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I will argue that the denial of racism is gradually conquering the sphere of manifestations of racism and becoming the most typical and widespread modern form of appearance of racist attitudes, opinions, statements, actions and policies. I will then discuss several types of denial of racism and their implications. Finally, I will illustrate the foregoing by listing some rhetoric forms of denial, in regard mostly to Roma, drawing from the daily experience of the ERRC in combating anti-Roma racism.

1. Denial: the new phenomenology of racism

For the purposes of this paper, I 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 behavior (3); the existence of racism is widely denied across cultures, with varying degrees of disguise (4); acknowledgement of racism is a prerequisite (but not at all a guarantee, or a bridge) to overcoming it.

The concept of racism is meant here 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 advocates 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 somewhat less vaguely, and prohibit by law, racist acts as acts which contribute to ethnic or racial inequality in society.

Critical race theory, a recent legal philosophy, the inception of which can be traced to a 1989 workshop in Madison, Wisconsin, USA, 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 system²."

There exists a large body of literature on research and measurement of racist attitudes, in the wake of the classic study by 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. I believe that this study remains relevant to the understanding of the social psychology of racism today, and deserves to be re-discovered by the anti-racist movement. Adorno's team established "an anti-utopian syndrome" in the so-called "high-scorers" - the individuals who scored high on several scales, registering a more or less stable personality structure, which makes individuals susceptible to anti-democratic propaganda. The analysis of the survey questionnaires and interviews showed that, according to these individuals, there will never be, and there should not be, Utopia: "one has to be realistic." But, in their case, "realism" is not meant as the need to judge and decide on the basis of objective, factual insight. It is meant rather in the sense that the overwhelming power of the existing order over the individual and his intentions is taken for granted. The antipodes of the "authoritarian personality", the so-called "low-scorers", usually also display an anti-utopian mind-set, but in an entirely different way. While "high-scorers"

share in the official optimism, accompanied by deeper-lying motives of contempt for human nature, and by a basic cynicism, "low-scorers" more readily express negative facts, are less affected by the conventional cliché that "everything is fine". However, they demonstrate, at a deeper level of their opinions, a much greater trust in the innate potentialities of the human race. While "high-scorers" ultimately do not want Utopia, "low scorers" are skeptical because they take seriously the possibility that Utopia can be realised. They therefore are critical of the existing order, even to a point where they acknowledge the threat of existing conditions to ruin just those human potentialities that they bank upon in the depth of their souls³.

Can we talk of racism in a historic sense; was there "racism" in slave owning, or in feudal societies? Or is racism a phenomenon of modern history, which emerged with the rapid expansion of biological, evolutionary, and genetic descriptions of living order? Without going into this debate, I will limit my observations to one point: having accepted a very broad definition of racism, and fully aware of the risks of anachronisation, we might benefit today from understanding racist attitudes as present throughout history. In ancient Greece and Rome, we may then say, racism was typical of the treatment of slaves and metekoi (foreigners residing in the city), and reached extreme forms of expression in such places as the Greek ergasterion - that special prison, in which slaves - as a rule ethnically different from the locals - were engaged in the hardest labour⁴.

"Race" was regarded as a biological concept, while discrimination on racial grounds was denounced. However, racial discrimination and racism were applicable, from the point of view of communist ideology, to cases such as the treatment of blacks in the USA, apartheid in South Africa, and similar "black and white" issues, whereas neither racism, nor racial discrimination were acknowledged as a possibility in the context of "socialist society". This political localisation of racism was at odds with the more general and certainly much more sophisticated Marxist treatment of the relation between nature and society/culture; a divorce between the universality of the theoretic claim and the limited political impositions of the theory was typical of Marxist ideology - as, indeed, of any "ideology" in the sense of Mannheim⁵.

Thus, the societies of post-communist (post-1989) Central and Eastern Europe were unprepared to accept the more general definition of racial discrimination as found in international law, especially in the UN Convention on the Elimination of All Forms of Racial Discrimination. In the first half of the 1990s, the governments and the political classes of the region were - and in many places still remain - outraged by the very suggestion that one can speak of anti-Roma racism in Eastern Europe. Courts, too, have failed to apply the concepts of "race" and "racial discrimination" in the broader sense in which they are construed in the UN (ICERD) framework. 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 Králové 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 defendant⁶.

