

# **A critical approach to the concepts of diversity, difference, inclusion and equity**

## **I. Introduction**

The focus of my lecture is the concepts *diversity, inclusion, and equity* – especially the normative insights and developments currently taking place in and with them. The following will therefore not be an analysis of the state of the implementation of these concepts, but rather a depiction of their goals and a critical reflection on what they mean normatively. What is to be achieved with them? And what does it mean for the normative concerns of these concepts and their implementation that there is increasing social division in Western-style bourgeois-capitalist societies; a division that concerns precisely those normative issues that are also at stake in the concepts of diversity, inclusion, and equity; a division between people *on the one side* who want to change this society in an emancipatory manner towards overcoming all forms of discrimination, and people *on the other side*, who, coupled with a strengthening of right-wing conservative to right-wing extremist forces, want to hinder precisely these emancipatory developments?

I would like to begin - perhaps a little unusually - with a fairy tale for children; the tale of the "The Three Cosmonauts" by Umberto Eco and Eugenio Carmi. As the title suggests, it is about three cosmonauts: an American, a Russian and a Chinese one, each of whose countries send them to Mars to explore. When all three land on Mars at the same time, they look at each other suspiciously. They don't like each other because they speak different languages and consider themselves very different. But when night comes, they feel lonely and lost and all three call for their mother (it is, after all, a children's tale). But although they do this in their different languages, "they immediately understood that they were saying the same thing and were experiencing the same feelings". The feeling of foreignness vanishes. They gather closer together and now get to know each other better. When morning comes, they see a Martian who, with his many arms, looks strange and frighteningly ugly. When he speaks to them, they do not understand him and think it is war cries. The Martian is so completely different from them that they can neither understand nor love him. But seeing him in front of them, the three cosmonauts realise that - despite their differences - they are all three human beings. And they decide to kill the Martian. Whoever is so ugly must also be evil. Then, suddenly a small Martian bird falls out of its nest. Trembling and squeaking in desperation, it sits before them. Out of pity all three cosmonauts start to cry. And then something strange happens: the Martian also starts to cry, but smoke threads instead of tears, and carefully picks up the little bird to warm it in his six arms. The three cosmonauts now realise that this monster resembles them more than they had believed, and so they go to him and offer him their hand in fraternal greeting: "They had understood that everyone on Earth and on the other planets has their own customs and traditions, and that all that matters is that they understand each other".

Why do I start with this tale? This story is – quite obviously – about difference and the question of recognition as equals with equal rights. It makes visible the inner discursive logic of the modern bourgeois understanding of equality, as it emerged at the end of the 18th/beginning of the 19th century in the course of the establishment of Western bourgeois heteropatriarchal societies. Two closely interwoven patterns of argumentation and reaction can be identified: ***On the one hand***, it becomes clear that if people perceive others as different, e.g. because they speak different languages or look different, they as if it were a matter of course not only feel a sense of foreignness, but also they also feel threatened. And if, the inner normative logic continues, a being appears threatening, it seems legitimate to exclude or even kill this being. ***On the other hand***, it becomes clear that if - despite their differences - people recognise that others have the same feelings and thoughts, and that these others are ultimately similar to them, they extend their hands 'fraternally'.

This normative logic can already be found in Lessing's famous ring parable, which is considered a prime example of the Enlightenment and its idea of the equality of all people. According to this logic, the devastating wars among the so-called three great world religions of Christianity, Islam and Judaism can only be ended if everyone involved develops the insight that none of the three religions is the only true one. Moreover, they can only recognise themselves as people with equal rights if they disregard their differences as Jews, Christians or Muslims and recognise each other in their identical/common humanity. According to this normative logic, *recognition as equals in their respective differences is, however, not possible*. According to this logic, recognition as equals is only possible in disregard of these differences and through reduction to their equal humanity.

These examples show how fundamentally inherent what I call the dialectic of the bourgeois understanding of equality remains to our current understanding of equality. With the current strengthening of right-wing extremist forces, this is even increasing again.

