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THE DENIAL OF RACISM

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THE PHENOMENOLOGY OF RACISM

1. For the purposes of this paper, I will assume that (1) all societies are racist to some degree; (2) racism is ubiquitous at least at the level of attitudes and its presence is not necessarily visible at the level of social behaviour; (3) The existence of racism is widely denied across cultures; and (4) *Acknowledgement* of racism is a prerequisite (but not at all a guarantee, or a bridge) to overcoming it. In this paper, I will be addressing issues of denial of racism generally. Roma (Gypsies), Europe's most persecuted ethnic minority, will be referred to as an illustrative case of denial.
2. The concept of racism will be meant in the entirety of its broad scope and polysemy (plurality of meaning). 'Racist' can be a description of attitudes (mental states of individuals or groups), ideologies (sets of socially constructed and politically functional ideas of whole societies, classes, cultures etc.), social practices, institutions, etc. Of these, human rights practitioners and international organisations have addressed issues of racism mostly in respect to social practices. This is understandable. While racist beliefs and attitudes can be present in a person's mind with varying degrees of conviction, awareness, scope and intensity, we can define less vaguely (and prohibit by law) racist acts as acts which contribute, more or less directly, to ethnic or racial inequality in society.
3. Critical race theory, one of the recent legal philosophies among American lawyers, which can be traced back to a 1989 workshop in Madison, Wisconsin, understands racism broadly. "Racism is viewed not only as a matter of individual prejudice and everyday practice, but as a phenomenon that is deeply embedded in language and perception. Racism is a ubiquitous and inescapable feature of modern society, and despite official rhetoric to the contrary, race is always present even in the most neutral and innocent terms. Concepts such as 'justice', 'truth', and 'reason' are open to questions that reveal their complicity with power. This extraordinary pervasiveness of unconscious racism is often ignored by the legal system."¹

¹ Vago, Steven, Law and Society. Sixth edition, Prentice Hall, Upper Saddle River, New Jersey, 2000, p. 68.

4. There exists a large body of literature on research and measurement of racist attitudes, in the wake of the classical study of Theodor Adorno and others, *The Authoritarian Personality* (1950), identifying and measuring ethnocentrism, anti-Semitism, fascist attitudes, and susceptibility to anti-democratic propaganda in the United States during the 1940s. The so called high-scorers, who score high on the ethnocentric and fascist scales, were found to comprise about 90% of the population.
5. Can we talk of racism in a trans-historic sense; in other words, was there 'racism' in slave owning society, or in feudalism? Or is racism a phenomenon of modern history? Having accepted a very broad definition of racism, we should understand racism as present throughout history, i.e. at least since the beginning of 'written history'. In ancient Greece and Rome, racism was typical of the treatment of slaves and *'metekoí'* (foreigners residing in the city), and reached extreme forms of expression on such places as the Greek *ergasterion* – which was a special prison for slaves, in which slaves – as a rule ethnically different from the locals – were engaged in hard labour.
6. In the orthodoxy of Stalinist Marxist textbooks, racism was regarded under the rubric "Nature and Society." Racism was denounced as a reactionary doctrine whose theoretic defect consisted in the naturalisation of social phenomena, processes, and properties.² Race itself was regarded as a biological concept, while discrimination on racial grounds was denounced. Politically, the concept applied to cases such as the treatment of coloured people in the United States, apartheid in South Africa, etc., but it was not applicable to socialist society. Thus, the societies of post-communist (post-1989) Central and Eastern Europe were unprepared to accept the more general definition of race discrimination as found in international law, especially in the United Nations Convention on the Elimination of All Forms of Racial Discrimination, and to agree to describing prevailing attitudes to Roma as 'racist'. In the first half of the 1990s, the governments and the political classes of the region were scandalised at the very suggestion that one can speak of anti-Roma racism in Eastern Europe. On October 30, 1995, non-Romani persons on a train in the Czech Republic threatened to beat up and throw from the train four Romani passengers. Perpetrators were subsequently prosecuted and charged with, inter alia, racially motivated violence. On 20 November 1996, the District Court in Hradec Kralove acquitted the defendants stating that the Romani victims were not a distinct racial group and "belong(ed.) to the same race" as the defendants (ethnic Czechs). In so holding the Court relied on a narrow biologically rooted definition of race according to which Roma, like Czechs, are members of the same 'Indo-European' race. The Court declined to impose punishment on either defendant.³
7. Cognitively, there can be different grades of consciousness or awareness of racism: from totally explicit clear awareness to hidden assumptions and merely lived experience or habit. For instance, people may be unable to formulate general racist or ethnocentric principles as such, but they know that they disapprove of facilitating immigration, or preferential job allocation to minorities. Levels of awareness of racist attitudes can also be dependent on whether such attitudes form part of a dominant ideology. As Teun A. van Dijk notes
8. Whereas oppositional ideologies by definition will tend to be more explicit and conscious among group members, dominant ideologies will precisely tend to be implicit and denied, or felt to be 'natural' by their members. Such group members may indeed be unaware of their ideologies