Cognitively, there can be different grades of consciousness, or awareness of racism: from totally explicit 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,

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

of the other group⁷.

Much of Stanley Cohn's discussion of denial of human rights violations in his 1995 *Denial and Acknowledgement* is highly relevant to the case of denial of racism. Cohn analysed denial in the sense of "how people react to the suffering of others⁸." But what he says about the ways in which people react to information about suffering caused by human rights violations, applies to the experience of racism and its deeds. "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.

The denial of racism is a reaction to the post-World War II sanction of racism as a socially unacceptable opinion⁹. In my view, racism's presence is denied more vehemently in those cultures, which, following WWII, have done more to limit racism and related intolerance. Denial is a manifestation of a certain level of accomplishment in implementing a human rights and anti-racism agenda in a society. The more progress a society has made in denouncing racism as a social and political evil, the more vehemently is its continued existence denied. Ironically, the denial of racism is a product of the progress of the struggle against it. In Western democratic societies, for example, most people who share racist opinions and act accordingly, would deny that they are racist - because racism is officially and culturally condemned, while tolerance, racial equality and human rights are dominant ideological values. Thus, at present racism is rarely a self-description; increasingly, and under the influence of Western democracies and the international anti-racism movement, it is becoming mostly a label applying to groups or individuals as perceived by others. Although explicitly racist groups and parties exist, the larger part of today's "racists", who hold people of certain ethnic background in contempt or hostility, at the same time oppose being described as "racists". Austria's Freedom Party experienced a dramatic rise in popularity following a change of leadership in the mid-1980s, which brought the demagogic, charismatic Jörg Haider to its head and with him a newly invigorated populist, anti-foreigner language, together with renewed belittling of Austria's complicity in the racist crimes of the Third Reich. Nevertheless, most of the party members and supporters deny its racist character.

After and as a direct result of World War II, 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 the form of "cultural racism", though the latter label is, of course, also denied by its proponents. A prominent example of this development is the work of Dinesh D'Souza. In his book *The End of Racism*¹⁰ we find a forceful rejection of any form of affirmative action; repudiation of egalitarian values; extensive blaming of the victim; and emphasis on the "pathologies" of black culture. His views have also been characterised as "symbolic racism¹¹". 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 racial and ethnic inequality.

An illustration of the way in which racism manifests itself in seemingly race-neutral policies is the justification by the European Union and other Western countries of immigration restrictions. The Western political class has been pushing marketisation, and with it the free movement of capital and goods. But it has balked at the idea of a free movement of labour and has increasingly been trying to restrict 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, national culture, etc. However, this policy operates on the foundation of deeper lying and unchallenged racist presumptions, and is applied in a racist way¹².

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 simultaneously victims of institutionalised extreme poverty, are often genuine victims of persecution in the sense of the 1951 Geneva convention relating to the status of refugees, which contains, at Article 1(A)(2), a definition of "refugee". But if their numbers are perceived as significant by Western authorities, they are rejected, either by being categorised as just "economic migrants", or on other grounds. I am asking: What is wrong with the prospect of persecuted ethnic groups from outside Europe (and by the same token, Roma from Eastern Europe who seek asylum in Western countries) being allowed to remain in the calm and clean cities of the West? At first glance, the claim that they would bring down the fortifications of social welfare by offering cheap labor may seem convincing to those who are unwilling or unable to think beyond the trivialities of a populist agenda. The further claim that such ethnic immigrant groups would dilute the national culture of the host country, insofar as they would not be able/willing to integrate (read: "assimilate"), meets with the immediate sympathy of large sections of Western society. Let us assume, for the sake of the argument, that it were true that an influx of immigrants would really threaten some aspects of material life in the affluent host country, or to dilute its national culture. There remains a small but disturbing question: Why is a citizen of Western Europe more anxious about her compatriots' welfare and cultural identity, than about the threats to life and physical safety of foreign nationals?