According to this understanding of equality, the recognition of others as equals and thus as people with equal rights is only possible if they - despite all their differences - are recognised as same or as similar, same in reason, gender, origin, skin colour, possibly even to the point of the same understanding of the constitution. If people are perceived as fundamentally different, this is seen as justification to discriminate against them, to exclude them from human rights.

In the bourgeois understanding of equality we thus encounter ***two differently weighted differences***: firstly, differences that can be disregarded, and secondly, differences that disavow an individual as a human being and exclude them from this recognition structure as a person with equal rights: such as women, black people, Muslims. Accordingly, the emergence of human and civil rights was constitutively linked to the emergence of discourses of racialisation or orientalisation and the naturalisation of qualitative gender differences. All

these discourses served and still serve to legitimise the exclusion of certain groups of people from human and civil rights and thereby justify discrimination against them.

Which people are perceived and recognised as people with equal rights is, therefore, always a political decision and depends on local and/or global power relations. Thus, although the 1948 Universal Declaration of Human Rights now intends all people, factually this is still by no means the case. Judith Butler therefore rightly emphasises that 'it is an ongoing task to rethink the human if it turns out that its supposed universality has no universal scope'. It is therefore necessary to always critically look at who is being denied the same humanity and with what arguments – as Butler impressively shows, for example, with the detainees in Guantanamo, or as it happens with people in wars or on the flight. This critical examination is necessary to insist again and again that all people are really recognised as people with equal rights. And this is presently becoming all the more urgent. Indeed, a growing number of social forces, both locally and globally, no longer recognise even the current international human rights conventions as a normative standard of social action or they are preventing rape in wars from being recognised as war crimes.

But what does all this have to do with the topic of diversity? For me, this problem of the bourgeois understanding of equality and its understanding of difference constitutes the framework within which I would like to examine the concept of diversity and its expansion through concepts such as inclusion or equity. It is important to me to make clear that this understanding of equality is constitutive for contemporary Western societies from their inception and that this understanding of equality continues to permeate people's thinking, feeling, and actions to this day. It is still present in people's minds, as Eco's tale shows: both in deep-seated normative patterns of argumentation and reaction and in the affective connection that makes many people react immediately to the perception of difference with feelings of strangeness and threat or with feelings of reluctance and gestures of rejection, as Sarah Ahmed describes it. And last but not least, this logic is evident in the still powerful dialectic of self-affirmation and othering, of 'us' and 'the others', the desire for self-affirmation of one's own superiority and confirmation of the inferiority of others, a dialectic that still accompanies the current mode of subjectivation.

In my opinion, it is indispensable for understanding and implementing the concept of diversity that we are well aware of the problems inherent in the prevailing understanding of equality. One problem is that, if no equality/identity/similarity is found, discrimination in the sense of differentiation can turn into discrimination at any time. Furthermore, it is difficult or even impossible with this bourgeois understanding of equality that endures till today to have a non-hierarchizing recognition of people in their concrete difference and uniqueness, i.e. ***affording equal rights in difference***. This becomes clear, for example, when it comes to the question of the equivalence of different competence profiles in employment or appointment

procedures or when it comes to the demand for non-discrimination of disabled people in education and professional life. It does not help a person who is blind or hard of hearing to be treated as equal. Enabling them to have equal opportunities in education and training - and thus to be a person with equal rights - can only succeed if they are treated *unequally* in a very specific manner. If this does not happen, the person will, on the contrary, become a person handicapped by the circumstances.

However, as we all know, the bourgeois notion of equality was criticised from the very beginning. It was criticised because it excluded certain groups of people from human rights or from the national constitutions based on these rights. The bourgeois notion of equality was also criticised because a non-hierarchizing recognition of difference is difficult within this framework. For example, already during the debates on the formulation of the French Declaration of Human Rights and on the French Constitution, demands were raised that the concept of human being should include both women\* and blacks\* or People of Color. In her *Declaration of the Rights of Women and Citizenship*, Olympe de Gouges, for example, demanded that women and men should be explicitly mentioned, and she also advocated for the abolition of slavery. And in addition, a delegation of Creoles from Haiti, demanded their right as French citizens to equal citizenship.

