there is a risk that the participants learn more about what not to do – as that is what they experienced – rather than about what to do. Reflexively, participants may become aware of their own limitations as the cause of intolerance, however, they do not gain the competences needed to actually act differently in their local context.

More importantly, research into learning shows that experience is not a sufficient condition for change, as learning must also be situated in a particular context. Lave and Wenger (1991) have investigated the question of learning transference from one situation to another. They argue that knowledge is not context-free and cannot easily be transferred from the school setting to everyday life. Learning rather arises through participation in “communities of practice”, implying a group of people working concretely together on something which gives them identity and meaning, and develops relationally their community and serves as human beings (Wenger, 1998). Learning understood in this way questions the transferability of what is learned by individual participants in a simulated exercise like “The Derdians”, in a simulated community of people from different countries and backgrounds, often with no shared challenges and concrete goals for the future in their local communities. The question, then, is whether this setting is not just as remote from real life as the school setting, and thus whether the learning

can be transferred from the simulated community in the individual body and mind back to the real community of practice.

This question of context may be heightened by gathering single representatives from different youth organisations and working with their individual attitudes, as this places intense responsibility on the capacity of this one person to multiply discussions and implement ideas. Even if some learning points can be transferred from the simulated to the actual community of practice, the putative agent of change is likely to meet resistance on their return to an organisation that has not shared the same process. Organisational change often meets resistance if it is experienced as something which is done to you rather than by you, which means that involvement of everyone is crucial for a feeling of ownership of change (Beer, Eisenstat and Spector, 1990; Kanter, 1984). Of course trainers and participants in training programmes are often acutely aware of this, but this awareness does not lead to the competences to instigate and facilitate an inclusive change process. Generally it can be argued that learning stays at the level of awareness among individuals with limited possibilities for transference to a local community of practice.

-----> **Behind the discourses on culture and ethnic minorities**

In order to rethink educational approaches to addressing intolerance it is of paramount importance to find ways of challenging the discourses on culture and ethnic minorities. While as social constructions they cannot be judged as simply true or false, it is necessary to explore the reasons for talking about these issues and experiences in these certain ways, and the consequences that this entails. An urgent question is who has an interest in portraying ethnic minorities as survivors from the past, and for what reason? What is at stake, for instance, when Danish public debate comfortably regards large parts of the national population as feudal remnants addicted to social welfare, all because of their culture? What kind of powerlessness is inherent in these accounts, and what do those who tell them want to achieve? One obvious answer lies in protectionist visions of European welfare states under siege from outsiders, regardless of the macro-economic changes that have objectively diminished such states. The previously cited EU opinion poll shows that around half of the EU population thinks that immigration increases unemployment and puts a burden on the welfare system (Thalhammer et al., 2001). Given this contradiction, there is not much reason for social elites to challenge the role of culture in explanations of socioeconomic processes. Such a discourse also conveniently obscures discussions of substantive social inequalities, and as Lentin (2004) adds, historically based geographical differences that would otherwise need to be confronted.

Within this wider socio-cultural framework, educational material that reinforces rather than subverts dominant social constructions is unlikely to contribute much to antidiscrimination work, unless it centres on key social inequalities such as access to education, housing, employment and decision making. Youth organisations themselves are invested in the politics of social resources, and training participants may well find that the changes they favour are not widely supported or viewed similarly in their community of practice. All in all we must question whether the best reaction to fear and social injustice in our societies is increased cultural contact through educational approaches that focus on changing the awareness of individuals. I believe not, however educational approaches can



contribute to combating intolerance and discrimination and increase participation in society. However, this necessitates a rethinking of both the process and the desired outcome of such education.

-----> **Recommendations for increasing participation through education**

As mentioned initially, much intercultural or “anti-racist” work on an international level has been constructed as the challenge of educating individuals and thus fighting prejudices. At the same time this individual approach seems to create limitations. It is first of all a question of whether an individualisation of the problem of discrimination as a matter of awareness and attitudes can effectively lead to action against injustice in local communities of practice, or whether alternatives have to be developed. Secondly, it is a question of whether the individuals involved are in a position to multiply and implement what they learn, and even if they are, whether they will then have the competences to do so through participation-based processes in their organisation or community. I therefore propose that international youth training programmes and seminars shift their focus from raising awareness of individuals in simulated communities towards stimulating learning in real local communities of practice. I propose turning the focus to providing a European dimension to the capacity building and organisational development of youth organisations with the aim of increasing participation and involvement. By this is meant to strengthen the capacity of the organisations to fulfil their role as promoters of equal participation and equal rights through service delivery and by putting demands on the state; in other words to become stronger social actors in the negotiation and distribution of resources and privileges. This has strong parallels to many development programmes aiming to strengthen civil societies, as laid down in policies of several national governments (for example, Danida, 2004). This proposal to turn the focus towards learning and development in communities of practice at the local level gives a new role to international training programmes, namely to develop change agents that can learn from each other at international gatherings and act at local levels.

The first step in an organisational development process could be a participation-based need assessment focusing on where the organisation wants to go, what it wants to achieve in society and what it needs to learn to be able to do so. In this process not only the members of the organisation, but preferably the target group and relevant actors from the community should be involved. It is important not to stop at an awareness of needs and visions articulated in vague virtues like co-operation, sharing of information, inclusion, and so forth, but to continue into a development of competences and improved forms of organising the work. A useful method for this is an organisation-wide inquiry into the best practices on a certain issue, providing the organisation members with rich information about concrete examples of, for instance, co-operation and involvement at its best in this particular context (for further discussions of “appreciative inquiry” see Cooperrider and Whitney, 2001). This information can be used as the data for deciding which competences are necessary in the organisation, and should thus be trained. Empowering is not just about being aware of problems, but about being able to make a difference. Relevant examples include setting up procedures for sharing knowledge and making decisions, and developing the competences to facilitate meetings with participation-based decision making. Respecting the location of learning in communities of practice, these competences need to be developed in relation to identified challenges in the local context. Rather than



simulations and exercises from manuals, I propose taking real-life projects and real-life conflicts as cases, and then practise skills in relation to these situations. However, this demands a long-term-process where the participants get time and space to practise the competences, while being coached at regular gatherings.

What I am arguing for is thus to work with actual communities of practice to create a stronger civil society in European societies, where the role of international youth training programmes and seminars could be to develop “change agents” and mentors that share and learn from local actions in different contexts. Such mentors and agents, crucially, can contribute to engaging their communities and organisations by identifying the moments and spaces for challenging dominant discourses and identifying alternatives that point towards different kinds of actions. Secondly the location of learning in communities of practice urges us to rethink the selection of participants for international trainings. In the name of diversity it is a common practice to select individuals from as many different contexts as possible. However, it might be preferable to allow group applications and ensure that there is an organisation-wide commitment to the practice of change management. This would allow participants to reflect on their practice together, create localised responses to their own reality and to support each other in the implementation. Such calls for multiple participants from one organisation is already being practiced by several actors in the field.⁵ A lot can be learned from sharing different challenges and best practices in international groups, but it is important to move beyond individualised learning and into stimulating existing communities of practice to strengthen social action at local levels.

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-----> Endnotes

1. This report concluded that 14% of the total EU population in 2000 could be characterised as actively intolerant. The indicators are, among others, strong negative attitudes towards ethnic minorities, demands for assimilation, more restrictive admission criteria and demands for repatriation. Furthermore the report shows that 52% of EU citizens at that time believed that the quality of education would fall with too many ethnic minorities, 52% believed that minority groups abuse the social welfare system, 51% thought that the presence of minorities increases unemployment and 58% believed that minorities are involved in delinquency to a higher extent than the majority of the population.
2. Published by the Council of Europe.
Also available at: <http://eycb.coe.int/edupack/default.htm>
3. Published by the Council of Europe.
Also available at: <http://eycb.coe.int/compass/>
4. It is important to mention that Preis (1996) at the same time describes problems in the British model, where the refugees for instance have great difficulties with getting family reunions and entering into long-term education.
5. An example is the Danish Youth Council. They recommended two persons from each organisation to apply for their conflict management training programme starting in July 2006 to facilitate further multiplication in the sending organisations.