² Urison, S.M. 'Racism', *Filosofskaya Entsiklopedia*, Vol. 4. (in Russian).

³ On August 8, 1997, acting under an extraordinary procedure for review of unlawful court rulings, the Czech Ministry of Justice filed a motion in the case asking the Czech Supreme Court to declare that the District Court's rationale for acquitting the two defendants was in breach of Czech and international law. The European Roma Rights Centre also filed a brief with the Supreme Court. ERRC argued that the District Court's cramped anthropological interpretation of the concept of 'race' was out of step with international jurisprudence which has confirmed that 'race' and 'ethnicity' are interrelated and overlapping concepts and to be interpreted broadly. The Supreme Court heard the case on October 9 1997, annulled the District Court opinion and ordered that the case be returned to the District Court for further proceedings.

(typically so of male chauvinism, racism, etc.) until they are challenged by members of the other group.⁴

9. *Denial of racism* is a reaction to the existing sanction of racism as a socially unacceptable opinion.⁵ Most people who share racist opinions and act accordingly, would vigorously deny that they are racists – because racism is officially and culturally condemned; it is a negative qualification in societies in which tolerance, equality and democracy are dominant official ideological values. Thus, racism is rarely a self-description; it is mostly an ideology applying to a ‘group as defined by others.’ The Freedom Party led by Heider in present day Austria does not consider its platform racist in character; it is seen as ‘racist’ by the political opponents of that platform both at home and abroad.
10. With time, at least in Western cultures, racist prejudice has sunk deeper into the layers of the pre-predicative judgement and has metamorphosed into a set of more subtle assumptions. Most forms of contemporary racism are no longer biologically based, but take a more ‘acceptable’ form of “cultural racism,” though the latter label is denied by its proponents. A prominent example of this development is the work of Dinesh D’Souza. In his book *The End of Racism*⁶ we find a forceful rejection of any form of affirmative action; repudiation of egalitarian values; extensive blaming the victim; and emphasis on the ‘pathologies’ of black culture. His views have also been characterised as ‘symbolic racism’⁷. Thus, at the academic and intellectual-ideological level, ‘cultural racism’ is a form of denial, insofar as its proponents are trying to avoid the stigmatisation of being called ‘racists’, while at the same time holding views that perpetuate or worsen race inequality.
11. An illustration of the way in which racism manifests itself in seemingly race-neutral policies is the policy of the European Union (EU) and other Western countries on immigration restrictions. The West has been pushing marketisation, and with it the free movement of capital and goods. However, it has balked at the idea of a free movement of labour and has an increasingly strict definition for the movement of people across borders. At face value, the current policy of increased obstacles to immigration created by the EU is race neutral, and its justification may sound legitimate from the point of view of protecting domestic labour, national security, etc. However, this policy operates on the foundation of deeper lying, unchallenged racist presumptions, and is applied in a racist way.
12. The latter becomes evident in the case of seekers of political asylum who come from countries with civil and political unrest, in which whole ethnic groups are denied their basic rights. These people, even though they may also be potential economic migrants on account of worse living conditions back home, are often genuine victims of persecution in the sense of the Geneva conventions. But if their numbers are ‘significant’ by Western standards, they are rejected and categorised as economic migrants. What is wrong with the prospect of persecuted ethnic groups from outside Europe being allowed to remain in the calm and clean cities of the West? At first glance, the claims that they would bring down the fortifications of social welfare by offering

