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What Constitutes 'Discrimination' in Everyday Talk? Argumentative Lines and the Social Representations of Discrimination

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Abstract

Most people agree that discrimination is wrong, but the boundary between 'discrimination' and 'not discrimination' is often highly contested in everyday practice. We explore the social representations of 'discrimination' as an object of study in qualitative interviews and focus groups with both minority (self-identified as BAME and/ or gay men) and majority (self-identified as white and/ or heterosexual) participants (n= 54). Our analysis suggests three repeated and pervasive argumentative lines in social representations of discrimination; (1) that there are two distinct kinds of discrimination (hard versus soft), (2) that you need to understand the intention of the actor(s), and (3) that a claim of discrimination requires strong evidence. We outline the macro Functions

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of these resources to argue that each was non-performative: they appeared to be tools to make claims of discrimination, but in practice they were much more effective at making claims of what was <u>not</u> discrimination.

Keywords

What is discrimination? How ordinary people define it in practice, and what are the consequences of these practices? Most people agree that discrimination is wrong, and are motivated to avoid it (Billig, 1988/2012; Greenland, Xenias, & Maio, 2012). In practice, however, the boundaries between 'discrimination' and 'not discrimination' can be highly contested and mobilised towards specific political ends (Durrheim, Quayle, & Dixon, 2016; Durrheim, Quayle, Whitehead, & Kriel, 2005; Jowett, 2017; Moore & Greenland, in press).

In this paper, we use qualitative interviews and focus groups with both majority and minority participants[1] to explore how participants debated the boundaries between 'discrimination' and 'not discrimination'. We will draw on both social representations theory and discursive psychology to explore participants' common sense theories of discrimination and how these were deployed in conversation. Specifically, we will explore how these lines of argument made it more or less difficult to make a claim of discrimination.

'Discrimination' as a Construct in Everyday Social Practice

The phenomenon of 'race talk' is well established in the academic literature. These are the strategies that people use when saying something that might be heard as prejudiced, and range from disclaimers (e.g., 'I'm not racist but…'), to more subtle strategies (e.g., discursive deracialisation) (Augoustinos & Every, 2010; Goodman, 2010; Potter & Wetherell, 1988; van Dijk, 1992). Researchers in this tradition often reference the 'norm against prejudice' (Billig, 1988/ 2012): a speaker is understood to be mobilising a widely shared understanding that prejudice is performed by a particular kind of irrational and immoral identity. The disclaimer 'I'm not racist, but…', for example, is a rhetoric that explicitly invokes this norm in order to make an alternative identity claim. Race talk is therefore performed within micro local interactions, but also involves shared cultural and symbolic resources, or "socially available patterns of meaning" (Verkuyten, 2005, p. 68; see also, Edley & Wetherell, 1997; Wetherell, 1998).

The practice of race talk therefore has a provenance beyond the local interactional context. Consistent with Gibson (2015) and Howarth (2006), we theorise this provenance in terms of social representations (Moscovici, 1984). Interactants make claims about what is (and is not) discrimination by mobilising shared historical, ideological, and cultural discourses in which 'racism', 'prejudice', and 'discrimination'[2] are constructed as objects. Social representations constitute symbolic resources that can be drawn upon in interactions, but (importantly) they can also be reformulated through communicative practices (Condor & Figgou, 2012; Durrheim, 2017). There are therefore reciprocal and iterative relationships between local discourses and social representations.

Where there are rhetorical strategies that seem to be repeated across different interactional contexts, different methods, and different participant groups, then we take these as evidencing the 'sedimentation' of broader ideological-cultural resources into everyday practices (Gibson, 2015; Potter & Hepburn, 2005). In fact, there are a number of tropes that are sufficiently repeated across disciplines, methods, interactants, and –isms (Whitehead & Stokoe, 2015) to suggest such sedimentation. These are that discrimination is; (1) morally wrong and irrational; (2) performed by a particular kind of problematic identity (uneducated, isolated, and pathological); (3) deliberate and intended by the actor. Consequently, an act is <u>not</u> discrimination when it is; (4) based on rational and objective realities; and (5) not intended to cause harm (Andreouli, Greenland, & Howarth, 2016; Augoustinos & Every 2007; Burford-Rice & Augoustinos, 2017; Capdevila & Callaghan, 2007; Every & Augoustinos, 2007; Figgou & Condor, 2006; Goodman & Rowe, 2014; Greenland & Taulke-Johnson, 2017; Howarth, 2009; Kadianaki, 2014; Kirkwood, McKinlay & McVittie, 2013; Moore & Greenland, 2018; Sommers & Norton, 2006; Swim, Scott, Sechrist, Campbell, & Stangor, 2003; Wilkins, 2012).

