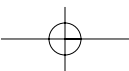
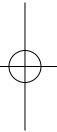
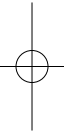
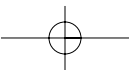
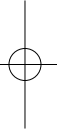
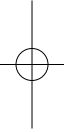


Part One
Underpinning Ideas
and Concepts





1

The Nature of Discrimination

Introduction
Key concepts
Overt discrimination
Covert discrimination
Individual level discrimination
Organisation discrimination
Colour blind approach
Reasoning
Conclusion

INTRODUCTION

It may be unsurprising, and indeed an obvious starting point, but it is important to begin a publication about key concepts in anti-discriminatory practice by acknowledging from the outset that discrimination does exist. Accepting the existence of discrimination in society is important because it sends a clear signal of openness and the ability to look beyond one's own experiences. The point is to assert and reinforce the fact that individual(s) and/or groups who claim that they are victims of discriminatory practices are not necessarily imagining things. Equally it is important to recognise that simply because individual(s) and/or groups have not felt the full force of discrimination, or are not able to point to instances when they have been subjected to discrimination, it should not be assumed that they have somehow been spared the ignominy of discriminatory practices. As Pitts (2008) said (during a private conversation), 'because you are in a shelter does not mean you are not being bombed'. Of course what makes the situation even more complicated is that there are people who, either genuinely or as a means of gaining the upper hand against their opponents, misinterpret all actions and reactions towards them as discriminatory. Leaving aside this latter

group, the point being made is that it is important to acknowledge from the outset that discrimination is not an abstract concept that only exists in the minds of those who are experiencing it, but its impact is tangible and its affect on individual(s) and groups is profound. Just as importantly, discrimination has a major effect on social relationships between individuals and groups in society.

According to Payne 'Discrimination means identifying individuals and groups with certain characteristics and treating them less well than people or groups with conventionally valued characteristics' (2005: 272). Thompson also picked up the attributive aspect of discrimination and defines it as:

At its most basic level, discrimination is simply a matter of identifying differences and can be positive and negative. ... However, negative discrimination involves not only identifying differences but also making a negative attribution – attaching a negative or detrimental label or connotation to the person, group or entity concerned. That is, a question of certain individuals or groups being discriminated against. (2003a: 10)

Although both Payne and Thompson provide a very neat definition of what discrimination means, there is however little hint of the psychological, physical and emotional impact of discrimination on both those who are subjected to discrimination and those who are perpetrators. It is generally the case that when looking at discrimination the focus tends to be on who *said* what, when, in what manner and under what circumstance. Alternatively there is great interest in knowing who exactly *did* what to whom, when and where. The incident itself and the language used before, during and after becomes the main line of enquiry rather than necessarily the impact of the incident on the individual(s) or groups concerned. Focusing attention on the incident itself and trying to discover the culprits does at least provide a tangible area of enquiry to address. But in our view it just as important to take account of and consider the impact of discrimination on those affected by it.

As already implied, discrimination has a profound effect on ones physical, psychological and emotional state. It destabilises confidence, causes anxiety and unsettles ones sense of wellbeing. It can destroy confidence and affects ones sense of identity and relationship with others in society. Discrimination has the ability, for a period, to induce a sense of powerlessness that forces the individual or groups to re-evaluate their place in the world. At its worst, discrimination numbs the senses and can cause

physical, psychological and emotional impotence. It exposes the fragility of the human spirit and highlights the important role that social interaction plays in shaping people's lives. What discrimination also lays bare is that other people's attitudes, views and behaviour do matter and that how people act towards each other creates feelings that make people question their sense of being in society. Giddens made the point that 'In daily social life, we normally give a good deal of attention to protecting or "saving" each other's "face"' (1989: 93). As made clear elsewhere (Okitikpi and Aymer 2008: 31), 'this is, to some extent, a reworking of Goffman's (1971) *civil inattention analysis*, which holds that people are connected to society by cordiality and a (unspoken) code of expectations. The cordiality and the code enable people to link to particular groups and at the same time live alongside others in society'. One of the outcomes of discrimination is that it breeds suspicion and distrust between individuals and groups. It strips individual(s) and groups of mutual respect and prevents them from developing a better understanding of each other. The breakdown of trust and connections between people is not conducive to the protective face saving interactions that Giddens mentioned in his analysis. This social interaction device is not afforded to those that are discriminated against. Discrimination acts as a sieve and a way of differentiating and reinforcing the prevailing and dominant socio-cultural values. As Thompson (2006) acknowledged there are of course two different kinds of discrimination, positive and negative. We are primarily concerned with negative discrimination because it is this that produces negative effects on people's lives.