⁴ Van Dijk, Teun A. *Ideology. A multidisciplinary approach*, SAGE, 1998, p. 98. According to van Dijk, the concept of ideology is neutral as regards relations of power and domination, and is not limited to those views that reflect the stable and lasting aspects of the status quo. Mannheim’s ‘utopia’, i.e., the opposite of ‘ideology’, is according to van Dijk also a kind of ‘ideology’. Van Dijk speaks further of ‘good’ and ‘bad’ ideologies: the latter deny, conceal, legitimate or monitor social inequality, and are exemplified by racism, sexism and class domination.

⁵ For examination of the denial of racism, see T. A. van Dijk, and (1992) ‘Discourse and the denial of racism’, *Discourse and Society*, 3(1): 87-118.

⁶ See D’Souza, Dinesh. *The End of Racism: Principles for a Multiracial Society*. New York: Free Press, 1995.

⁷ On ‘symbolic’ racism and related forms of ‘modern’, ‘everyday’, or ‘new’ racism, see Barker, M. *The New Racism*. London: Junction Books, 1981; Dovidio, J.F. and Gaertner, S.L. (eds.) *Prejudice, Discrimination, and Racism*. Orlando, FL: Academic press, 1986; Essed, P.J.M. *Understanding Everyday Racism: An Interdisciplinary Theory*. Newbury Park, CA: Sage, 1991.

cheap labour may seem convincing to those who are unwilling or unable to think beyond the trivialities of mass politics. Given sufficient political will, this can be of course be prevented by social policy instruments. The less ‘sublimated’ claim that such ethnic immigrant groups would disintegrate the national culture since they will not be able to integrate (read: ‘assimilate’) meets with the immediate sympathy of the large sections of Western society. But this is a strange point in many cases, when it certainly would be possible to accommodate such groups. Finland, not very densely populated, might have accommodated several hundred Roma escaping racist persecution in their native Slovakia. Nor would it be impossible for Canada to take even much larger groups. But even if it is the case that an influx of immigrants would really threaten to deteriorate some aspects of life in the host country, there remains a small question. Why is a citizen of Western Europe more anxious about her compatriots’ wellbeing, than about the threats to life and physical safety of foreign nationals?

13. The very frame of reference of our responsibility (the community, the nation) that is giving shape to our opinions is fraught with assumptions of racist superiority. Most of us take for granted that we should contribute mostly to “our” community/city/nation, even though we would – at second thought – admit that ‘outsiders’ have suffered more severe violations of human rights than our neighbour. The priority list of the Western majority’s concerns is thus not the same as the priority list that would occur if the sole basis of judgement were humanitarian and related to the seriousness of human rights violations. This is possible exactly because racism interferes with our judgement.⁸
14. Considering ‘racism’ from the point of view of its ‘denial’ is relevant at this point of the struggle against racism, since it immediately conveys the paradigmatic limitations of the Enlightenment *weltanschauung*. The discussion of denial leaves behind any illusion that knowledge alone is sufficient as a motive of action, whether at the individual or collective level. Even if people clearly *know* the facts of racial abuse, they do not take prompt or adequate action. Why? The problematic of ‘denial’ seeks the answer in the direction of justifications and rationalisations of the racist status quo. Moreover, the concept of denial questions ‘knowledge’ as such, showing that the options “They knew” and “They did not know” are neither simple nor exhausting.
15. The discussion of ‘denial’ should be accompanied by the following strong caveat: it is possible that racist prejudice is clearly present in an actor, it is not denied or masked in any way, but the actor admits that s/he is simply not good enough and/or strong enough to deal with racism: “Racism is definitely a shame; and I/we have absolutely no excuse not to address it promptly and adequately. We, people, are fallible, and why not accept ourselves as such. No one is perfect, and