The very frame of reference of our responsibility (the community, the nation) that shapes our opinions is fraught with assumptions of racist superiority. Most of us take for granted that we should contribute chiefly to our own community (city, clan, nation, etc.) even though we would admit that "outsiders" have suffered more severe violations of human rights than members of our own community. The priority list of the Western majority's concerns is thus not the same as the priority list that would have been respected, if the sole basis of judgement was humanitarian and related to the seriousness of human rights violations. There is hardly an escape from the conclusion that the discrepancy of the two priority lists, the realpolitik one concerned with domestic prosperity, and the one that Western publics ought to have developed if human rights and humanitarian concerns mattered more, is possible exactly because racism interferes with judgement¹³.

Considering racism from the point of view of its denial is relevant for the struggle against racism, since it immediately conveys the paradigmatic limitations of the Enlightenment as strategy: "Education can do everything." The discussion of denial dissipates 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 exhaustive. In laying out the phenomenology of present-day racism, we thus find ourselves describing a broad range of phenomena of denial.

2. Forms of denial of racism

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. 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.

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-conscious", the phenomenological theories of perception as constitution of the object, and the existential idea of the self are all possible frameworks for discussing the transcendental possibility of denial¹⁴.

Cohen's distinction between literal, interpretative and implicatory denial of human rights violations¹⁵ is highly relevant to the denial of racism 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 human rights advocates called it; it was a legitimate arrest of suspects in the Romani neighbourhood; it is true that force was used, but police acted in self-defence, etc."

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 they suggest. Acknowledging the facts of racist abuse, e.g. the 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. Actually, I am too busy doing other important things, important to the community and not egoistically to myself. Even if I would 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 know that 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 many 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 attention¹⁶".

A further useful set of distinctions in Cohen is that of individual denial, official denial (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 can not 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 denial¹⁷." I saw this interdependency in the case of the anti-Serb bias of the mainstream Western media in the Kosovo war of 1999 ("Another busy night for our pilots over Yugoslavia", CNN, US broadcast news, heard one morning in late April 1999). Similarly, in the aftermath of the NATO bombing of Yugoslavia, the way in which the destruction of the Kosovo Roma was presented in the mainstream media was a case of wholesale cultural denial. Rather than presenting the process as ethnic cleansing, the media stressed the "understandable" aspect of revenge due to Roma alleged complicity with "the Serbs".

In conclusion, I will briefly list several rhetorical forms of racist denial, in no particular order, taking the example of the Roma in Europe, who are perhaps the most disadvantaged people in Europe on account of their race/ethnicity. The forms of denial listed below have repeatedly been encountered by my colleagues at the European Roma Rights Center in discussions, statements, and publications concerning Roma issues, and the list is not exhaustive.

1. Presenting race/ethnicity problems as only a social and economic problem.

Governmental officials from Eastern Europe 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. The fact that its members are of the same, namely Romani ethnicity, is unimportant (irrelevant, accidental, etc.)." 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. That the ethnic group is also socially disadvantaged, marginalised, or excluded, is true, but this partial truth is used to deny the racist side of reality.

2. The "equality before the law" argument. Somewhat opposite to denial by presenting race problems as solely socio-economic problems, this one lays a stress on the existing allegedly equal protection by the law. The claim is: "Racial minority members are equal before the law, or are entitled to equal protection by the law, and therefore do not suffer discrimination in my country; anything that would favour them over others is unfair." As has been 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 USA, "positive action" in Europe). The stress on legal equality as sufficient to guarantee race equality can be, in certain contexts, a highly disguised and seemingly legitimate form of denial.

3. The "equal opportunity" (meritocratic) argument. This denial is similar to the "legal equality" argument, but in this case the claim goes like this: "The members of the Roma ethnic group enjoy equal opportunities with everyone else in our society. How they use these opportunities is up to them. The fact that they do not make good use of their opportunities is not our fault. People ultimately get what they deserve." This form of denial sometimes verges on blaming the victims: "The Roma must have done something wrong, if not the current generation then previous ones; otherwise they would not have ended up in such misery/in prison/on the street, etc."