Initially unsuccessful, these struggles however did ultimately initiate a significant and momentous normative development; they resulted in the adoption of explicit prohibitions against discrimination of certain social groups so as to guarantee their equal rights. For example, in 1870 in the United States, the introduction of voting rights for black men\* was justified on the grounds that they could not be denied the right to vote because of their 'ethnicity,' 'color of skin,' or their 'former status as slaves'. Similarly, the introduction of women's\* right to vote in the USA in 1920 was justified with the explicit prohibition of discriminating against them on the basis of 'sex'. The introduction of voting rights for women\* in 1920 in the USA was also justified by the explicit prohibition of discrimination on the basis of sex.

In other words, people are no longer given equal rights only because they are the same, i.e. without regard to their specific differences as human beings per se. Instead, they are given equal rights as people who belong to or are assigned to a particular *group* on the basis of, for example, gender, origin, ethnicity or racialisation. This means that a new legal form is emerging: namely the formulation of explicit prohibitions to discriminate against certain groups. Or formulated positively: the idea of so-called group rights is emerging, in an emancipatory rather than a privileging sense. This is, as I said, a significant normative development. On the one hand, in this way more and more people are now explicitly included in the concept of human beings, so that, for example, the international declaration of human

rights of 1948 can now claim to really encompass all people. Previously, this claim did not exist at all; on the contrary, women\* or/and blacks\* were deliberately not intended.

On the other hand, this development represents the central normative insight that people face specific problems due to gender, racialisation, ethnicization, 'disability', but also due to origin, religion or age. Consequently, that they each have quite different experiences of discrimination, and that therefore recognition as equals is not sufficient – at least for the time being. For people facing these specific problems, equal living conditions and opportunities can only be achieved by formulating *specific* rights and realising associated measures to protect against discrimination, at least as long as there is a risk of discrimination. In other words: group rights or specific prohibitions of discrimination are a central step towards guaranteeing equal rights through a non-hierarchical recognition of diversity.

Based on this normative development, a proposal was recently adopted in Switzerland that extends the anti-racism penal norm in the Criminal Code and thereby legally prohibits homophobic expressions and acts. The new protection, however, only applies to lesbians, gays and bisexuals but not to intersexual and trans\*people. There is therefore still no legislation penalising discriminating against the whole group of LGBTIQ persons. This example shows once again how, it is only step by step that people are acknowledged and recognized in their diversity as people with equal rights. This incremental extension of protection depends on both social developments and their associated normative developments as well as on the respective social power relations. Also, not everyone always welcomes these developments. Especially at present, there are right-wing conservative to right-wing extremist actors who experience these new normative insights as an imposition and explicitly want to reverse them.

I now turn to my closer examination of the concepts *diversity, inclusion, and equity*.

## **II. Diversity – Inclusion – Equity**

The emergence of the concepts *diversity, inclusion* and *equity* are based precisely on these normative developments in international and European law. More precisely, they must be understood as attempts to solve the problem of a positive non-hierarchical recognition of diversity and ultimately, as will become evident, of individual uniqueness in practice. To be precise, we are dealing here with theoretical concepts which have been developed directly for implementation in practice.

Their implementation in Switzerland is based, among other things, on Article 8 of the Federal Constitution of the Swiss Confederation, which was only introduced in 1999. This article expressly prohibits discrimination on the basis of "origin, race, gender, age, language, social position, way of life, religious, ideological, or political convictions, or because of a physical, mental or psychological disability". However, to date this is 'only' a ban on discrimination *in*

**the law**, i.e. only **formal** equality. An explicitly **positive obligation** to achieve "**actual** equality" so far only exists regarding the equality of "men and women", "most particularly in the family, in education, and in the workplace" (Art. 8, 3) and "elimination of inequalities that affect persons with disabilities" (Art. 8, 4) (1981).

In contrast to this, the aim of diversity and its extension to inclusion or equity is an **actual realisation** of the ban on discrimination. Such an extension would include a ban against discrimination on the grounds of sexual orientation or discrimination against trans\* persons, both of which the constitution does not yet cover. And, it would also apply in companies, in the workplace in general, in state and political institutions and all the way to the education system.