3. The impact of human rights education in school: the Croatian experience

Katarina Batarilo

There are conceptually as well as contextually different approaches to human rights education (see Fritzsche, 2005; Lenhart, 2003; Tibbitts, 2002). Research leading to an evaluation of the practice of human rights education still remains in the fledgling stages. But empirical investigation of the impact of human rights education may legitimise this field as a discipline. This paper is based on an evaluative study of the effectiveness of human rights education. The central areas of research are core concepts as well as main features of human rights education in schools which were qualitatively and quantitatively assessed. The study was carried out in Croatia, a country with a specific socio-political context, but also with a practice of human rights education which has significantly progressed in the formal education system. This study pursues the question of the effectiveness of human rights education by identifying and analysing the strengths and deficits of its implementation.

-----> **Determining human rights education at school**

Education is of crucial importance to the implementation of human rights. Education in human rights aims at creating a culture of human rights within which the objectives are threefold: knowledge of and ability to call for one's own human rights; knowledge of and standing up for the human rights of others; acknowledgement of human rights as values of one's own morals and standards of one's actions (Fritzsche, 2005; Lenhart, 2003). The international community has laid down regulations on human rights education (HRE) in a number of human rights documents and instruments. In response to the appeal by the World Conference in Vienna (1993), in 1994 the General Assembly proclaimed the period from 1995 to 2004 as the United Nations Decade for Human Rights Education. Governments were called upon to develop national action plans for human rights education, including specific goals, strategies, and programmes to improve *inter alia* human rights education in schools.

The Decade for Human Rights Education ended in 2004 and one must state that hardly any concrete national initiatives were actually set up. "Most of the UN member states failed to inform the United Nations about the status of their national human rights education effort, nor did they draw up national action plans



for education in human rights, making it practically impossible to evaluate the development of human rights education on a global scale” (Bösl and Jastrzembki, 2005: 1). As a follow-up to this decade, the UN General Assembly adopted a World Programme for Human Rights Education, which began on 1 January 2005 and will be continued in several phases each with its own defined focal points and minimum actions to facilitate evaluation. The first phase (2005-07) focuses on human rights education in national primary and secondary schools. States are called upon to take stock of human rights education in their school systems, draw up a comprehensive implementation strategy for the national level, and carry out related measures. On the basis of internationally co-ordinated principles, the plan of action of the World Programme (2005:4) provides a definition of HRE in the school context, according to which HRE encompasses:

- “(a) Knowledge and skills – learning about human rights and mechanisms or their protection, as well as acquiring skills to apply them in daily life;
- (b) Values, attitudes and behaviour – developing values and reinforcing attitudes and behaviour which uphold human rights;
- (c) Action – taking action to defend and promote human rights.”

The learning targets of HRE may also be grouped under the following aspects: (a) learning about human rights (knowledge and understanding), (b) learning through human rights (attitudes, values and development of a human rights-conscious environment) and (c) learning for human rights (development of competence and skills for human rights related activities) (World Programme, 2005). Particularly, the aspect of learning through human rights indicates that HRE is not restricted to the individual learner. HRE is related to instruction and the whole school, since it is a good classroom climate that is crucial for HRE. Therefore, teachers are supposed to teach in such a way as to respect human rights in the classroom and the school environment itself. For learning to have practical benefits, students need not only to learn about human rights but to learn in an environment that models them. “Ultimately, teachers need to explore ways to involve not only students, school administrators, education authorities and parents in human rights education but also the whole community. In this way teaching for human rights can reach from the classroom into the community to the benefit of both” (UNHCHR, ABC teaching human rights, 2004: 23).

-----> **The Croatian landscape**

For the implementation and evaluation of any education programme, it is necessary to become aware of its socio-political and socio-economic context on the local and national levels. For it makes a difference when we practice human rights education in older democracies as opposed to post-totalitarian or authoritarian countries, in developing countries or in post-conflict societies. Even though we argue for the indivisibility of human rights, we find different priorities regarding human rights and HRE in these societies (Tibbitts, 2002). The context of the country investigated in my study, Croatia, is one of a post-conflict society in transition from a socialist economy to a liberal market economy. Therefore, the implementation of human rights education and other educational efforts of promoting democracy and tolerance have to be seen within the framework of political change and democratic challenge which this society faces as a post-communist and a post-war country on its way to European integration. The



political situation is also influencing the situation in the educational sector in general and especially the implementation of human rights education:

“Croatia is a typical country in transition, still lacking a rational, coherent, consistent, operative and long-term educational policy. ... In such a situation, the need to join a family of highly developed European democracies ... resulted in the production of a series of ill-balanced policy papers in which social priorities were centrally defined in terms of national state building. ... The January 2000 political changes [and] the shifts in national priorities towards democracy, open market and European integration mark the beginning of a new phase of political restructuring in which more pragmatic and efficient policies are needed.” (Vedrana Spajić-Vrkaš, 2001: 53f)

Particular challenges to human rights education in transforming societies are represented by the introduction of “teaching practices that reinforce ‘learner-centred’ approaches rather than lecture-driven modes of teacher-student interactions” in schools “and ... the way of designing human rights education programmes as to take into account an overall national context of political uncertainty, centralised policymaking traditions, and severe resource shortages in planning for such changes” (Tibbitts, 1994). The question of introducing and applying new pedagogical methods is the central topic of this paper.

Human rights education in Croatia

Croatia can be acknowledged to have progressed a lot in the implementation of human rights education. The recent National Programme of the Croatian Government (*Vlada Republike Hrvatske, Ured za ljudska prava, 2004*) for the protection and promotion of human rights in Croatia from 2005 to 2008 put emphasis on human rights education as one of Croatia’s activities to promote and implement human rights.¹ Croatia is one of six OSCE countries to have ratified a national action plan for human rights education within the UN Human Rights Education Decade. The National Board for Human Rights and Democratic Citizenship Education (EDC) was founded in 1996 as an advisory body to the Government of the Republic of Croatia. It developed and implemented a National Programme for Education on Human Rights in 1999, and in the same year a national curriculum was delivered to all preschool institutions, as well as primary and secondary schools in the Republic of Croatia.² Within the national programme obligatory teacher training has been carried out continuously and systematically since 1999. In 2000, a network of 21 regional co-ordinators was nominated to facilitate the implementation of human rights education. In co-operation with several national and international NGOs,³ the Institute for Educational Development is organising compulsory professional training and development of teachers, expert associates and principals. Until 2002 the number of seminars grew to 87 seminars a year, which included 2 545 teachers, principals and expert associates. From 2003 to 2005 the number of training programmes has been permanently growing. In 2002, the National Human Rights Education Committee decided to establish the co-ordinating units for HRE and EDC from preschool to university level, including adult education and media. The units are expected to develop a more efficient strategy for the implementation of HRE and EDC throughout the system, which is still missing in Croatia. In addition, a special tender for NGO projects in education was launched by the Ministry of Education and Science (MoES) in the spring of 2003 on the basis of the government’s decision to allocate lottery tax proceeds to the NGO activities. “However, the decision has actually discriminated against schools, which are only rarely and insignificantly financially supported for such



projects by the MoES despite the fact that they are expected to implement HRE and EDC in their curricular and extra-curricular activities” (Spajić-Vrkaš, 2003).

-----> **Evaluation in the field of human rights education**

When half of the UN Decade for Human Rights Education had passed, an insufficient evaluation of human rights education activities had already been apparent:

“The evaluation of activities for human rights education is still very rarely carried out. For instance, the evaluation of human rights education in schools takes place only as part of the regular evaluation process within the school or the Ministry of Education, and not as a separate issue.” (UN mid-term report on the Decade of HRE, 2000: 14)

The evaluation of human rights education programmes has been called for in a number of UN documents such as the World Programme of Human Rights Education (2005: 22) in which the evaluation of HRE is defined as one of the measures of policy implementation: “10. (b) (vii) Support and promote research, for example, on the knowledge of human rights, practices of human rights education in schools, students’ learning outcomes and the impact of human rights education”. This study, which analyses the implementation and impact of HRE activities in secondary schools in Croatia, is meant to meet the requirement of an evaluation of HRE at least partially. But before the results of this study and of the few other studies in the field of HRE are presented, it is necessary to point out the specific difficulties of measuring the effectiveness of HRE. One reason among others for the difficulty of evaluating HRE is the fact that there is no way to prove whether a positive impact is due to HRE activities or to other external factors. The difficulty of measuring the effectiveness of HRE is explained by the fact that non-violence, difference, human rights, democracy and tolerance are part of a complex and multi-dimensional reality, and that programmes may have an impact on single individuals while failing to create any normative standards.