One of the social effects of discrimination is that it excludes people from taking part in or enjoying that which is readily available to others in society. Because, as a matter of course, people are treated unfairly, they are not given or provided with the same opportunities as that enjoyed by everyone else. For example the contention is that discrimination still exists and can be found within all aspects of the education system, the legal system, in housing, in business, in manufacturing, in the police and armed forces, in politics, in social welfare services provisions and in health care provisions (Kai 2003; Moonie et al. 2004). In essence we would argue that despite the incredible social changes that have occurred in society discrimination is still very much evident in all areas of society.

It is uncontroversial to assert that despite various legislation (see Chapter 5), and the social advancements that have been made in society towards equal opportunity, an individual's race/ethnicity, social class,

gender, sexual orientation, impairment, age and religious affiliation still affects both their life chances and the level and kinds of opportunities available to them in society. In other words, despite advancement in race equality, equal rights for lesbian and gay people and the equal right and treatment of people with impairment, inequalities and discriminations have not been eradicated nor have they diminished. The fact is that, in general, working class people, women, minority ethnic groups, particularly black people and people from South Asia (India, Pakistan, Bangladesh), lesbian and gay people, and people with impairments continue to be subjected to discriminatory and unfair practices, and disadvantaged groups still face formidable obstacles in society. For example, at a basic level, women still experience the glass ceiling in employment, their salaries are less than their male colleagues in comparable occupations, they are more likely to undertake a greater share of child care responsibilities, and they continue to experience a higher level of domestic violence and sexual harassment. Black and South Asian people (particularly those from Pakistan and Bangladesh), have a higher level of unemployment in comparison to other groups, and black children, particularly African-Caribbean young men, are likely to leave school with little or no qualifications and are over represented in the psychiatric and penal system. People with impairments often face segregation from an early age by either being placed in institutions or schooled separately from their peers. Working class people, particularly white boys, generally have poor educational prospects, are concentrated in high-density social environments, and are likely to be in low skill employment.

KEY CONCEPTS

Although *discrimination* is used as an all-encompassing term to cover different kinds of discriminatory practices, it is important to de-construct (in the loose and lay sense of the word) the term in order to understand how they are manifested in day-to-day practices. The key concepts are overt and covert discrimination, individual discrimination and organization discrimination.

OVERT DISCRIMINATION

Overt discrimination is easily identifiable because it is openly displayed and it operates at a basic and, some may say, crude level. The 'no blacks, no dogs and no Irish' signs displayed in windows by some landlords in

parts of Britain during the 1950s are perhaps a good illustration of this. A further example is women being told their promotional prospects will be damaged because they are likely to take a career break to start a family. More generally, other examples includes wheelchair users being refused admission on to aeroplanes, or into cinemas and theatres because they are viewed as safety hazards; an older man whose wife has had to go into hospital was offered the service of homehelp, meals-on-wheels and volunteer visitor while a woman whose husband went into hospital was not offered the same services; there are examples of local authorities not considering lesbian and gay couples/individuals as suitable foster parents because of their sexual orientation. Somerville and Steele (2002) highlighted the history of discrimination experienced by black people and other minority ethnic groups within the social housing market, particular their clustering in dilapidated inner city housing stocks. In relation to age, although there is legislation (The Employment Equality (Age) Regulations 2006) to prevent age discrimination, there is still a widespread assumption that age 65 years is the cut-off point by which people should be expected to stay in work. However, there are some exceptions to the idea of an age until which people should expect to work. For example, in the legal profession and board of directors of companies, 70 is regarded as the cut-off age and once an individual reaches such an age they are expected to retire. In this respect very little consideration is given to the capabilities and capacity of the individual concerned rather it is their chronological age that is the over-riding determinant of how they are perceived. At the other end of the age range, young people wearing hoodies, including young white men, young black men and young southern Asian men (particularly Bangladeshi and Pakistani Muslims) face a greater level of scrutiny by the police and the security forces than others in society. There is an assumption, rightly or wrongly, that these groups are more likely to commit certain crimes (for example, car theft, street robberies, burglaries, violent offences and terrorist related offences) compared to the rest of the population.