⁸ Eurocentric racism has a long ancestry. As Ascherson argues, it can be derived from the ancient assumption – still widespread in Europe – that settled agriculture and the existence of a crop-growing peasantry represented a huge forward development from an earlier stage of nomadism. “Here pseudo-anthropology feeds the basic European nightmare: a terror of people who move. (...) That nightmare survives in the new Europe after the revolutions of 1989. It survives as Western fear of all traveling people, of the millions pressing against Europe’s gates as ‘asylum seekers’ or ‘economic migrants’, of a social collapse in Russia which would send half the population streaming hungrily towards Germany”. The ancient Greeks trace the origins of Euro-racism back to the construction of ‘Europe’: “On the shores of the Black Sea, there were born a pair of Siamese twins called ‘civilization’ and ‘barbarism’. This is where Greek colonists met the Scythians. A settled culture of small, maritime city-states encountered a mobile culture of steppe-nomads. People who had lived in one place for unaccounted generations, planting crops and fishing the coastal sea, now met people who lived in wagons and tents and wandered about infinite horizons of grassy prairie behind herds of cattle and horses. This was not the first time in human history that farmers had met pastoralists. Since the Neolithic revolution, the beginning of settled agriculture, there must have been countless intersections of these two ways of life. Nor was it the first witnessing of nomadism by people of an urban culture: that was an experience already familiar to the Chinese on the western borders of Han dominions. But in this particular encounter began the idea of ‘Europe’, with all its arrogance, all its implications of superiority, all its assumptions of priority and antiquity, all its pretensions to a natural right to dominate.” See Ascherson, Neal, *Black Sea*, Vintage, 1996, p. 49. On Eurocentrism as a racist view, see also Joseph ,G.G. Reddy V. and Searle-Chatterjee, M. (1990) ‘Eurocentrism in the Social Sciences’, *Race and Class*, 31 (4): 1-26.

we do not live in a perfect world”. This position of full acknowledgement combined with an acceptance of our being ‘evil’ or ‘weak’ is rare, potentially very dangerous, and falls outside the analysis of denial. A separate attention should be given to the practical and political implications of ‘acknowledgement’.

FORMS OF DENIAL OF RACISM

16. Many of the types of denial identified by Stanley Cohen in his 1995 *Denial and Acknowledgement* are highly relevant to the case of denial of racism. Cohen talks of denial in the sense of “*how people react to the suffering of others*”⁹. Denial of racism is meant below in the sense that (a) the suffering of victims of racism, (b) the existence of attitudes in oneself or society which makes this suffering possible, and/or (c) the existence of practices and institutions of racism, are denied.
17. Following Cohen’s distinctions, we can differentiate between different forms of denial with respect to the truth-value awareness of the subject/s:
 - (1) denial in good faith, when the subject honestly thinks s/he is telling the truth;
 - (2) denial as outright lying, when the truth about racist abuse is clearly known but denied, as in deliberate deception at the individual level and disinformation, manipulation, or cover-up at the political level;
 - (3) all other cases of “partly” knowing, when the denying subject is in neither of the above mental states.
18. Needless to say, the most challenging case, both in theory and in practice, is the third case: several philosophical and social science schools of thought have addressed the experience of “knowing without knowing that you know”, the lack of the Kantian ‘transcendental apperception’, or self-consciousness accompanying the mental possession of the ‘object’. The psychoanalytic metaphor of the ‘sub-consciousness’, the phenomenological theories of perception as constitution of the object, the existential idea of the self are all possible frameworks of discussing the transcendental possibility of ‘denial’.¹⁰

⁹ See Cohen, Stanley, *Denial and Acknowledgement: The Impact of Information about Human Rights Violations*. Jerusalem: The Hebrew University, 1995, p. I. The concept of denial is analysed in Chapter 2, p. 19-58.

