

The Equalities Review: Interim Report for Consultation Response of the Scottish Council of Jewish Communities

The Scottish Council of Jewish Communities is glad of the opportunity to comment on the Interim Report. We applaud the intention to investigate *'the causes of persistent discrimination and inequality in British society'* and the *'Government commitment to creating a society where everyone can achieve their full potential, free from prejudice and discrimination'*. We suggest, however, that the Interim Report suffers from a lack of focus, possibly due to its extremely wide and somewhat unwieldy remit. This sometimes results in contradictory statements, for example, that *'research shows that there is broad support for the aim of achieving greater equality.....and fairness'* (p21) but that *'work shows.....that there is no settled view as to whether more equality is always a 'good thing''* (ibid).

We also have concerns about the Interim Report's almost total reliance on quantitative arguments, and suggest that equality and discrimination are areas in which qualitative factors are extremely important and must be given due consideration.

Approaches to equality

We have some sympathy with the arguments put forward against the 'strand' approach to inequality, but are unclear what the relevance is of the fact that sometimes the *'variation within a group is much larger than the average difference with [sic] the rest of society'* since that does not indicate that there are not also significant differences between the group and society at large. This is an example of the Interim Report's confusion between 'sometimes' and 'on average' to which we also refer in 'defining equality' below.

We would, however, stress the importance of retaining the 'strand' approach alongside other measures. It is particularly beneficial in providing a shorthand by which people can publicly and simply make statements about their own identity, ('I am a woman'; 'I am a Jew') and this can facilitate links enabling individuals to participate in joint working to achieve their own and others' equality.

We suggest that this participation is extremely important and that an individual responsibility both for achieving equality and eliminating inequality may be one of the keys to success.

By contrast, we regard one of the Interim Report's proposed *'key dimensions'*, that of *'vulnerability'* (p10), as being particularly unhelpful. Vulnerability has connotations of helplessness and victimhood, and we believe it may disempower individuals and groups from participating in achieving their own equality. We suggest that an equality bestowed by however benevolent a government is in fact no equality, and merely perpetuates a society in which the few 'do' and the many are 'done (or not done) to'. What is needed are programmes to help disadvantaged groups gain the qualifications necessary for whatever position, not programmes to appoint unqualified people because they are disadvantaged.

Whilst the discussion about *'trigger episodes'* is of interest, we are concerned that an undue focus on these may be unhelpful – possibly even a counsel of despair. Attributing inequality to life events such as childbirth and bereavement has a savour of inevitability or fatalism ('I can't help it, I'm a teenager') and once again creates helpless victims rather than active participants in society.

We do not believe that trigger points alone can provide an answer as to why groups or individuals become disadvantaged or experience discrimination. If that were the case their effect would be universal. But not all women become disadvantaged after having a child, not all teenagers go off the rails. Understanding why a problem may occur is surely at least as important as knowing when, and this may more easily be understood in terms of societal groups such as the so-called 'strands'.

Defining equality

The Interim Report's 'Stronger Case for Equality' (chapter 4) and its attempt at 'Defining and Measuring Equality' (chapter 5) are both couched in purely economic terms, particularly in terms of employment. Whilst economics are clearly an important factor we do not believe that they are the key issue as suggested in the Interim Report. Moreover, the Interim Report makes no mention of the role of individual choice in this – or any other – area.

For example, the Interim Report (p67) quantifies personal income and Government revenue forgone as a result of mothers not being part of the paid workforce; *'the employment penalty for mothers with children aged less than 11 is particularly severe.....These figures have real meaning: individuals and government are worse off than they would be if those disadvantaged groups had been in work.'* We would, furthermore, question the sweeping nature of this statement. We doubt whether 'all' of these individuals are worse off though a proportion no doubt are; such sloppy generalisation damages the credibility of the Interim Report, particularly since it lays so much emphasis on quantitative analysis.

The Interim Report pays one-sided lip-service to quality of life, stating that *'no attempt has been made here to calculate the indirect costs, such as those deriving from the loss of human capital, self-esteem or happiness resulting from unemployment'* but does not make any recognition of the fact that some women may choose to forgo income in order to care for their children on a full-time basis. We would suggest that having a genuine ability to make that choice is a truer indication of a mother's equality than the purely financial measure proposed in the Interim Report.

Similarly the *'macro or welfare-based approach'* (pp68-9) which proposes level of consumption as an indicator of equality denies the possibility that some people may not prioritise consumer goods but make a deliberate choice of a less affluent lifestyle. The Interim Report approach makes the mistake of regarding 'equal' as 'identical'. It is not necessary for me to do as you do, or to have what you have in order to be

equal. It is necessary for us both to be able to make choices that provide a realistic opportunity of achieving our own goals.