Of course, there are many examples of service users displaying *overt* discrimination towards practitioners. For example service users refusing to have a black or Asian worker as their carer or key worker. There are other examples, including service users abusing, threatening or refusing to engage with workers because of their religion, accent, ethnicity, age and gender or because of their particular impairment. There is anecdotal evidence from black barristers and solicitors who relate that they are

often confronted by white (and in some cases black) appellants who say openly and directly that they do not want to be represented by a black advocate.

COVERT DISCRIMINATION

Unlike overt discrimination, *covert* discrimination is a far more subtle kind of discrimination. It operates beneath the surface and involves deliberate acts of deception. Because of the form it takes those who experience it find it far more difficult. However, despite its subtle nature, the emotional and psychological damage that is caused to the people concerned is not any different to the cruder overt version. Covert discrimination sometimes requires more guile and deception by the perpetrators. For example, workers who have not been employed in a post to which they are qualified are of course not told that they have been unsuccessful because of their age, sexual orientation, religious affiliation, nationality and gender. Instead they are given a more palatable and non-discriminating reason for not employing them. The open explanation is often that they were just unfortunate not to have got the post but that they were very close indeed. They are further told that they missed out to a very good candidate who was more successful at the interview. Covert discrimination is also manifested by not acknowledging any positive contributions people make or are making in the organisation in which they are employed. Brockes (2001) cites the experiences of Helena Dennison, chair of City Women's Network, who commented that people's (women) contributions in organisation are often undermined, and snide and derogative remarks are made about their appearances or their abilities. By its sheer nature, covert discrimination is a lot more difficult to prove by those experiencing it. It is generally the case that victims of covert discrimination find it difficult to provide the necessary concrete evidence that support the fact that they have been subjected to discriminatory practices. Many people who experience discriminatory practices often say they prefer to deal with overt discrimination because, in many ways, it is a lot more honest and transparent and the dividing lines are much clearer. In particular they have a clearer sense about who to trust and who to be wary of within their organisation. Sometimes covert discrimination is so embedded within organisations and institutional structures, systems and processes that it has become institutionalised.

INDIVIDUAL LEVEL DISCRIMINATION

Clearly, as it is individuals who perpetrate discrimination and it is individuals who implement policies and carry out the aims and objectives of organisations, it is of no surprise that it is at the individual level that the nature of discrimination is brought into sharp focus. Individual level discrimination can be both verbal and non-verbal and it can be intentional or unintentional, the important point is how it is experienced by the people at the receiving end. Non-verbal communications take on an added significance when looking at individual level discrimination. In this domain body posture, eye contact, aura (vibes) and gestures all convey meanings and, rightly or wrongly, they are elevated to mean far more than ordinarily would be the case. Those who experience this form of discrimination report that they become extremely skilled in its detection. Similarly, language and language use comes under closer scrutiny. It is through actions and language that discriminations are perpetuated and reinforced. As a result what is said, how it is said and the general impressions that are conveyed are all very important. It is always difficult to be prescriptive about which words to use at any one-time, because part of the difficulty is that words change, as do their meaning. A word that may be deemed acceptable today may quickly fall out of fashion for whatever reason. But language and words do matter and they have a negative impact on those who feel discriminated against. As Roberts, Davies and Jupp asserted:

Language not only reflects and transmits the values and relationships of a society; it actively creates and maintains them. So all the time we are getting things done with language; we are creating a piece of social reality (Berger and Luckman 1967), in the sense that we are making relationships and establishing roles and identities in the choices of language we make and our orientation to the world consists, in part, in our language behaviour. We are also acting out the social systems and structures which helps us, as a society, to order the world and make sense of it even if, as with many power structures we do not benefit from it. (Roberts, Davies and Jupp (1992) quoted in Thompson 2003b: 73)

Thompson (2003b) recognised the significance of language and the power dynamics inherent in the interaction between people. In highlighting the power of language, Thompson further observed that, 'one problem with developing a sensitivity to the discrimination potential of language is that this complex area is often over-simplified and

trivialised. Many people see it as a simple matter of identifying certain 'bad' words (such as 'chairman' or 'blackleg') and trying to avoid them, without necessarily understanding why they should be avoided. (Thompson 2003: 71) Thompson's observation is significant because it acknowledges the importance of language and at the same time it encourages an examination of why words matter. Implicit in his assertion is the view that, rather than feeling defensive because certain words are now deemed offensive (for example, is it acceptable to call women *love, pet, darling*? Is it ok to say black coffee or blackboard? *Chairman? Manhole cover?* Should it be history or herstory? And should Human and Woman be changed?), a productive way forward would be to try and explore why the terms or words are no longer deemed to be acceptable. The plea from Thompson, it seems to us, is for tolerance and a certain degree of empathy towards those who are or may be offended by the words or terms that are used. Another reason why the individual level discrimination is worth considering is because how an individual feels at the end of an encounter would be largely due to how they have been (mis)treated by the other person. If an individual holds negative views about others, for example that black people are less intelligent than white people; men are superior to women or that lesbian and gay people are cursed and face damnation for their 'unnatural' sexual practices, then these discriminatory attitudes are bound to affect, negatively, any relationship that is developed with people from those groups. It is unrealistic and somewhat disingenuous to believe that one's view, attitudes and beliefs have no influences on one's action. Many practitioners and students profess that although they may hold certain negative views about individuals or groups, they would not allow these views to affect their practice. It is worth noting that individuals can 'leak' their true feelings, particularly to those who are sensitized to detect them.

However, having asserted that individuals perpetuate discriminatory practices, it is worth acknowledging Vivian and Brown's point that:

The problem, very simply, is that analysis of individual personalities cannot account for the large-scale social behaviour that normally characterises prejudices and intergroup conflict more generally. If it were true that prejudices derived from disorder in personality, then we would expect the expression of prejudices or discrimination within groups to vary as much as the personality of members comprising the group. But in fact the evidence seems to indicate that prejudices within groups is often remarkably uniform. (1995: 59)

Despite Vivian and Brown's caution, what is being suggested here is that in highlighting individual level discrimination, we recognise that discrimination does not just appear out of the ether. Rather it is made to happen by individuals or groups of people acting in a way that is detrimental to others. Also within Vivian and Brown's assertion is a tendency to absolve individuals of their responsibilities and as a result the problem of discrimination appears to be externalised.

ORGANISATION DISCRIMINATION

Although it is our contention that it is individuals, either acting alone or in groups, who act in a way that is discriminatory, their actions and attitudes may be encouraged or endorsed by institutions and organisations. The Macpherson report into the death of Stephen Lawrence is helpful in this regard. He suggested that institutional racism is a:

collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people. (Macpherson 1999: 6.4)