¹⁰ The psychoanalytical tradition, which apparently is the one that is most familiar to the western general public, insists that denial – in our case of the existence or meaning of racist abuse – is a kind of unconscious defense mechanism for coping with disturbing mental contents. This approach has its limitations, due to the assumptions that make the very concept of ‘denial’ possible. One such assumption is that if people were not prevented by various barriers put in place by the imperatives of survival and well-being, they would have seen the ‘denied’ as ‘existing’ (state of mind, cultural stereotype, event, etc.). Along these lines, any person in principle should be able to grasp the simple truth that people belonging to different racial or ethnic groups are equal as humans and have dignity and rights. The fact that they ‘deny’ this is due to a need to avoid suffering if the ‘truth’ presents itself clearly in one’s mind. But, why should we assume, together with the psychoanalysts, that people should see the basic human rights principles as a clear and universal truth, when in most cultures throughout history the opposite has been valid; further, why should we assume, with the psychoanalysts, that people suffer when they see other people’s unjust suffering? The definition of denial as developed by Cohen and as applied by this author is based on the universal validity of human rights and on the understanding of ‘human nature’ as emotionally responsive to the suffering of others. It ignores or rather brackets the possibility that, for example, people’s deepest and basic emotions are organically and inherently consistent with their own ‘interest’. Thus, not noticing racist genocide may be due not to the attempt to avoid suffering that would accompany acknowledgement, but to a more wholistic reaction in the direction of one’s own life interests. ‘Not noticing’ then might be the human equivalent of the animal’s indifference to biologically irrelevant stimuli. Could it be that the psychoanalytic perspective endows us with more ‘humaneness’ than we really bear? Could it be that our idealized ‘humanity’ is a normative, moral idea, rather than a psychological and social reality? While these are philosophic speculations, and therefore can lead to morally undesirable results, I would like to emphasize that all theoretic options should be kept open, be it as a matter of research principle or simply out of curiosity.

19. Cohen's distinction between literal, interpretative and implicatory denial¹¹ is highly relevant to the denial of racism issues as well. Literal racist denial is widespread as a governmental reaction to human rights reports, and is expressed in such statements as: "Your reports are exaggerated; your position is alarmist, sensationalist, harmful; we work on issues constructively while your way of exposing things is destructive, etc." Interpretative denial is at work when the facts are not disputed, but their interpretation disguises their racist aspect. Example: "This police action was not a punitive expedition as such and such human rights advocate called it; it was a legitimate arrest of suspects in the Roma neighbourhood; it is true that force was used, but police acted in self-defence, etc."
20. I would like to highlight implicatory denial as the toughest challenge in dealing with racist denial. In this case, the subject – individual or collective – inserts a shield of rationalisations between the facts and the moral responsibility that they suggest. Acknowledging the facts of racist abuse, e.g. beating of Romani street children by police in Bucharest or Sofia, the witness can say, "This is racist and outrageous, but it has nothing to do with me, especially since I am in a hurry to catch a plane. I can't correct all the world's evils. I have a right to do other important things promoting the common good. Actually, I am too busy doing other important things, important to the community and not egoistically to myself. Even if I were to stop and intervene here, what can one ordinary person like me do? Finally, there must be people, and I am sure there are people somewhere whose job it is to handle this problem of the street children and brutality against them. Oh yes I remember now that I heard about an organisation working on the issue. So let me hurry to the airport." Implicatory denial – since both the facts and their interpretation as racist abuse are acknowledged, and only the implications are denied – is the daily reality of most of us. As Cohen himself notes *en passant*, innocently, as if the remark does not turn the whole inquiry upside down, "*the problem is not to explain how people "deny" – but how anyone ever pays any attention*" (p. 30).
21. A further useful classification contained in Cohen is that of individual, official (sponsored by the state) and cultural denial. The latter is again the most serious challenge in addressing the issue of racist denial: society members, without being told what to think, share a consensus about what can be publicly acknowledged. For example, there is a broad consensus in EU countries that tightening of immigration controls is good and therefore it cannot be described as 'racist'. Further, "*the mass media coverage of wars, atrocities and human rights stories is the most important arena to observe the mutual dependency between official and cultural denial*".¹² I saw this interdependency in the case of the anti-Serb bias of the West in the Kosovo war of the Spring 1999 ("Another busy night for our pilots over Yugoslavia", CNN, US broadcast morning news, end of April 1999; note that CNN International available in Europe more biased), and also in the coverage of the ethnic cleansing of the Serbs and Roma from Kosovo in the aftermath of the bombing. The way in which the destruction of the Kosovo Roma was presented in the mainstream media was a case of wholesale official and cultural denial. Rather than presenting the process as reversed ethnic cleansing, the media stressed the 'understandable' aspect of revenge due to Roma alleged complicity with 'the Serbs'.
22. In conclusion, I will briefly list several rhetoric forms of racist denial, in no particular order, as my colleagues and I have seen them emerge in discussions about Roma, Europe's most deprived ethnic minority.
23. **Denial One – Recasting race difference as mental disability.** A brief case study of this form might be the denial by the Czech majority of the de facto segregation of Roma children in the schooling system in the Czech Republic, by sending them to so called 'special' schools for the mentally handicapped. The policy is built on the underlying stereotype that Roma are inferior,