There is hardly any literature on the impact of HRE available. The reason why hardly any research on this impact has been conducted to date is that the Decade of HRE is so recent (Ramirez, 2001). The results of the research conducted indicate a substantial ignorance. A study from the USA,⁴ for instance, states that only 8% of all adults can name a document defining international human rights. Also in Germany, people with higher education could name spontaneously only between three and seven human rights (Müller and Weyand, 2004). These and other studies⁵ also confirm the phenomenon of the so-called “bisection of human rights” (Sommer and Zinn, 1996), in other words a greater reliability of the subjects to identify civil and political human rights rather than economic or cultural human rights. Results usually show a rather modest preoccupation with human rights. According to Sommer, Stellmacher and Brähler (2005), less than half the adults surveyed are ready to work actively for human rights. Students often mention activities not primarily aiming at compliance with human rights but at the formation of a decent life in school, when questioned on their activities in the field of human rights. Activities mentioned include: being charitable, arbitrating in a dispute, not being prejudiced (see Müller and Weyand, 2004).

The results mentioned here make it clear that the goals of HRE cannot be seen as achieved yet. What follows is an outline of the extent to which these results match those of my own study. This study is meant to uncover the difficulties of

the implementation of HRE in schools and to give recommendations as to how the implementation of HRE could become more effective.

-----> **The impact of human rights education in school**

The quantitative and qualitative research this article is based on was undertaken in the context of the author's PhD project, an evaluation of human rights education in Croatian secondary schools. In order to measure the impact of human rights education, descriptive data on the students' knowledge about human rights articles, human rights documents and institutions which protect their rights have been collected. The students' attitudes towards human rights violations, such as human rights abuses of other social and ethnic groups in Croatia, and various student human rights activities have been monitored. Finally, human rights-related methods of teaching and learning have been examined. The instruments used to assess the impact of human rights education included both qualitative and quantitative measures. Students of nine classes with different forms of human rights education initiatives (such as cross-curricular topics in history classes, an individual subject "human rights education", through extra-curricular activities or through out-of-school activities and through teachers' classes) as it is foreseen in the National Programme on HRE have been surveyed. The subjects of the empirical study were 221 students (69 male students and 152 female students) from 10 different secondary schools (from 9th to 11th grade) across Croatia.

The classes surveyed were in schools from different regions (northwest, east and south Croatia) and differed in type (grammar schools, vocational schools, technical schools, etc.). The ethnic distribution of the students was as follows: 90% (199 students) of Croatian origin; 12 students from the Hungarian minority in Slavonia, five Bosniacs, one Serb, one Albanian and one Macedonian. One class that had no experience or activity in human rights education was surveyed for better comparison and assessment of the results gathered. Furthermore, the analysis of the data gathered was run to examine any difference between male and female students, between students from UNESCO schools and regular schools and between students from schools from war zones and those from zones not directly affected by the war in their rating of knowledge, attitudes and action concerning human rights, regardless of control or treatment group.

-----> **Progress and setbacks: human rights education in practice**

The collection of quantitative data was guided by research questions concerning the following four issues: knowledge about human rights, attitudes towards and perceptions of human rights violations, the students' actions to protect and fight for human rights and rights-based teaching and learning. As stated above in this chapter, an important aspect of the implementation of human rights education in schools is the rights-based principle in the context of the learning environment and of teaching and learning. This aspect has been taken into account by carrying out teacher interviews and by observing human rights education activities and related teacher-training programmes. An analysis of these qualitative data throws light on several obstacles to implementation of human rights education in schools.

The research question on knowledge about human rights refers to human rights components as outlined in the Universal Declaration of Human Rights (UDHR)

as well as to the declaration itself. As regarded in the European context the knowledge refers also to the institutions for the protection of individual rights such as the European Court of Human Rights in Strasbourg, France. The data gathered show the following results: a certain familiarity or acquaintance with the UDHR can be observed (43% of the students mentioned the UDHR or any of the human rights conventions, for example, the Convention on the Rights of the Child). In one class, nearly all students (92%) named the UDHR, any of the human rights conventions, or both. One third of the students surveyed (32.4%) named the Court as the institution they would turn to in case their rights are violated; 25% said they would turn to national human rights institutions to claim their rights. When asked about human rights in general, more than half the students (about 53%) think of civil and political human rights. A small number of students think of more structural characteristics (19% of them, for instance, believe that “human rights are innate and egalitarian”) and “normative postulates” (11.9% think for example of “rights which should be respected and fought for”). Second and third generation human rights are hardly thought of. Accordingly, it is violations of civil and political rights that most students think of when asked about violations of human rights in general.

A similar situation occurs when students are asked to recognise human rights articles: most students recognised the first six out of 16 articles listed as stating human rights, and these six articles also stated political and civil rights, such as the right to live (art.3), the right of free expression of opinion (art.19), the right of human dignity (art.1), the right to peace (which is not yet a human right) and the right of free movement (art.13). When comparing with similar studies, Croatian students’ knowledge of human rights can be judged as relatively high. In the students’ awareness of human rights, however, the presence of civil and political rights tends to be over-represented and, therefore, confirms the thesis of the so-called “bisection of human rights”, which had also been confirmed by previous international studies (Müller, 2000, Sommer, Stellenmacher and Brähler, 2003). The fact that economic, social and cultural rights are less known than civil and political rights also shows that the idea of the indivisibility of human rights as stated in the declaration has not yet been achieved.

Interestingly, these findings on the knowledge of Croatian students about human rights do not correspond to findings in other transitional countries: the study of Sommer et al. (2005) shows regarding the “bisection of human rights” that the students from the four western countries (Germany, Finland, Norway and the Netherlands) had less knowledge about economic rights than about political rights, whereas students from the post-communist “former Yugoslavia” (today’s Republic of Serbia) in comparison showed higher values in the recognition and importance of economic rights. The researchers interpreted the results as a tendency to “apple-polish”, in other words the students gave the answers that they thought the researchers expected. Moreover, at the time of the study, the country was subject to an economic embargo so that the tendency can be seen as a wish for democratic changes. However, the researchers implicated the results with the socialist society in the “former Yugoslavia”: “In socialist societies, in general, a greater importance is attributed to economic rights compared to civil and political freedoms” (Sommer et al., 2005: 290).

Another aspect of the phenomenon of the bisection of human rights in transitional countries is given by a study of Tibbitts (1994). Students from central and eastern Europe associated civic and political human rights with rights promoted in the



West and with individualism and liberal democracy. Even though these rights are welcomed, in the eyes of the students they are at the same time part of political changes which have coincided with extraordinary economic distress. In the communist period, uncertainty about the future as well as the economic situation was not as bad. A negative correlation seems to exist between civil liberties and guarantees for an adequate living standard. Surprisingly, Croatian students exhibited similarities to German students rather than to students from other transitional countries with a higher recognition of political rights than of economic rights. This could be due to the age of the Croatian students who were little children when the political system changed. In addition, a significant difference (.000 at P 0.01) in the students' knowledge of human rights could be observed regarding gender, schools from the UNESCO-ASP network and also schools from war zones.

The findings of a relatively high knowledge of human rights documents and instruments in general, as well as the findings of the under-representation of social and political rights in particular, represent important starting points for further and more effective human rights education activities. One could recommend, for instance, putting emphasis on all three generations of human rights and, thereby, on the indivisibility of human rights. As was mentioned above, however, knowledge about human rights and related documents is not sufficient to bring human rights to life in the classroom. "‘Facts’ and ‘fundamentals’, even the best-selected ones, are not enough to build a culture of human rights. For these documents to have more than intellectual significance, students need to approach them from the perspective of their real-life experience and grapple with them in terms of their own understanding of justice, freedom and equity" (UNHCR, ABC teaching human rights 2004: 20).