Using one of the many well-known definitions, I would like to explain the point of diversity in greater detail. Stuber's definition states: "Diversity pursues the goal of considering people with all their differences, i.e. not pretend they are the same. Statements such as 'With us it doesn't matter whether you are a man or a woman, a German or a foreigner, hetero- or homosexual', are contrary to the idea of diversity in that it in fact naturally does make a difference to both the individual and the organisation. Diversity recognises this".

It is therefore important to realise that people are not the same but differ in many ways. This is all the more important given the increasing pluralisation of lifestyles in contemporary societies. Diversity responds to these changes in a certain manner, which is evident, for example, in the increasingly diverse composition of teams in companies or of students, staff and lecturers at universities.

When these many differences between people are seen, it also becomes clear that they are not only dissimilar in the sense of different, but also unequal in the sense of social inequality. Thus, some people experience discrimination and others do not. And some even experience multiple discrimination and disadvantages and thus have completely different starting conditions than others. It also becomes apparent that people often differ in many different ways, which does not always make it clear who experiences more or less discrimination or disadvantage in a certain respect, who is more privileged or less so in another respect. It is therefore important to look at the whole person and their situation in order to 'consider' them in their diversity.

In the context of diversity, the differences between people should not only be perceived, but also 'taken into consideration'. This means taking into consideration the differences between people and doing so in such a way that people are not only perceived in their differences but that they are recognised and treated accordingly. Because taking into consideration means recognising that differences make a difference, both for the individual and for the company, the university, that is, for the respective context. But it also means recognising that difference

differences make depends on the context, sometimes they are more, sometimes they are less significant. It also means, however, that people are to be treated differently, that some people need special promotion or that specific financial resources need to be made available to them. And finally, "to consider" also means to experience the difference as foreignness, but not to experience it as something disturbing or even threatening; rather to learn to perceive and consider foreignness in a non-discriminatory manner, to perceive and recognise it as something positive, as an enriching potential.

In a nutshell: what is at stake is a positive non-hierarchising recognition of difference. But no longer 'merely' in the sense of non-discrimination. 'Considering' difference in the sense of diversity now means a positive recognition which takes difference as the starting point for promotion and support or recognises it as something enriching or both at the same time. It is a recognition in which the dialectic of self-affirmation and othering is thus overcome one step further. Everyone should be able to contribute their competences and optimally realise their potential. However, this can only be achieved if both the current institutional structures change accordingly as well as the individual actions of those involved. A change which is only possible if it is actually understood and wanted by all, i.e. if the participants share this new normative requirement, which is presently by no means the case. I will return to this problem in the conclusion.

In diversity a dynamic becomes increasingly apparent that perceives and recognises individuals, not only their differences, but also in their individual **uniqueness**. It is precisely at this point that the concepts of inclusion and equity seek to extend diversity policies, and in some cases to go beyond them.

### **Inclusion and equity**

The concept of inclusion implies, as already mentioned, the claim to recognition of the individual person in his or her concrete individual uniqueness (Shore et al.). The creation of an inclusive culture, e.g. in a company or a university, aims to 'include' each individual person in his or her specificity in the institution. For this to succeed, all participants must not only critically examine their ideas about the differences between people, but actually 'say goodbye' to them. This does not mean that they should disregard their differences, but rather that they should not assume that they have always known what it means to be homosexual, poor or migrant. It is therefore important, in recognising diversity, to prevent its essentialisation, in order to be able to really get involved in the uniqueness of the respective person. Only in this way is it possible to see exactly what racialisation and/or classism means for this person in concrete terms.

Furthermore, in order to overcome discrimination and marginalization, it is essential that all those involved have the greatest possible awareness of both the structural mechanisms and practices of discrimination and marginalization in organizations as well as the conscious and

unconscious discrimination practices and mechanisms of individuals. For example, there is a need to understand the dialectics of self-affirmation and othering inherent in the current mode of subjectivation - i.e. also within oneself. In general, if inclusion is to be achieved, it requires a high degree of self-criticism, but also the ability to relate to and turn to others.