While the Macpherson report focused, to a large extent, on how race influenced police (in)actions and reactions in the killing of Stephen Lawrence by racist white youths, it is also possible to extrapolate from his definition of how institutions and organisations could, by omission and commission, discriminate through their systems, cultures and processes. Clearly organisations and institutions are more than the sum total of the people who occupy the various positions within them. It is well recognised that all organisations and institutions after a period develop ethos, values and cultures that transcend the people that work in them. Handy (2005) explored the ways that organisations develop cultural patterns that enable its members to work as a group and gel together. Institutions and organisations develop a pattern and ways of doing things that enable them to function. All members are then expected to accept and adhere to the assumptions and behaviours that have now become the established ways of doing things. Although these discriminatory attitudes and behaviours are not written down in any organisational or institutional manual, nevertheless, all members are expected to abide by its unspoken culture. The power of such cultures

is difficult to quantify or convey, however members who go against it may find themselves ostracised and made to feel uncomfortable at best and outsiders at worse. The effect of culture upon an organisation or institution should not be underestimated. Cultures should not necessarily be viewed negatively because they act as the glue for binding organisations, institutions and its people together. At its best organisational and institutional culture creates an important bond among staff and helps the development of an ethos and ways of doing things that enable aims and objects to be met. But they are also the means by which discriminations and discriminatory practices are continued. The issue is also about changing the culture from one that is discriminatory to one which fosters anti-discriminatory practices.

COLOUR BLIND APPROACH

Many may regard it as unfair and perhaps irrational to place people who are unaware and treat people the same (colour blind approach) under the same heading as *overt, covert, individual discrimination and organisation discrimination*. The argument would be that unlike the above-mentioned, the colour blind approach has a different rationale and motivation. Taking such an approach is based on an attempt to be fair and just. Paradoxically perhaps, those who profess this approach do not believe in discriminating against people but start from the premise that people should be treated the same irrespective of their background, age, gender, whether they have impairment or not. The basic principle being that by ignoring differences and not taking account of any of the areas that are the causes of discriminatory practices then people are being judged on merits and their personality and nothing else. However the reason for including the colour blind approach is that, as has already been demonstrated, discrimination occurs not just by active intention to discriminate but by omission and lack of consideration given to the consequences of actions and reactions. In other words, not taking account of difference far from guaranteeing a fair and just approach could actually be reinforcing the discriminatory practices that are already in existence.

This approach presupposes that all encounters between people are devoid of any historical baggage and that it is possible to relate to people on a one-to-one level without the background 'noises', that are ever present, getting in the way. In this instance the background noises relate to the historical legacies that contribute to the way people relate to and

interact with each other. So for example when white and black people meet, overhanging the relationship is the historical and contemporary realities of colonialism and racism; when men and women meet sexual politics and gender relations lace the interaction and is evident from the outset in the way language is used (Spender 1990; Tannen 1995). There is an assumption that people with impairment are not capable of operating at the same intellectual and social level as others in society. In this respect the situation is not helped by the fact that the physical environment is essentially designed for those without impairment. Similarly, despite evidence to the contrary, a wide spread view still prevails that equates old age as being, inevitably, a time of decline, as a period when people are a burden on the state and a time when people's intellectual faculties are impaired and people are incapable of making decisions for themselves (Crawford and Walker 2004).

In essence the attempt to ignore these background noises, while well meaning, is unrealistic because people are not only shaped by their identity and individual biographies but have pre-existing narratives that contribute to the ways people see themselves and to the ways in which they relate to other people and to the world around them. Epston and White's (1990) work is helpful in this respect because it encapsulates the idea that people do not exist in a vacuum but that the views and attitudes that others have about them, overt or covert, impacts on their self-identity and their sense of place in the world. So what is being suggested is that the colour blind approach not only ignores the inherent differences that already exist between people but, as a consequence, it could be argued that it fails to understand the ways these differences shape lives and all social interactions and relationships.

Another variation in the theme of the colour blind approach is where those who are discriminated against refuse, either intentionally or unintentionally, to acknowledge that the reactions towards them is as a result of their age, colour, gender sexual orientation or their impairment. Those who do not acknowledge the impact of discrimination in their life, for whatever reasons, are often thought to be living under false consciousness or they have internalised the negative experiences to such a degree that they are no longer aware of them. Without getting distracted into the fog land of what may be described as pseudo psychotherapeutic discourse and Marxist notion of 'false consciousness', the point is that what they both, in their different ways, alerts us to is the ways in which 'ideology and/or personal biography may distort our perceptions of

'reality' and how an inaccurate perception of self has developed through the internalisation of (*negative*) social structures, (Waddington 1974).