Research questions on attitudes refer to the students' perceptions concerning human rights violations, for example their perceptions of the human rights abuse of other social and ethnic groups living in Croatia and to their experience of human rights violations in their daily (school) life. The data collected on students' attitudes towards human rights violations manifested a high awareness of violations of the human rights of poor people, mentally and physically disabled people and Roma people (about 76% of the students had these attitudes). Students displayed an average awareness of violations of the human rights of social groups such as elderly people, young people and women. In the eyes of the students, minority groups like Serbs, Bosniacs or Hungarians (Serbs and Bosniacs being former war enemies) are hardly discriminated against. Only 17% of all students believe that the human rights of the Hungarians are being violated. The perception of students from the Hungarian minority areas⁶ in eastern Slavonia, however, stands out from the average: here 61% of the students from the Hungarian minority believe that the human rights of the Hungarians are being violated. This view is not shared by the rest of the examined students who are mostly of Croatian origin. Therefore, awareness of the situation of some of the more inconspicuous minority groups does not seem not to be very developed among members of the majority group.

When asked about the students' personal experience of human rights violations in their daily (school) life, students state that it was mostly through the teachers that they experience discrimination in terms of unfair treatment, punishment and disrespect of students' opinions. Teachers who behave unjustly or abusively and who do not avoid hypocrisy such as talking about, for example, the human right



of free expression but who is not willing to allow discussions and critical thinking in his or her classroom will have little positive effect; students will learn mostly about power and considerably less about human rights. Therefore, the teacher–student relationship can become a serious obstacle to the implementation of human rights education in school.

With regard to the possibilities of taking action against human rights violations, half the students surveyed (49%) think they cannot do anything or relatively little. Still, they consider action against human rights violations as a priority task of politicians (about 85% of the students think that politicians can do relatively much or very much). Thus, the gap between being aware of human rights violations and taking action against them is quite substantial. Human rights education has to attend to bridging this gap with much more effort. Male and female students, students from UNESCO schools and students of non-UNESCO schools differ significantly (.060 at P 0.01) in their attitudes. Surprisingly, students of war-zone schools and students of non-war-zone schools do not differ significantly in their attitudes. Since the items for attitudes in the questionnaire do not represent the whole spectrum of possible questions asked in order to examine the students’ attitudes towards human rights, interpretation of these results would rather be guesswork.

The investigation of action in the field of human rights refers to the students’ ability to connect and act upon the rights and responsibilities they are entitled to in their daily lives. More than half of the students admit that they were “very little” or “not at all” engaged in human rights activities. Most of the human rights activities that students engage in are everyday actions meant to protect one’s own or fellow students’ human rights. “Classical” human rights activities, such as participation in a demonstration or membership in a human rights organisation, are not what students usually engage in. The only human rights activity attracting students appears to be humanitarian aid (which, seemingly, is due to the whole society’s efforts to cope with the consequences of the war). The intensity of the activities does not differ significantly among the different groups of female and male students (.381), students of UNESCO schools and students of non-UNESCO schools (.136), and students of war-zone schools and students of non-war-zone schools (.819). The most important target of human rights education, to turn people into active defendants of human rights, cannot be seen as sufficiently met. When looking at the students’ readiness to engage in human rights activities, one probably has to speak of a rather sobering situation. Especially with regard to the more civil human rights activities (demonstrations, petitions) schools do not rely on a lot of experience. Their mission, therefore, often only pertains to possibilities of action within the realm of each individual. This means that even students who experienced human rights education in school were not eager to become active in the sense of participating and fighting for collective rights, but who indicated engagement for human rights only in case their individual rights are affected.⁷

Finally, investigation into rights-based teaching and learning include interactive methods, personalised teaching and the organisation of everyday life in school with the aim of the promotion of democracy and participation as well as the students’ positive attitude towards learning about human rights. A practice of teaching bequeathed to most schools by the educational system of the socialist era consists in the drumming of facts into students’ heads by dry lecturing. Teachers are trained to apply new and more participative methods, but an apparent gap between the theories of the teacher-training seminars and the practice in



classrooms remains to be closed. The new and more participative methods are an integrative part of human rights education. But the gap between the theory and the application of these methods is also apparent in the teaching of human rights. Many teachers have realised this as a problem to be solved, though (see below the results of the teacher interviews).

It is striking that according to 44% of all students, participative teaching methods like discussions, study groups or workshops are never or almost never carried out at all. Of those interviewed, 63% confirm that *ex-cathedra* teaching is commonplace. Half the students state that immediate learning about one's own or other people's rights takes place only sometimes. The other half contends that this sort of immediate learning does not or hardly ever takes place at all. A positive index, however, is the students' awareness of the importance as well as their interest in learning about human rights: a large majority of students (89%) consider HRE to be "very important" or "important". This awareness and interest provides a solid foundation for further human rights education in schools. In conclusion, one has to say that teachers often struggle a lot in trying to apply more participative and progressive teaching methods. Teachers trained in the old methods tend to forget about the new methods and to go back to lecturing facts in order to get to the end of an overloaded curriculum. It remains difficult for the student to take an active part in class, and he or she might even be penalised for the expression of opinions (by bad grading or an entry in the class-register). These findings for Croatian human rights classes are problematic when you have in mind that "the school is an arena for the exchange of ideas and must, therefore, be premised upon principles of tolerance and impartiality so that all persons within the school environment feel equally free to participate" (Tomaševski, 2001: 14). A comparison of the data shows that students from UNESCO schools and non-UNESCO schools differ in their perception of participative teaching methods. Since UNESCO schools are expected to teach in accordance with innovative and participative methods, this result is hardly surprising.

The data collected on knowledge, attitudes, action and teaching principles permit a perspective on the interdependencies between the main areas of human rights education. This perspective may also help to assess its effects. Assuming a causal nexus of knowledge acquisition, attitude formation and active engagement, it remains to be questioned whether Croatia has managed to establish a stable base for further human rights education. In the context of human rights, there seems to be no correlation between knowledge and action (Pearson.007/ significance.916), knowledge and attitude, or attitude and action (Pearson -.17/ significance.799). Given the disparate nature of knowledge and behaviour, this lack of correlation is hardly surprising. Knowledge resulting in action, however, is an important objective of human rights education which has hardly been reached.

There appears to be a significant correlation between human rights-based teaching and learning, on the one hand, and attitudes towards human rights, on the other (P. 134 / S. 047 from level of 0.05). This correlation hints at a strong effect of participative teaching and critical thinking on changes in attitudes and awareness. A similar correlation could be found in a Romanian study which appears to confirm the results of others that have shown a clear link between instructional methodology and the development of participatory attitudes, or "civic behaviour" in students (Tibbitts, 1999). These empirical findings confirm the connections



between the three different learning objectives and teaching methods, as required by the concepts of human rights education.

The following part summarises specific structural obstacles that have been revealed in interviews with teachers of the surveyed classes and other human rights education practitioners and that complicate the effective realisation of human rights education activities:

Lack of policy priorities and implementation strategy: Human rights education is not yet included in the education strategy papers. The situation is accurately described by Spajić-Vrkaš (2003: 47): “It is a fact that the government proclaims the promotion of democratic principles (human rights, openness, tolerance and diversity) throughout the school system as its priority; that it officially supports the National Human Rights Education Programme and pays for the training of teachers in its implementation; that it officially supports the Council of Europe’s policy on education for democratic citizenship, and that, in the end, no policy for the implementation of such programmes has yet been devised by the government.” One of the consequences of the fact that there is no binding law and no implementation strategy for human rights education programmes is the fact that school teachers have no mandate to integrate human rights education in teaching. Consequently, teachers cannot demand in-service training but always depend on the school manager’s “good will” to allow the training. Further, human rights education is not seen as part of the teaching load and, therefore is not remunerated or even favoured. All efforts in human rights education depend on the individual teacher’s motivation. “The lack of school autonomy, formalism of the national inspectorate, inadequacy of advisory service and the lack of accountability were often mentioned as factors which hinder the integration of HRE and EDC into teaching” (Spajić-Vrkaš, 2003: 48).

Curricular obstacles: The possibilities for integrating human rights education in the official curriculum are very narrow. Teachers stated that the time and space available for human rights education activities were very limited: according to their practical experience the time left for such activities ranges from one or two days a year to once every other week when performed as extra-curricular activities. The reasons for this are diverse. The most important reason is a curriculum overload which obligates students to prepare for six subjects a day so that no time remains for participation in workshops and the like. Another reason is a content overload of the various subjects. If a subject is overloaded by content, the use of chalk and board remains the only effective method to cope with the content. Since full instruction of content is usually checked and evaluated by school inspections, and since students wish to be sufficiently prepared for university entrance exams, teachers are virtually constrained to apply that method.