4. Reduction of the struggle against racism to prohibition and penalisation. Many people think that they have essentially challenged racism in society by outlawing (the most egregious forms of) racial discrimination and providing access to justice and adequate legal remedy to victims of discrimination. Such is also in essence the anti-racism strategy of the United Nations to date, according to its major conventions and projects. While this strategy of making race discrimination illegal and bringing lawsuits in cases of abuse is indispensable, it can't alone eradicate, or even substantially reduce racist practices (let alone attitudes) in society. As the removal or reduction of crime cannot be accomplished purely via the criminal justice system, no matter how well developed it is, so the removal or reduction of racism is impossible if strategies to combat racism are limited to making its manifestations illegal. Litigation is not the universal and sufficient answer to racism. A society based on the rule of law may well be one of racist complacency. This is especially true in societies where litigation tends to be too expensive and beyond the reach of most victims¹⁸.

5. Recasting race difference as mental disability. An illustration of this form might be the denial by the Czech majority of the de facto racial 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, and that "Romani children are not ready for normal school." The result has been a denial of equal educational opportunity for most Romani children. The evidence documented by the 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 around 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 Roma¹⁹. 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 Czech government's obligations under international law.

Many Czech politicians and educationalists deny vehemently that sending Roma to special schools is a racist policy. However, race-neutral factors (such as language skills or poverty) fail to explain the gross racial overrepresentation.

6. Recasting race difference as behavioral disorder. According to the "private student" arrangement in Hungary, pupils can be removed from school if their behavior disrupts their own and other student's work, and transferred to a private study scheme, which does not involve school attendance. This seemingly race-neutral regulation has in effect excluded a number of Romani pupils from regular school, expecting students instead to take final exams, but eventually causing them to drop out of school entirely. A similar form of recasting has been reported in the case of Black Caribbean boys in the UK, who have been removed from school due to bad behaviour: "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 1995-6, schools are dumping the population of a small town each year. This suggests bad practice and possible unlawful discrimination in managing behavior 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 schooling²⁰."

7. Emphasis on duties as pre-condition for the enjoyment of rights. The logic in this case is, "If Roma do not fulfil their duty X, they cannot 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 usefully 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. Hence, the over-representation of Romani children institutionalised without parental consent: a phenomenon which reflects the societal racist perception of Roma as incompetent parents. Absent in this case is the ability and/or willingness to understand rights as entitlements, not dependent on past, present or future behaviour of the subject. This lack of a human rights perspective is felt in the overwhelmingly paternalistic, social care approaches to Roma issues, in which Roma are seen as passive recipients of help, rather than subjects of rights. In Italy, for example, there exist numerous charities that are spending public funds to provide social work services to Roma in the insane world of the "nomadic camps".

8. Denial by "the positive example" argument: "Look at those minority members who made it to the top of society, the company, etc." Accordingly, in social practice, a policy of tokenism is often used to fight back allegations of racism and discrimination.

9. Denial by disclaimer: "Some of my best friends are Roma/blacks/Jews"; and also, "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, the above statements with a view to Jews were included in the questionnaires of Adorno's 1950 inquiry into prejudice; they produced clear clustering in the answers of high scorers and low scorers.

10. Individualization 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". Similarly, "I can't be racist, because in my building there lived a Romani family, and I had a very good relationship with them." (The latter statement was made by one current (as of October 2000) chair of a parliamentary commission on human rights, in one East European country, in response to accusations of racism; this is a public official who has displayed in his policy a variety of markedly racist attitudes.)

11. The romanticising stereotype: A romantic stereotype almost surely will be found to accompany the negative one for many ethnic groups, e.g. the Roma, the blacks and native Americans in the US, the Australian indigenous people, etc. The romantic stereotype of Roma includes such elements as musical and dancing talent, capability of passionate love and other strong emotions, spontaneity, free and spiritual character, magical relatedness to nature, ability to enjoy themselves, etc.²¹

12. The overstatement of historic optimism, 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."

13. The normalisation shrug: On visiting a Romani ghetto, somewhere in Europe, "That's just what it is like in places like that."

14. 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."

15. Condemning the condemners: We have heard from Central European politicians presently in office: "The Western governments are condemning us only because they want to put pressure on us. They are not really concerned with ethnic equality and their criticism is a geopolitical game."

Almost none of the above rhetorical forms of racist denial, 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 Spanish are bad drivers."

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 person making this statement will say a minute later, "They are poor because they don't study well." Being "logical" is not among the qualities of "ideological" thoughts. Only upon reflection, it is revealed that racist rationalisations are not quite rational and often rotate in a vicious circle.