REASONING

The reasons for discrimination are multiple and they could range from people who have philosophical and/or political perspectives to those who passionately believe that there are fundamental biological, cultural, intellectual differences between people. Accordingly there is a sense that rather than chiding those who discriminate against others there should be a recognition, as with 'positive discrimination', that people are merely exercising a choice, a preference for one particular group over others and these preferences are based on likes and dislikes and on similarities and shared norms and values (Pinker 2002). Other reasons could include cultural connection and a sense of affiliation because of ethnicity, gender, sexual orientation and impairment. In addition people are driven to act in particular ways for different reasons and while it is always dangerous to ascribe motives to people there are often explanations, however distasteful, for their discriminatory attitude. For example, there are black defendants (and white defendants) who do not want to be represented by a black advocate. Their explanation is that they believe they stand a far better chance of acquittal if they were represented by a white advocate. One explanation could be that far from believing that black barristers and solicitors are less able than their white counterpart, the rationale is that because the courts and criminal justice system is perceived as discriminatory in its practices, particularly against certain sections of people in society, then the defendants may believe that it is better to have a representative who is likely to be 'more' acceptable to the 'system', hence their preference for a white advocate.

One of the complications when looking at the whole area of discrimination is that there are many people who genuinely believe that they do not discriminate in their personal life or in their professional dealings with colleagues and services users yet they have been subjected to vilification and abuse for asserting their belief. They have been the subjects of 'hate campaigns' either because of their use of words that are deemed unacceptable or they have voiced their views openly that they do not believe in treating people differently or taking account of differences. Listening to the laments of those who have experienced abuse and criticism from their co-workers because of their perceived lack of understanding and awareness of the intricacies of discrimination, one is

struck by the incongruity of both sides. But there is an irony in that those who believe in equality, fairness and a just society should display such arrogance and intolerant behaviour and attitudes towards others who may not be so well schooled in the area of anti-discriminatory practice.

As was mentioned earlier all these forms of discriminatory practices operate differently but we would argue that the impact on those who are at the receiving end is perhaps not so different. The important point is that there is a need to deconstruct the nature of discrimination, consider how it operates, how it is perpetuated and to understand its impact on those who experience it.

CONCLUSION

In conclusion, discrimination, if it is allowed to exist unchallenged, saps people of their confidence, dignity and self-respect. It is a demeaning experience that forces people to look at themselves and consider their sense of place in the world. The powerlessness that discrimination inflicts on its victims is tangible and could, literally, destroy an individual and/or a collective's will. In discussing the nature of discrimination the aim is to provide an important backdrop for exploring the key concepts in anti-discriminatory practice. As we have tried to demonstrate, discrimination affects people in most damaging ways and it perpetuates a hierarchical structure based on nothing but an outdated socio-biological determinism tinged with a socially constructed binary worldview. In looking at the nature of discrimination in the first instance the attempt was to connect the concept to experiences and then explore the models of practice that have developed; the theoretical frameworks that inform anti-discriminatory practice and a shift in paradigm towards a new practice dimension.

Points to ponder

Exercise 1

- As well as the equal opportunity policies, what else could organisations do to create conducive environments for anti-discriminatory practice to thrive?

(Continued)

(Continued)

- Is it worthwhile and productive to take account of the psychological and emotional effects of discrimination or should the focus be on the incidents that occurred and the attitudes and behaviours that were displayed?
- While overt discrimination is easily identifiable, covert discrimination presents a far more difficult concept to unravel. Is covert discrimination all about interpretation and people being unnecessarily over sensitive and could this area of discrimination ever be resolved?

Exercise 2

- Is discrimination only in the minds of the victims?
- What are the effects of discrimination on the people who experience it?
- Is it only men who can be sexist?
- Could black and Asian people be racists too or is it only white people?
- Is treating everyone the same the best way to tackle discrimination?