Teaching and learning: A full curriculum has a negative impact on the application of participative and interactive teaching methods. Other obstacles reside on the different levels of the education system. On the level of the education administration one obstacle is represented by the school inspectors (teachers are not expected to use time for the application of active methods when it might be needed to teach more content). On the level of the school another obstacle is represented by the staff itself. Colleagues might reprehend colleagues or envy the application of active teaching methods if their own out-dated teaching methods are called into question (“You’re silly. How can you engage in something you’re not even rewarded for?”). Another problem to be mentioned is the dilemma that students get into if freedom of expression is permitted by one teacher and

punished by another. In summary, the reality of teaching and learning in Croatian schools can be described as an “outmoded approach to knowledge that stresses quantity of information instead of intellectual, social and communicative skills and competences by which learning is set free from school and linked to life” (Spajić-Vrkaš, 2003: 45).

Learning environment: The World Programme (2005: 7) says that the learning environment should provide “the opportunity for all school actors (students, teachers, staff and administrators and parents) to practise human rights through real-life activities”. But in some of the schools surveyed, human rights education activities appeared to be rather private or hidden activities. In these schools the rich experience from human rights education cannot benefit the whole school or have a positive influence on the school climate.

Education and professional development of teachers: A problem with the teacher-training programmes is the over-emphasis on instruction of knowledge by lecturing as well as the insufficient practice of interactive teaching methods. Another problem is the conflict between the application of human rights-based teaching and learning methods used in human rights education activities, on the one hand, and the application of methodologies by the same teachers when they fall back on outmoded teaching methods in regular subjects. Further, there is neither any satisfactory evaluation of teacher training nor any appropriate monitoring of the teachers trained. The only follow-up activities are short interviews with teachers at the end of the school year about general information on actions taken in the context of human rights education. Few NGOs offer the monitoring of teacher-training programmes, but only in the case that financial support is guaranteed. Finally, it appears that the teacher-training seminars in human rights education often serve the purpose of fulfilling one’s duty of obligatory further training.

-----> **Conclusions**

This article is a summary of a study of the impact of human rights education as practised in school. The study follows the purpose of further guiding human rights education. The presented results of the evaluation of human rights education in selected Croatian secondary schools exhibit a relatively high knowledge of human rights and a positive attitude towards learning about human rights. But the lack of basic principles of HRE within the teaching methods in the Croatian school system reduces the programme’s overall impact. Related to the difficulties in applying human rights-based teaching and learning principles is not only inappropriate teacher training, but also a restricted participation of students as well as a lack of democratic principles within school life. For these reasons, the following recommendations are being suggested:

School climate: In order to promote human rights education as well as human rights themselves in a school, relevant activities have to include all the members of a school: all students, all teachers and other educational personnel as well as parents and also the local community as mentioned in the World Programme as one of the five components of human rights education in the school system. The respect and the openness for human rights education have to be ensured so that human rights principles are reaching not only teaching and learning but the school in its whole. In addition, it has to be stressed that the school climate is means and end at the same time.



Teacher training: Even if many teachers finished training programmes in human rights education or similar programmes there is still a lack of active methods in teaching or emphasis on the students' participation in class. Therefore teacher-training programmes have to be improved in regard to training active methods. A monitoring system as a follow-up to teacher training could help to raise the effectiveness and sustainability of trained teachers. Finally, the installation of a network for the exchange of didactical materials as well as experiences among active teachers is being recommended.

Educational system: As the teachers mentioned structural problems, such as having no time or space for implementing human rights education because of the content overload in the curricula, the promotion of the human rights framework throughout the entire vertical system, from the ministry to the school, has to be started. Within this, "elements of school operation should be examined from a human rights point of view, including the governance structure, relations among staff, between staff and students, opportunities for students to influence school policies, bullying and harassment policies, and discipline measures. The school should be a place that promotes and protects the human rights of staff as well as students" (Tibbitts, 2004).



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-----> Endnotes

1. One must not ignore, however, deficiencies in the respective education legislation: “an analysis on legal provisions for education for democratic citizenship and human rights education in Croatia (Gardašević, 2002) shows that no laws on education contain explicit regulations on human rights education, even though the Constitution proclaims human rights as one of the highest values of the Croatian society” (Spajić-Vrkaš, 2003: 43).
2. As part of the human rights education activities, a number of didactic materials have been developed such as Maleš, Spajić-Vrkaš and Stričević (2003) *Living and Learning of the Human Rights* or *Teaching of Human rights and freedoms*. Research Centre for Human Rights and Democratic Citizenship of the Faculty of Arts in Zagreb. Education for human rights in primary school systems as well as Uzelac (2005) *111 Steps towards the Democracy and Human Rights*. Mali korak, Zagreb.
3. The most important NGOs in the context of human rights education (within which teacher-training programmes were organised and manuals developed) are “Small Step” (Zagreb), the “Croatian Helsinki Committee” (Zagreb), “the Forum for the Freedom of Education” (Zagreb) as well as the “European House” (Slavonski Brod).
4. Dennis N. Banks, *Promised to Keep – Results of the National Survey of Human Rights Education 2000*, published online by the University of Minnesota Human Rights Resource Center at <http://hrusa.org/educaion/PromisestoKeep.htm> (download 14.5.2004).
5. The following selection of empirical studies gives an overview of the most important research concerning the evaluation of human rights education:
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 - Peter Hart Associates Inc. (1997) Hart Survey on attitudes and knowledge of human rights, Adult and Youth. <http://www.hrusa.org/features.shtm> (download 19.10.2003).
 - B. Jeup, R. Piesch and J. Zinn (1993) *Menschenrechte*. Semesterarbeit, quoted in Gert Sommer, Jost Stellmacher and Ulrich Wagner (eds, 1999) *Menschenrechte und Frieden – Aktuelle Beiträge und Debatten*. Marburg, (1999: 48).
 - Lothar Müller (2000 and repeated in 2003) *Menschenrechtserziehung aus Sicht von Studierenden and MRE in der Schule*.
 - Gert Sommer, Jost Stellmacher and Elmar Brähler (2005) Menschenrechte in Deutschland: Wissen, Einstellungen und Handlungsbereitschaft. *In Der Bürger im Staat*, 55, H. 1/2, pp. 57-61.
 - J. Stellmacher, G. Sommer and E. Brähler (2005) The Cognitive Representation of Human Rights: Knowledge, Importance and Commitment. Peace and Conflict, *The Journal of Peace Psychology*. 11 (2005: 267-292).
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6. On 13 December 2002, Croatia's new Constitutional Law on the Rights of National Minorities (CLNM) was proclaimed. Regarding minority rights and education, the option of separate schools is available to all national minorities, with a Hungarian-language school in eastern Slavonia and Italian-language schools in Istria, for example.
7. The following example can shed some more light on the character of "individual engagement": one of the surveyed human rights education classes discussed the increasing problem of unsafe food in the cafeteria of their school, but instead of fighting against this with a petition of all students, the only action undertaken was done by a single student in the form of asking parents to help in calling the health authority.

4. Towards a theory of inclusive participative citizenship

Dina Kiwan

-----> Introduction

In this chapter, I examine the inter-relationship between human rights, participation and diversity through an analysis of the conceptions of citizenship held in the English citizenship education policy and curriculum development process in secondary schools, introduced in 2002. I aim to contribute to theories of active citizenship that accommodate ethnic and religious diversity in an inclusive manner, in a way that is appropriate to the United Kingdom's multicultural context.

In 1998, a policy review of citizenship education was undertaken in England by the Advisory Group on Education for Citizenship and the Teaching of Democracy in Schools, set up by David Blunkett, then Secretary of State for Education, and chaired by Sir Bernard Crick (QCA, 1998). The main recommendation of the Advisory Group (known as the Crick Report) was that citizenship education should be made a statutory subject (QCA, 1998). Whilst citizenship as an educational aim of the state is not a new idea (Fogelman, 1997), with the history of citizenship education in England typically traced back to the 19th-century Victorian context (Batho, 1990; Lawton, 2000), it is of note that until its introduction in 2002, citizenship education had never formally been part of the school curriculum in England (Fogelman, 1997).