For inclusion to realise its normative claim, a fundamental change is therefore needed once again, both of current organisational and work cultures and of individuals. Only then can a non-hierarchical recognition of individuals succeed, not just in their respective differences, but also in their concrete uniqueness. And only then can people feel valued, recognised and belonging in their respective uniqueness, as is the aim.

The term equity – which has become particularly important in education – connects to this aspect of appreciation and recognition of the individual in their uniqueness as well as the creation of a sense of belonging. Equity stands for the goal of the best possible realisation of equal opportunities, i.e. for the creation of an educational context which enables the optimal development of the respective specific abilities and goals of individuals. Central here, in turn, is the insight that tying people to their differences is, what Stojanovs calls, "a blatant expression of injustice". This effectively supports the education system in its "task of social selection" and, according to Stojanov, is, furthermore, "an expression of educational injustice". This is why an educational context is needed which supports individuals precisely in developing their potentials in such a way that they become a different person than before. This means that a non-hierarchizing recognition in the person's respective uniqueness must not become a constriction, but must imply in itself the dynamics of a person's 'further development'.

### III. Conclusion

Finally, I would like to briefly address three problems, on which I have already partly touched and which need further thought.

**Firstly**, it seems clear that the normative starting point of the concepts diversity, inclusion and equity is that they claim to focus *equally* on *all* forms of discrimination, hierarchisation, relations of power and relations of domination; and that prioritisation between these different forms cannot be general, but case- and context-specific basis. Nevertheless, the various observations usually prioritise particular forms of discrimination and practices of domination, without it always becoming clear whether this prioritisation has to do with the particular subject area or with individual prioritisations. Moreover, it does not always seem clear to me whether this is based on a social theory that assumes a constitutive connection between current forms of discrimination in the context of white, Western-style bourgeois-capitalist cisheteropatriarchal societies. Which – in my opinion – should be the case. Nor am I certain that the concept of intersectionality sufficiently captures their constitutive



entanglement in individuals. And last but not least, I find it difficult to answer the question whether gender is sufficiently addressed in the concepts of diversity, inclusion and equity, or whether a special mention of gender issues is still needed. While I do tend to think that such special mention of gender is needed in at least certain contexts, I at the same time find it problematic.

**Secondly**, another question that has preoccupied me for some time is: Why are there hardly any self-critical approaches in the concepts diversity, inclusion and equity? Such self-criticism of their own hegemony would reflect on the fact that with diversity, inclusion and equity – as I have tried to show – an attempt is being made to establish new hegemonic norms and thus also a new form of *normalisation*. My impression is that the debate as yet shows little awareness that implementing these concepts is linked to precisely this paradox: namely that a practice that sees itself as fundamentally emancipatory and critical of power ultimately creates a new formation of social hegemony, a social hegemony that leads to new forms of normalisation and disciplining. I think that this, too, should be reflected and discussed more explicitly in a way that is *hegemonieselbstkritisch* (self-critical of one's own hegemony). This is the only way to counter the danger of new processes of self-affirmation and othering in the name of diversity, inclusion and equity.

**Thirdly**, for the implementation of diversity (but also of inclusion and equity) it is important to be aware that not all those involved or affected in the various areas of society share the normative ideas associated with its implementation. On the contrary, quite a few reject them as normative impositions on and interventions in their own way of life and work. In higher education institutions, such responses strike me as downright blatant when, for example, the introduction of diversity sensitive language is at stake, when new supervision structures that overcome previous power relations are discussed, or when excellence criteria are questioned. There is a lot to be done here. But how exactly? What could a successful 'persuasion' look like that does not serve resistance? Especially in the current social context of increasing social division, this seems urgent to me; a division which, as I said at the beginning, concerns the very normative questions that are also at stake in the concepts of diversity, inclusion and equity; a division on the one hand between people who want to change this society emancipatorily towards overcoming all forms of discrimination, and on the other hand people who, coupled with a strengthening of right-wing conservative to right-wing extremist forces, want to prevent precisely these emancipatory developments? I do not, to date, have satisfactory answers to this question; but I do think it is important, perhaps even indispensable for the success of the implementation of diversity, inclusion and equity, to find some answers that take us further.

*Translation: Stephan Meyer*