¹¹ Cohen, S. Ibid. p. 23-25.

¹² Ibid., p. 27.

and “Romani children are not ready for normal school”. The result has been a denial of equal educational opportunity for most Romani children.

24. The evidence documented by the European Roma Rights Centre (ERRC) shows that, in the city of Ostrava, for example, a Romani child is over 27 times more likely than non-Romani children to be enrolled in a ‘special school’. Although Roma represent fewer than 5% of all primary school-age students in Ostrava, they constitute 50% of the special school population. Nationwide, as the Czech government itself concedes, approximately 75% of Romani children attend special schools, and more than half of all special school students are Roma. This extraordinary racial disparity constitutes what the United Nations Committee on Elimination of Racial Discrimination has condemned in 1998 as “de facto racial segregation” in the field of education, which is inconsistent with the government's obligations under international law.
25. Many Czech politicians and educationalists deny vehemently that sending of Roma to special schools is a racist policy. However, race-neutral factors fail adequately to explain the gross racial disparity. Thus, few openly maintain the fiction that Roma, as a race, are genetically less intelligent. Those who do are confronted with a virtual consensus among government officials and acknowledged experts that many Roma assigned to special schools are not, in fact, mentally deficient. Evidence built by ERRC demonstrates that the evaluation mechanisms employed to assess “intelligence” are flawed and unreliable. Many of the tests have been selected, and their results continue to be used, although they have previously been shown to generate racially disparate effects.
26. Denial Two – Recasting race difference as behavioural disorder as in the case of Roma “private student” arrangement in Hungary (many Roma pupils are dismissed from school – not allowed to attend classes and instead made to take final exams); or that of the Black Caribbean boys in the UK:
27. Black Caribbean boys are around six times more likely to be permanently excluded from UK schools than white boys, according to Department for Education and Employment Statistics. While there has been a lot of media interest in soaring school exclusion rates in England and Wales, the statistic no longer appears to shock. Yet for black Caribbean families it amounts to a crisis in the education of their children. With an estimated 10,000 – 14,000 permanent exclusions during 1995-96, schools are dumping the population of a small town each year. This suggests bad practice and possible unlawful discrimination in managing behaviour in schools. Exclusion from school often means the denial of the child’s right to education; once excluded a pupil has only a 15% chance of returning to mainstream schooling.¹³
28. **Denial Three – Presenting race/ethnicity problems as only a social and economic problem.** Several governments (e.g. Bulgaria and Romania) have been saying: “We are not racist, and do not discriminate, we have no problem with the race or ethnicity of the Roma, but this group is economically and socially weak, and the fact that its members are of the same, namely Romani ethnicity, is unimportant/arbitrary.” In this case, the government has an excuse for not dealing with race discrimination as an urgent issue. The government’s obligation is reduced to slowly improving the material conditions, educational status, etc., depending on the availability of resources. “We can’t solve entrenched social problems overnight.” That the ethnic group is also socially disadvantaged, excluded or marginalised is true, but this partial truth is used to deny the racist side of reality.
29. **Denial Four – The ‘legal equality’ argument.** Somewhat opposite to denial by presenting race problems as solely socio-economic problems, this one is a stress on legal equality. As has been