Historically, a defining feature of traditional theories of citizenship has been that they draw boundaries, clearly excluding certain categories of individuals from membership (Heater, 1990). However, with the relatively recent expansion of citizenship to include all members of society, there has been an increasing interest in considering citizenship and diversity in a theoretically more explicit and integrated way (for example, Kymlicka, 1995; Parekh, 2000). In this chapter, I limit my scope to a focus on ethnic and religious diversity for practical reasons. The pertinence of this focus can be witnessed by the national and international contemporary socio-political context over the last five years, where issues relating to ethnic and religious diversity have taken on a heightened profile in the media, as well as within education and public policy agendas. This can be understood in the context of national events in the United Kingdom such as the Stephen Lawrence Inquiry and its recognition of institutional racism (Macpherson, 1999), as well as the occurrence of inter-ethnic group violence in a number of cities in England in the summer of 2001. In addition, there is the international context



of increased globalisation, increased migration, and increased social pluralism (Home Office, 2001), as well as the occurrence of key international events such as 11 September 2001, and more recently, the London bombings in July 2005.

Inherent in the relationship between the individual and his or her political community is the role that identity, or a sense of belonging, plays within this relationship. I am particularly interested in the role that identity, or a sense of belonging, plays in this relationship between citizens and their political community. This is because the motivation for citizens to participate in their political community is logically predicated on a sense of belonging to, or “identification” with, the context where they are participating. Osler and Starkey’s (2005) definition of citizenship is useful in this regard, where they define citizenship as “a status, a feeling and a practice”. I propose that citizenship as “feeling” and citizenship as “practice” are inextricably linked, and also mutually enhancing: just as a sense of belonging may promote participation, the experience of participation can enhance a sense of belonging. In addition, conceptualising citizenship in diverse societies such as the United Kingdom – which aim for a model of inclusive and participative citizenship, necessitates a consideration of the diversity of identities of its citizens and how this relates to their participation within their political community.

In this paper, I argue that the dominant theories of citizenship have implications for ethnic and religious diversity, even though these may not be articulated explicitly. For example, France is often cited as the exemplar of civic republicanism, where ethnicity and religion are expected to operate only in the private sphere, and not in the public political sphere (Brubaker, 1998; Delanty, 2003). Crick (2000) in his seminal work, *In Defence of Politics*, provides a view of politics that holds theoretically greater potential for an accommodation of ethnic and religious diversity in a model of citizenship as active participation. He defines politics as “the process of practical reconciliation of the interests of the various groups which compose a state” (Crick, 2000, p. 24). However, he does not explicitly address the issue of ethnic and religious diversity, nor does he consider whether political institutions in their current form can accommodate such diversity. Other approaches include Kymlicka’s (1995) liberal theory of minority rights – drawing on the multicultural Canadian context, where he proposes that certain groups should have special group rights, in addition to the usual package of individual rights. Another approach can be seen in contemporary “communitarian” theories, which have critiqued liberalism’s conception of the human being, and have developed an argument that a conception of the human being needs to be situated in context – identity and participation being important aspects to consider in how individuals relate to their political community (Delanty, 2000; Mulhall and Swift, 1994). There have also been calls for “multicultural” citizenship to be underpinned by human rights (Osler, 1999). Most recently, a number of influences – such as the challenge of cultural rights, globalisation, the decoupling of citizenship and nationality, and the conflation of the public and private spheres (Williams, 2002) – has contributed to the emergence of a range of more universalist or “cosmopolitan” theories; these theories have also developed in reaction to liberal and communitarian theories.

In the following section I briefly outline my methodology, before examining the two most “dominant” conceptions of citizenship in the English citizenship policy and curriculum development process, and their implications for ethnic and religious diversity. As becomes evident throughout my contribution, the two “dominant” conceptions of citizenship are the “legal” and the “participatory” conceptions, with the participatory conception being the most pervasive. Whilst I note many positive

features of the “participatory” conception of citizenship – that it is a necessary part of a model of active citizenship – I argue that it is not sufficient in a multicultural society, and that a “participatory” conception must be coupled with a “multicultural” conception of citizenship. Through the analysis of my interview data and policy and curriculum documentation, I propose an inclusive model of citizenship, developing and extending in particular participatory conceptions of citizenship. In the concluding section, I propose some implications for policy and practice.

-----> **Methodology**

My research aimed to examine key players’ conceptions of citizenship in the policy and curriculum development process of citizenship education in the English secondary school contemporary context. I am interested in how these conceptions draw on theoretical conceptions of citizenship throughout the policymaking process, in particular the extent to which these conceptions address ethnic and religious diversity, both theoretically and in practical terms.

My methodology entailed interviewing 30 participants involved at different stages of the policy-making process, whom I identified and selected from three main categories: firstly those who have had substantial influence in formulating policy, developing the curriculum, and/or developing teaching resources in relation to citizenship education in England; secondly, those who have a stake in the issue but were not involved or included in the process and thirdly, those who have been involved in related initiatives or domains, which may have theoretical and/or practical implications for the citizenship education initiative. Interviewees included David Blunkett, former Secretary of State for Education, and Sir Bernard Crick, an academic and longstanding campaigner for political literacy in schools. Semi-structured interviews were conducted, covering a range of themes including interviewees’ perceptions regarding the nature of their involvement in the process, their perceptions regarding representativeness and decision making, their perceptions of the aims of citizenship, issues regarding policymaking procedures, conceptions of citizenship and conceptions of diversity and their perceptions on how these relate to one another. In addition, I have analysed the Crick Report (QCA, 1998), as well as the Key Stage 3 (KS3) curriculum documentation, the KS3 Programmes of Study (QCA, 2000) and KS3 Schemes of Work (QCA, 2001).² Whilst interviewees and the Crick Report address the whole secondary school range, for pragmatic purposes, my analysis of curriculum documentation was limited to a focus on Key Stage 3 curriculum documentation.³

-----> **“Dominant” models of citizenship**

What emerged from the analysis of the interview data, as well as key policy and curriculum documentation, was that there were two “dominant” conceptions of citizenship – which I refer to as the “legal” and “participatory” conceptions of citizenship, with the “participatory” conception being the most dominant of these conceptions.⁴

The “legal” conception

A number of writers in the field of citizenship education argue that human rights provide an ideal basis to underpin citizenship education (Alderson, 2000; Osler, 2000; Osler and Starkey, 2005). The terms of the Crick Advisory Group make



explicit reference to rights; however, the term “human rights” is not used – but rather “rights of individuals as citizens” (QCA, 1998, p. 4).

I have argued elsewhere in detail that this conflation of citizenship and human rights is theoretically problematic (Kiwani, 2005). In the Crick report, rights are presented as an included component of citizenship rather than being presented as its theoretical underpinning. This is an important distinction to be made between a more universalist approach and an approach where citizenship is defined in political terms. Underpinning human rights is the notion of common humanity based on ethical and legal conceptualisations of the individual. In contrast, citizenship rights are underpinned in relation to a political community, based on political and legal understandings of the individual. It is appropriate that the terms of reference of the Crick Report do not make the theoretical mistake of conflating universalist ethical understandings of the individual with political understandings of the individual.

Human rights are a dominant theme in the KS3 Programme of Study and the KS3 Schemes of Work; they are prominently presented as the first item under the “knowledge and understanding” heading where “Pupils should be taught about: (a) the legal and human rights and responsibilities underpinning society” (QCA, 2000). In the KS3 Schemes of Work, Unit 3 focuses on human rights (QCA, 2001), where pupils are taught that the Human Rights Act is “underpinned by common values” (QCA, 2001, Unit 3, p. 2). What is not explained is the conceptual relationship between human rights and citizenship: for example, whether the “common values” underpinning the Human Rights Act are distinctive to citizenship in the UK context, in contrast to other nation–state settings. The curriculum guidance for teachers must be explicit in its presentation of the relationship between human rights and citizenship if teachers are to effectively communicate this to pupils.