3. After acknowledgement

The discussion of denial of racism should be accompanied (and limited!) by a discussion of acknowledgement. To become aware of existing denial and to acknowledge the presence of racism may become the beginning of a transformation, at a personal as well as political and cultural level. Acknowledgement may lead to reduction of racist attitudes and to anti-racist action. But it may also lead to acceptance. This second option is so disturbing that it deserves a few comments.

It is possible that racist prejudice is clearly present in a social or political actor; that it is not denied or masked in any way; and that the actor admits and accepts it. Rather than denial, acceptance would now be our challenge. Acceptance is more dangerous to the public interest than the various phenomena of denial. With denial in place in a society, anti-racist culture has covered part of the way to racial justice, insofar as denial can be subsequently resolved in a more or less painful catharsis of acknowledgement, which is the first step to practical work to eliminate racism. But consider a different case, in which the subject suggests that s/he is simply not good enough and/or strong enough to deal with her or his racist bias: "Racism is definitely a shame; and I/we have absolutely no excuse not to address it promptly and adequately. Yet, life is hard. We, people, are

fallible, and we would better accept ourselves as such. No one is perfect, and we do not live in a perfect world. That I think perhaps racist thoughts should not make me feel guilty, or sacrifice my wellbeing." This position of full acknowledgement, combined with an acceptance of one's being partly evil or weak is rare in democratic societies. But it is not implausible to expect that it would resurface in certain political contexts. Even in western democracies, it may flourish on the soil of the popular "feel-good" culture, which makes a virtue out of acceptance of oneself.

While this possibility reveals an essential limitation of the struggle against racist denial, and invites analysis of the not always benign practical and political implications of "acknowledgement", it also highlights the strength of another concept, that of racial discrimination. While racism is a vast, wide, and vague notion, engaging both the realms of mind and reality, and while its phenomenology is quite Protean, "racial discrimination" has been defined in a more clear way, and has been given a legal value, notably in Article One of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD).

Unlike racism as such, racial discrimination is understood in human rights law as a violation of human rights; the right to be free from discrimination on the basis of race or ethnicity is characterised by the universality, inalienability, as well as the democratic nature, of fundamental rights. By concluding the treaty on eliminating racial discrimination (ICERD), the states signatories have in effect made it possible for practical accomplishments in reducing racism to overtake public opinion if the latter is moving at lower speeds. The concept of racial discrimination takes the issue of racism beyond its dependence on acknowledgement. It turns out that societies as well as persons will not learn to be mentally free from racist bias, before having made practical steps to eliminate racial discrimination. The best textbook of anti-racism is perhaps the lived experience of the effects of enforcement of anti-discrimination law and policies.

Endnotes:

1. Dimitrina Petrova is Executive Director of the European Roma Rights Center. A version of this paper was prepared for the International Council of Human Rights Policy in December 1999.
2. Vago, Steven, *Law and Society*, Sixth edition, Prentice Hall, Upper Saddle River, New Jersey, 2000, p.68.
3. Adorno, T. W. , Else Frenkel-Brunswick, Daniel J. Levinson, R. Nevitt Sanford. *The Authoritarian Personality. Studies in Prejudice*. New York: W. W. Norton & Co., Inc., 1950, pp.695-696.
4. Urison, S.M., "Racism", *Filosofskaya Entsiklopedia*, Vol. 4. (in Russian).
5. I am referring here to the rich tradition of interpreting "ideology", which presents ideas as functions of social positions, one of the founders of which was Karl Mannheim, himself influenced by Marx's interpretation of ideology as "false consciousness". (See, e.g., Mannheim, Karl, *Ideology and Utopia*, trans. by L. Wirth and E. Shils, London: Routledge & Kegan Paul LTD, 1954. According to Mannheim, the concept of ideology reflects the first discovery which emerged out of the modern political conflict, namely, that the ruling groups can, in their thinking, become so strongly bound, through their interest, by a given situation, that they are simply no longer capable of seeing certain facts that would weaken their sense of domination.
6. 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 ERRC filed a brief with the Supreme Court. The 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.
7. 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 mind-set opposite to "ideology", is according to van Dijk also a kind of "ideology". Van Dijk speaks instead of "good" and "bad" ideologies: the latter deny, conceal, legitimate or monitor social inequality, and are exemplified by racism, sexism and class domination.