¹³ Audrey Osler. 'School exclusions: a denial of the right to education', Human Rights Education Newsletter, No 18, Autumn 1997.

noted, sometimes there is a conflict between legal equality and social justice with respect to ethnic minorities, which might require a special program for a particular group to compensate the disadvantage ('affirmative action' in the United States, 'positive action' in the language of the Council of Europe). The stress on legal equality as sufficient to guarantee race equality can be, in certain contexts, a highly legitimate form of denial of a racist status quo. The claim is: "Racial minorities are equal before the law, or are entitled to equal protection by the law, and anything that would favour them over others is unfair."

30. **Denial Five – The 'equal opportunity' (meritocratic) argument.** This denial is similar to the 'legal equality' argument, but in this case the claim sounds like this: "The members of the Roma ethnic group enjoy equal opportunities with everyone else in our society, because it is a society where everyone is free. How they use these opportunities is up to them. The fact that they do not make good use of their opportunities is not anyone's fault. People ultimately get what they deserve." This form sometimes verges on blaming the victims: "The Roma must have done something wrong, if not the current then previous generations; otherwise they would not have ended up in such misery/in prison/in the street, etc."
31. **Denial Six – Reduction of the struggle against racism to prohibition and penalisation.** Many people think that they have essentially challenged racism in society by outlawing race discrimination and providing access to justice and adequate legal remedy to victims of race discrimination. Such is also in essence the anti-racism strategy of the United Nations to date, according to the major United Nations covenants and conventions. While this strategy of making race discrimination illegal and bringing lawsuits in cases of abuse is indispensable, it cannot alone eradicate, or even substantially reduce racist attitudes or practices in any society. As the removal or reduction of crime can't be accomplished only via the criminal justice system, no matter how well developed the latter is, so the removal or reduction of racism is impossible if policy is limited to prohibiting its damaging expressions, by declaring them illegal. Those who believe that litigation is the universal answer to racism, both miss the point, and create for themselves a moral complacency, which ultimately legitimates the racist status quo.
32. **Denial Seven – Emphasis on duties as pre-condition for the enjoyment of rights.** "If Roma do not fulfil their duty X, they can't claim their right Y." Such was also the communist approach to rights: rights were seen as conditioned on the fulfilment of corresponding duties. The respective chapters in the communist constitutions were usually titled "Rights and Duties of the Citizen". One often hears that the high drop out rate of Roma from primary school is due to the fact that Romani parents do not fulfil their parental duties.
33. Absent in this case is the inability and/or unwillingness to understand rights as entitlements, not dependent on past, present or future behaviour of the subject.
34. **Denial Eight – Denial by 'the positive example' argument.** "Look at those minority members who made it to the top of society, the company, etc." In social practice, a policy of tokenism is often used to fight back allegations of racism and discrimination.
35. **Denial Nine – Denial by disclaimer.** "Some of my best friends are Roma/blacks/Jews"; "Of course there are exceptions, but most X are Y." The personal disclaimer is so typical of most contemporary racist discourses that it can be seen as an ideological marker. Actually, it was one of the statements already in Adorno's 1950 inquiry into prejudice, and produced clear clustering in the answers of high scorers and low scorers.
36. **Denial Ten – Individualisation and self-exclusion from the mainstream.** "I love my black neighbour and her friendship is more dear to me than that of others; and such personal links are more important than race relations in the larger society". "I can't be racist, because in my