The “participatory” conception

“Active participation” is the most central conception of citizenship in the Crick Advisory Group’s Final Report (QCA, 1998). In the Introduction to the Report, paragraph 1.5 is a pivotal paragraph in explicitly stating its ambitious aims:

“We aim at no less than a change in the political culture of this country ... for people to think of themselves as active citizens, willing, able and equipped to have an influence in public life ... and to extend radically to young people the best in existing traditions of community involvement and public service, and to make them individually confident in finding new forms of involvement and action among themselves.” (QCA, 1998, pp. 7-8)

The Advisory Group’s conception of citizenship is elucidated theoretically with reference to the Greek and Roman conceptions of citizenship as “involvement in public affairs” (QCA, 1998, p. 10). This political conception of active participation is also used to explain voluntary activity in that it helps to develop informed citizens, with reference to John Stuart Mill in this context. The concept of “active citizenship” is related to the three proposed strands of citizenship, social and moral responsibility, political literacy and community involvement (QCA, 1998, p. 11). The KS3 Programme of Study is divided into three subheadings, with the third sub-heading being “Developing skills of participation and responsible action” (QCA, 2000). The theme of participation is reflected in many of the units of the KS3 Schemes of Work (QCA, 2001), which I discuss below.



The stated aims of the KS3 Schemes of Work, Unit 1: “Citizenship – what’s it all about?” are that this unit introduces pupils to “key ideas that are central to developing an understanding of what active citizenship is all about” (QCA, 2001, Unit 1, p. 1). Under the theme, “what is school like?” it is expected that pupils reflect on ways they already participate in their school and communities. This is then linked to notions of democratic decision making, and an understanding of the idea of a “democratic community”.

Unit 14: “Developing skills of democratic participation” focuses on issues of decision making and representativeness in the school context. Pupils are asked to identify different ways of making decisions, and what might constitute “fair ways” of making decisions (QCA, 2001, Unit 14, p. 3). The idea of pupils’ voices being heard on school issues is considered and compared with decision-making processes in the wider societal context. In the introduction to the unit, it states that “Pupils explore ... how to ensure representation for diverse groups within society” (QCA, 2001, Unit 14, p. 1). However, in the section “Where the unit fits in”, where it relates the Schemes of Work to the relevant components of the Programme of Study, it does not include 1b “the diversity of national, regional, religious, and ethnic identities in the United Kingdom”. The issue of diversity of representation is presented as a straightforward issue, in terms of developing skills of listening, communication and organisation (QCA, 2001, Unit 14).

The focus of Unit 18: “Developing your school grounds” is on the practicalities and skills of pupils’ “planning, devising and implementing ways” (QCA, 2001, Unit 18, p. 1) to make improvements in their school. Under the theme, “How can you meet the needs of people using the school grounds?”, it is positive that there is reference to “the diversity of religious and ethnic identities within the school”. However, this is only considered in relation to “thinking how this can be reflected in the features and usage of the school grounds” (QCA, 2001, Unit 18, p. 5). Although it is positive that the curriculum is promoting sensitivity to the needs of others, this is not the same as ensuring that there are mechanisms to enable those “others” (e.g. those with special needs) to participate so that they themselves are empowered to bring about change, and “speak” for themselves.

The Crick Report makes an explicit link between participation and democracy, evident from the title of the report, *Education for Citizenship and the Teaching of Democracy in Schools* (QCA, 1998). The terms of reference for the Crick Group, set out by David Blunkett, then Secretary of State for Education and Employment, explicitly focused on education for citizenship to include “the nature and practices of participation in democracy” (QCA, 1998, p. 4).

Whilst the tone of the Crick Report reflects the perception that there is a direct link between citizenship education and upholding democracy, other interviewees were more tentative about presenting this as an explicit aim of citizenship education. Crick, especially, in his academic writings, has warned against the ideological and non-political usage of the term “democracy” (Crick, 2002). He has argued that politics must be “defended” from democracy, warning that “if taken alone and as a matter of principles, it is the destruction of politics” (Crick, 2000, p. 56). This is because Crick defines politics as an activity involving negotiation between different interests within a political community; this diversity must not be compromised by democracy turning “harmony into mere unison”, reducing “a theme to a single beat” (p. 73). There is typically a lack of conceptual clarity when talking about democracy, with it often being conflated with the concepts of liberty, individualism and equality (Crick, 2000). This conceptual confusion is



evident in the KS3 Schemes of Work, where, for example, in Unit 1, democracy is predominantly defined in terms of equality (QCA, 2001, Unit 1, p. 5).

There is an examination of unequal power relations in relation to democracy in Unit 12: “Why did women and some men have to struggle for the vote in Britain? What is the point of voting today?” (QCA, 2001, Unit 12) However, the approach used indicates what I call a “pedagogy of acceptance” approach with pupils being expected to engage with these issues in terms of “identifying” and “discussing”, rather than in terms of developing participative skills in relation to these issues.

-----> **Legal conceptions: the implications for diversity**

A human rights approach to citizenship is essentially a legal conception, based on a modern liberal idea of the state and citizenship, emerging with doctrines of state sovereignty and individuals conceptualised as being “free and equal” with natural rights (Held, 1993). The focus of a human rights approach is on the idea of the state protecting individuals, a tradition which can be traced back to Hobbes and Locke (Held, 1993). In the introduction I refer to the case of France as an exemplification of a definition of citizenship which centres on a universalist conception with the premise that everyone is equal regardless of ethnicity, religion or gender. As such, it does not recognise difference (Kiwan and Kiwan, 2005). Citizenship education has always been at the heart of the French Republican education project, with the aims of citizenship education being to integrate the diverse population of France into a homogenising and common culture, based on the values of the Revolution: *liberté, égalité, fraternité* (Osler and Starkey, 2001). Since the 1980s there has been an increased emphasis on human rights with citizenship education (Starkey, 2000).

Although this universal and legalistic approach to citizenship, which is based on an abstract notion of equality, might be well intentioned, in reality it does not engage with issues of structural disadvantage (Kiwan and Kiwan, 2005). Instead of school being a shelter from societies’ social injustices, students perceive that it is school itself that creates these injustices (Dubet and Martuccelli, 1996). As a consequence, students are unlikely to be motivated to take part as active citizens within the school community if they perceive it to be a factor contributing to their marginalisation (Barrère and Martuccelli, 1998). I argue that human rights as a universal legalistic approach can not adequately take into account ethnic and religious diversity and may be ineffective in the empowerment and active participation of citizens because such approaches do not engage with the issue of the differential motivations to participate. I further propose that identity may be a key influence in promoting active participation. This is discussed and developed in a subsequent section of this paper, where I propose an inclusive model of active citizenship.

-----> **Participatory conceptions: the implications for diversity**

The Crick Report, in highlighting the important role of education in promoting active participation, implicitly relies on what Pattie, Seyd and Whiteley (2004) call a choice-based approach to understanding political participation, and in particular “cognitive engagement theory”, which hypothesises that participation depends on access to information and willingness to act on that information,



rather than socialising to certain norms and values. However, a weakness of cognitive engagement theory is that it does not address what motivates people to participate.

I argue, however, that understanding what motivates people to participate is crucial to developing an inclusive conception of citizenship (Kiwan, 2007). Pattie, Seyd and Whiteley (2004) refer to “general incentives” theory – a synthesis of rational choice and social-psychological accounts of participation, where the argument is that actors need incentives to participate. I propose that what is not sufficiently addressed in a participatory conception of citizenship is the question of whether a focus on active participation without a concomitant focus on people’s diversity of identities can achieve an inclusive empowerment of all types of young people. Osler and Starkey’s (2005) definition of citizenship as “a status, a feeling and a practice” is useful to draw upon in this regard, where citizenship as “feeling” refers to a sense of belonging to the larger community. In order to be motivated to participate (citizenship as “practice”), one must be able to identify with, or feel a sense of belonging to, the larger community. This suggests that citizenship as “feeling” and citizenship as “practice” are inextricably linked, and are mutually enhancing. Indeed, Osler and Starkey (2005) cite research evidence that participation can enhance motivation. Citizenship education must therefore logically incorporate what Pattie, Seyd and Whiteley (2004) call the “general incentives” aspect explicitly in its participatory conception of citizenship.

The focus of the Crick Report and subsequent Programmes of Study and Schemes of Work on the accessibility to information and developing participatory skills is certainly necessary, but it is not sufficient, as it does not address what enables or motivates different groups and individuals to participate. Drawing on the example of citizenship education in the French educational system, by not explicitly challenging and instead merely learning about issues of structural disadvantage (Kiwan and Kiwan, 2005), and how this may be related to ethnic and religious identity,⁵ citizenship education may fail to achieve a more substantive participation of young people of different ethnic and religious identities.