We are, therefore, uncomfortable with the proposition that '*often people make choices that are **constrained** by cultural or other pressures*' (p73) [our emphasis]. Their culture is precious to a great many people. It should not always be presumed that a person who acts according to a particular culture or tradition is constrained to do so and would be grateful for the opportunity to 'break out'. For example, an observant Jew will not attend a football match, go shopping or drive a car on the Sabbath (Saturday) but does not feel s/he is missing out because his/her non-Jewish neighbour does these things. On the contrary, he or she may think that it is the non-Jewish neighbour who is missing out on quality time away from the rat race.

In an age when more and more people are putting quality of life above take-home pay we regret that the Interim Report should have done precisely the opposite. A contestant in a TV game-show recently told a national newspaper that her aspiration was to be a millionaire, but she expressed no interest in any activity that would serve that end, only in the economic end itself; that surely is true impoverishment, not foregoing a few luxuries in order to enjoy a range of activities and spend quality-time with friends and family.

The 'macro' approach also ignores the fact that inequality and discrimination do not always result from what people have, but may be related to their identity. It does not in any way address issues such as religious or racial hatred, homophobia, or the inaccessibility of an upstairs restaurant without a lift to people with limited mobility.

Inappropriate responses to new technology

We are disturbed by the negative tone of the discussion of genetic mapping (p86). Knowledge is of itself neither good nor bad. People may use many types of knowledge to benefit individuals or humanity as a whole, or else to cause harm. It is indeed true that new technologies raise new and difficult questions as to the uses to which they are put, but we do not believe that is a reason for those technologies not to be developed.

The report states that '*the use of DNA 'fingerprints' is of proven value to the detection of crime*'. Given that this is so, and given that people from all ethnic groups are sometimes victims of crime, is it not to everyone's benefit to use the technique – of course within an appropriate framework to safeguard the vulnerable?

Similarly, the ability '*to distinguish those who have a propensity to higher risk health conditions*' may enable new treatments to be developed to improve their future health.

It may be that the report has lost sight of the fact that the word "discrimination" is used in two senses, one good and one bad. 'Discrimination' in the good sense is simply part of what it is to be human – the 'sapiens' that distinguishes our species – the ability to distinguish between one person or object and another. That ability may be used to benefit society as a whole, or particular groups and individuals within

society. It is discrimination against a person or group of people for reasons that are irrelevant to the purpose of the activity, distinguishing between them in a way that causes detriment to one or other person or group that is to be condemned.

Colour and ethnicity

Some of the language used to describe ethnic minority communities in the Interim Report and its presentation by the Review Team at consultation events, has resulted in feelings of inequality and discrimination. We are aware that a number of people of varying ethnicities have shared this concern and urge that it should not be repeated in the Final Report.

The use of colour as an indicator of belonging to an ethnic minority is highly problematic. The use of 'black' as an identifying category has been widely censured on a number of grounds. Not only do Africans object strongly to having to identify themselves by colour, when Asians, for example do not, but there are a great number of non-'black' minority communities in the UK (eg. Polish, Kurdish, Italian, Gypsy Traveller), and there are also many Asians, particularly Chinese, who do not identify with this term at all, or who use it only as convenient political shorthand. The use of the words 'Blacks' (p43) and 'Whites' (pp10, 26, 36, 53 (five times) and 55) is particularly offensive to many people and we strongly urge that they should not be used in the Final Report.

When 'black' is used as if it were synonymous with 'minority community' all of these are excluded because they are not in any sense black. When 'white' is used as if it were synonymous with 'the majority community' these same communities are excluded once again because they are not part of the majority community. This double exclusion is particularly divisive and alienating.

Summary and Conclusion

The Scottish Council of Jewish Communities strongly supports the various initiatives at UK, Scottish and local level that are intended to eliminate discrimination and enhance equality. We do, however, emphasise that these should address the issues in a way that is meaningful for the population at large – that is for those who will benefit from a more equal and less discriminatory society, ie. everyone. For that to be achieved initiatives must take account of the needs and preferences of diverse groups and of individuals within those groups – and this will have to be undertaken using qualitative rather than exclusively quantitative investigation. It will not be achieved by an assumption that everyone wants the same things or by a belief that people are equal if the same things are done to and for them. People's cultural and societal preferences must be respected, not regarded as obstacles to equality to be swept away in the headlong rush to bestow a new and improved society.

We believe that legislative measures are important not only in criminalising certain behaviours but also play a leadership role in stating what is and is not acceptable in a society. Moreover, changes of attitude may often follow where legislation has led. However, legislation alone is not enough. We emphasise that education – including education of the educators – must be carried out in parallel to legislation, and both of

these should actively seek to engage and involve people from across all sections of society.

We recommend that the next stage of the Equalities Review should include consideration of the interface between equality legislation, promotion and education, and also the means by which people may be encouraged to participate in creating their own more equal, less discriminatory and more just society.

Note: The Scottish Council of Jewish Communities is the representative body of all the Jewish communities in Scotland comprising Glasgow, Edinburgh, Aberdeen and Dundee as well as the more loosely linked groups of the Jewish Network of Argyll and the Highlands, and of students studying in Scottish Universities and Colleges.