8. 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, pp.19-58.
9. For examination of the denial of racism, see Van Dijk, T. A., (1992) "Discourse and the Denial of Racism", *Discourse and Society*, 3(1): pp.87-118.
10. See D'Souza, Dinesh, *The End of Racism: Principles for a Multiracial Society*, New York: Free Press, 1995.
11. 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.
12. In 1911, the U.S. Congress commissioned a study to document the "deterioration" of the "American stock" due to immigration; in the forty-volume report, the contribution of Franz Boas was the only one that argued against racial determinism. At least, we can register progress in that the EU today is engaging in a different kind of prevention of immigration. The so-called "Budapest process", which started in 1994, and involves to date around 40 states and 10 international organisations, has as its purpose to "harmonise" pan-European migration policies in an effort to avoid illegal migration. The currently sensitive issue of Roma migration is closely linked to the enlargement process of the European Union. In several situations in the past few years, groups of Roma numbering from around twenty to over a thousand, travelled to EU member states, USA and Canada, and applied for asylum. In some cases, states responded by re-introducing visa obligation against the relevant Associated states, like Slovakia. On the other hand, it has been suggested at EU fora that "also the fear of a sudden 'exodus' of Roma is one of the main reasons why e.g. Romanians still need visa to enter the EU. And EU visa regimes will indeed be maintained in all cases where there is a justifiable fear of irregular migration." (See Martijn Pluim, Presentation on behalf of the International Centre for Migration Policy Development (ICMPD) at the OSCE conference entitled "Roma in the EU Candidate Countries — Challenges of Integration", Vienna, September 26, 2000, p.2.)
13. 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 origins of Euro-racism are traced back to the construction of "Europe" by the ancient Greeks: "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*, London: 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.
14. The psychoanalytical tradition, which apparently is the one that is most familiar to the Western general public, insists that denial — in our case, denial of the existence or meaning of racist abuse — is a kind of unconscious defence 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 raised 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, unhindered by anything, should see the "truth" of each state of affairs; specifically, that they should see the basic human rights principles as a clear and universal truth? In most cultures throughout history, "truths" about human life and society are not "unveiled" but rather "developed". 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, in the case of this author, deliberately brackets the possibility that, for example, people's deepest and basic emotions are not altruistic, but organically and inherently consistent with their own "interest". Thus, not noticing racist practices may be due not to the attempt to avoid suffering that would accompany acknowledgement, but to a more holistic reaction in the direction of one's own life interests. "Not noticing" then might be the human equivalent of the animal's supposed indifference to biologically irrelevant stimuli. Could it be that the psychoanalytic perspective endows us with more "humanity" than we really bear? Could it be that our idealised "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 emphasise that all theoretic options should be kept open, be it as a matter of research principle or simply out of curiosity. The trial of these hypotheses might depend on revealing the mechanisms of shaming, especially at the social and political level, which have not been, as far as I know, subject to much research.

15. Cohen, S., Op cit., p.23-25.
16. Ibid., p.39.
17. Ibid., p.27.
18. In acknowledgement and in order to overcome this obstacle, public interest law has rapidly developed in the area of racial discrimination in the United States, the UK and elsewhere, enabling victims to obtain remedy even if their formal access to justice is rendered vacuous by the costs. On the prospects of a similar development of public interest law in Central and Eastern Europe, see Petrova, Dimitrina, "Political and Legal Limitations to the Development of Public Interest Law in Post-Communist Societies", Columbia University, The Parker School Journal of East European Law, 1996/Vol. 3, No. 4-5.
19. For more details, see European Roma Rights Center, A Special Remedy: Roma and Schools for the Mentally Handicapped in the Czech Republic, Country Report series No. 8, June 1999.
20. Osler, Audrey, "School Exclusions: a Denial of the Right to Education", Human Rights Education Newsletter, No. 18, Autumn 1997.
21. Here is an intriguing point on the origins of romanticising practice, found in Ascherson: "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, London: Vintage, 1996, pp.82-83).