building there lived a Roma family, and I had very good relationships with them.” (The latter is a real statement, made by one current chair of a parliamentary commission on human rights, in one East European country, in response to accusations in racism, who has displayed in his policy a variety of racist attitudes.)

37. **Denial Eleven – The romanticising stereotype.** A romantic stereotype almost surely will be found to accompany the negative one for an ethnic group, e.g. the Roma, the blacks and native Americans in the United States, the Australian indigenous people, etc. The romantic stereotype of Roma includes such elements as musical and dancing genius, capability of passionate love, free spirited nature, magical relatedness to nature, ability to enjoy themselves, etc.¹⁴
38. **Denial Twelve – The overstatement of historic optimism and the reference to historical progress in race relations.** “Compare and consider how much has changed in the last 20 years; see how much the situation of minority X has improved.”
39. **Denial Thirteen – The normalisation shrug:** On visiting a Romani ghetto, somewhere in Europe, “That’s just what it is like in places like that.”
40. **Denial Fourteen – Interpretative denial by downplaying of injury:** “No serious damage has taken place; Roma were indeed treated not very gently by the police, but they don’t feel abused or humiliated, because they are used to violence; they understand only the language of coercion”.
41. **Denial Fifteen – Condemning the condemners.** We have heard from Central European politicians presently in office: “The western governments are condemning us only because they want to create trouble and to put pressure on us. They are pressing their agenda on us. They are not really concerned with ethnic equality and their criticism is a geopolitical game”.
42. Almost none of the above statements, taken in isolation, would be sufficient to describe a racist attitude. Racist statements are contextual. We can describe an attitude as racist only if we can identify a set of opinions, a more or less clear bias or stereotype. Otherwise, we would have difficulty in differentiating racism from innocent, morally neutral remarks, such as “The Italians are bad drivers”.
43. Most forms of denial are characterised by a deceptively easy availability, when needed as comments on the causes of racially based disadvantage, which, at the level of non-reflective everyday discourse, are never in short supply. For example, “Roma drop out of school because they are poor”. Yet, the same person will say a minute later, “They are poor because they don’t study well.” Like in all ‘ideological’ thoughts, being ‘logical’ is not among their qualities. Only upon reflection, it is revealed that racist ‘explanations’ usually rotate in a vicious circle.

¹⁴ An intriguing point on the origins of romanticising practice: “The Greek tragedians, when they had invented the barbarians, soon began to play with the ‘inner barbarism’ of Greeks. Perhaps part of the otherness of barbarians was that unlike the civilised, they were morally all of a piece – not dualistic characters in which a good nature warred with a bad, but whole. The ‘Hippocratic’ doctors, the unknown writers of the Greek medical treatises wrongly attributed to the physician Hippocrates, asserted in *Airs, Waters, Places* that Scythians and all ‘Asians’ resembled one another physically, while ‘Europeans’ differed sharply in size and appearance from one city to another. Barbarians were homogeneous; civilised people were multiform and differentiated. The Greek tragedians thought this might be true about minds as well as bodies. If it was, they were not sure that the contrast between Greek and barbarian psychology – the first complex and inhibited, the second supposed to be spontaneous and natural – was altogether complimentary to the Greeks. Somewhere here begins Europe’s long unfinished ballad of yearning for noble savages, for hunter-gatherers in touch with themselves and their ecology, for cowboys, cattle-reivers, gypsies and Cossacks, for Bedouin nomads and aboriginals walking their song-lines through the unspoiled wilderness.” (Ascherson, Neal, *Black Sea*, Vintage, 1996, p. ?)