-----> **Developing an inclusive participatory model of citizenship**

In this section, I propose an inclusive model of citizenship, by drawing both on my empirical data, and by developing certain relevant themes raised in the politico-philosophical literature on citizenship (Kiwan, 2007).⁶ This model consists of two main components – firstly, I propose the concept of “institutional” multiculturalism, constituted as a process. Secondly, I propose that citizenship education must redirect its emphasis to the citizen–state relationship, relative to the emphasis on the relationship between individuals and groups from different backgrounds and cultures which is the predominant focus of “interculturalism” (Gundara, 2003; Kymlicka, 2003).

“Institutional multiculturalism”

Implicit within the different conceptions of citizenship are different perceptions of the aims of citizenship education. In theoretical and practical terms, there may be inherent tensions between the different aims of citizenship education. For example, maintaining democracy may emphasise the neutrality of the public sphere, in contrast to the aim of promoting equality and diversity, which emphasises the inclusiveness of the public sphere (Modood, 2005). These aims

need not necessarily be in tension, yet the use of terms such as “maintaining” and “upholding” in conjunction with democracy and public political institutions suggests a “maintaining the status quo” approach, rather than being open to a truly more inclusive approach (Kiwani, 2007).

Elsewhere I have discussed how the theme of shared values was frequently referred to in the interviews (Kiwani, 2006; Kiwani, 2007). I argue that, whilst shared values are not necessarily problematic in an ethnically and religiously diverse society, what has typically been neglected is a consideration of the process by which these shared values are reached – both at societal level and at school level (Kiwani, 2007). Therefore “multiculturalism” must be operationalised, rather than merely being a term to describe a given society. Just as there has been an acknowledgement of the concept of institutional racism, I would propose that the concept of “institutional multiculturalism” is a means to go beyond the problem that multiculturalism is generally perceived to be about and for “minorities”. Rather, it must be a proactive process, with outcomes not only at the level of the individual, but at the level of society itself.

Although diversity is inherent to Crick’s conceptualisation of a participatory politics as he conceives of politics arising because of diversity, this is limited to political diversity rather than ethnic and religious diversity. For an inclusive model of citizenship in a multicultural society like the UK, I propose that a model of “institutional multiculturalism” must supplement the “participatory” model of citizenship advocated in the Crick Report (QCA, 1998). Whilst human rights are an important component of citizenship, theoretically they can not underpin citizenship (Kiwani, 2005). Similarly, whilst political knowledge and skills are important for citizenship, a “participatory” model alone is not sufficient for a model of active citizenship in a multicultural society. Such models do not address the impact of differential power between groups, which can lead to a lack of motivation to participate for those historically marginalised groups. Unless more inclusive models are developed, citizenship education will fail to achieve a more substantive participation of young people of different ethnic and religious backgrounds (Kiwani, 2007).

-----> **Focusing on the citizen–state relationship**

In the Crick Report, citizenship is framed implicitly in terms of a civic identity or a political national identity (QCA, 1998). The Crick Report consultations reported that there was a perception that European and global citizenship had been relatively neglected (QCA, 1998). Indeed, we are witnessing simultaneous strengthening of identification both above and below the national level, with decreased identification at the national level (Hall, 1992). In contrast, the KS3 Schemes of Work provide teachers with examples to illustrate the relationship between local and global levels of citizenship (QCA, 2001), with relatively less of a focus at the national level. Demaine (2002) has argued that whilst it is important to develop understandings of the local and international levels, there must be a recognition that individuals operate from within the legal and political structures of the nation–state. I argue that elucidating the relationship between the local and national levels, and the national and international levels, must not be neglected and indeed be prioritised.

It has been argued that intercultural education’s focus on developing individuals’ attitudes and skills for living in an ethnically and religiously diverse



context does not however advocate which groups, or what level (local, national, or global), should be the priority (Kymlicka, 2003). From the term “intercultural” education itself, it can be seen that the emphasis is on engagement and dialogue between cultures. The emphasis is directed towards personal self-development relative to a more “political” education examining more explicitly the relationship between the citizen and the state (Wylie, 2004).

It is clearly important to develop reasonably good individual relationships between citizens so that inter-group conflict does not arise. However, Spinner-Halev (2003) suggests that the relationship between citizen and state – what he calls the “vertical” relationship – be cultivated, as he argues so that identity and belonging can be inculcated through developing identification with the state, rather than primarily developing good individual relations between citizens. This may be more appropriate especially in the case of divided societies such as Northern Ireland and Israel (Spinner-Halev, 2003; Wylie, 2004), where it is more realistic to develop a strong vertical relationship between the citizens and state, whilst accepting that horizontal relations between individuals of different groups show tolerance and a level of acceptance, rather than expecting to develop strong horizontal relations between individuals of different groups. In the final section, I suggest some implications for policy, curriculum and pedagogic practice.

-----> **Implications for policy and practice**

At the level of public policy, mechanisms to achieve institutional multiculturalism need to be developed. There is a growing awareness of the need to address religion in the context of the public sphere. Modood (2005) has proposed that a moderately, rather than a radically, secular state is the most appropriate in terms of claims of recognition by different religious groups. Building on this, I propose that an “inclusive citizenship” policy task force could consider how to incorporate the “moderately” and “culturally” religious into the public political sphere. This may foster the development of a sustainable process of shared political values, as well as provide role models for young people (Kiwani, 2007).

With regard to educational policy, it is important to ensure that there is an ethnically and religiously diverse staff to represent a diverse student population. This would ensure that pupils come into contact with a variety of ideas and beliefs as part of their personal development (Johnson, 2003), and it may also provide a source of motivation to participate for pupils through providing role models from a range of different backgrounds. Given my proposals regarding the need to focus on the vertical relationship between citizen and state, I suggest the introduction of schemes linking the local and the national. For example, this could involve linking schools in different parts of the country, and also between England, Wales, Scotland and Northern Ireland.

At the level of curriculum, it is important that pupils develop clear conceptual understanding in this domain. For example, in the KS3 Schemes of Work, this might entail an explicit examination of the relationship between a range of related concepts, such as immigrants, refugees, asylum seekers, citizenship, human rights, and democracy. Multiculturalism should be operationalised in the curriculum and addressed explicitly in the public political sphere. In addition, I propose that this be in terms of an inclusive and participative process.



Finally, with regard to pedagogy, I have argued that a “pedagogy of acceptance” must be avoided, an approach that was evident in the KS3 Programmes of Study and KS3 Schemes of Work (QCA, 2000; QCA, 2001). Rather than merely “learning about” or even critiquing the status quo, it is important that teachers are explicit that multiculturalism is not “culturally agnostic” (Kalantzis and Cope, 1999, p. 262). Such a pedagogy advocates that pupils learn discourses of power in order to facilitate political access.



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.....→ **Endnotes**

1. This term is used by Delanty (2000), which he further categorises under the four sub-headings: “internationalism”, “globalisation”, “transnationalism”, “post-nationalism”. Whilst he does not refer to conceptions of citizenship, such as “sexual” citizenship and “diasporic” citizenship, I am using the term “cosmopolitan” citizenship to also cover these terms, as I would propose that they could be conceptualised as coming under the sub-heading “post-nationalism”.
2. KS3 refers to the school age range of 11 to 14 years old, with Programmes of Study outlining expected learning outcomes, and the Schemes of Work providing fuller guidance materials for teachers.
3. My choice of analysing KS3 curriculum documentation is primarily a means for examining and illustrating conceptions of citizenship, the theoretical implications for diversity and the relationship to key policy documentation (QCA, 1998), as opposed to the focus being on KS3 per se.
4. In contrast, interviewees also referred to “underplayed” conceptions of citizenship, supported by my analysis of key policy and curriculum documentation (QCA, 1998; QCA, 2000; QCA, 2001). Elsewhere I refer to this cluster of conceptualisations as “identity-based conceptions”, as they are inherently concerned with “identity”, or forms of identification at different levels. These include national, European, and global framings of citizenship, as well as citizenship presented as a framework for anti-racist education, and finally, “multicultural” citizenship (Kiwani, 2006).
5. As well as gender and social class.
6. For a full elaboration of this argument, please refer to D. Kiwan, Developing a model of inclusive citizenship: “institutional multiculturalism” and the “citizen-state relationship”. *Theory and Research in Education*, forthcoming.

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