Functions of 'Discrimination' as a Social Representation

We have sketched out the historical and symbolic resources that appear to be frequently deployed in local interactions. The rhetorical functions of these argumentative lines for majorities are well established in the 'race talk' literature (i.e., as disclaimers to avoid the imputation of prejudice). Interestingly, these same discourses are often also deployed by minorities and/or third parties who might call out discrimination (Goodman, 2010; Greenland & Taulke-Johnson, 2017; Kadianaki, 2014; Wilkins, 2012). The local

functions of these discourses (for minorities and/or third parties) seem to be related to the rhetorical delicacy of making a claim of discrimination (which can generate counter-accusations of over-sensitivity, political correctness, and an attack on free speech; Goodman, 2010). 'Race talk' resources can be deployed by minorities and/or third parties in order to construct arguments that will be heard as moderate and reasonable, while avoiding sounding ungrateful and/or confirming problematic stereotypical identities (Clarke, Kitzinger, & Potter, 2004; Duggan, 2002; Edwards, 2005; Goodman & Burke, 2010; Greenland & Taulke-Johnson, 2017; Kirkwood, McKinlay, & McVittie, 2013; Schultz & Maddox, 2013; Whitehead, 2015; Wilkins, 2012).

The social representations of discrimination therefore have rhetorical functions when deployed by both majority and minority speakers in local interactional contexts. However, one of the advantages of a social representations approach is that it allows us to move from the micro and into the macro. Durrheim, Quayle, and Dixon (2016) suggest that constructing some phenomena as discrimination (e.g., 'Muslims oppress women') and others as not discrimination (e.g., 'we have to reduce net migration') can be used to mobilise identities, conflict, and retaliation. The social construction of 'discrimination' therefore potentially involves the same exercise and operation of power as stigma itself (Link & Phelan, 2001): it can work to reinforce the status quo by minimising the experience of systematic discrimination, while also constructing scapegoats as legitimate targets. Constructing discrimination as an "abstract moral category" (Durrheim, Quayle, & Dixon, 2016, p. 22) makes it both emotional and malleable, shifting the focus onto one practice as a way of exonerating another (Durrheim et al., 2005); enabling a speaker to build a proper account of discrimination and to deny it in their own practice (e.g., in

claiming that anti-racists are themselves being racist or elitist: Norton & Sommers, 2011; Durrheim et al., 2005; O' Brien et al., 2010).

In this paper, we draw on the distinction between 'little d' and 'big D' discourses (Gee, 1990) to distinguish 'little f' and 'big F' functions of the social representations of 'discrimination' in talk. The former are micro, rhetorical, self-presentational strategies that have been described in detail in the 'race talk' literatures. The latter, however, are macro, political, and work to maintain power relations. For example, one 'big F' Function might be to minimise minority experiences of discrimination and/or make these experiences difficult to claim.

The Current Research

We explored social representations of discrimination 'in action' through the study of language and argument. We used qualitative interviews and focus groups with both majority (white and/ or heterosexual) and minority (BAME and/ or gay) participants to explore the lines of argument that participants mobilised when negotiating the boundaries of discrimination in talk. Our focus of interest was in the resources that participants deployed repeatedly in different local contexts (i.e., when speaking as minority or majority participants, and about different forms of discrimination), and the macro Functions of these arguments in making it more or less difficult to define an experience as 'discrimination'.

Our approach to the data was critical realist. The boundaries by which we define what constitutes discrimination are socially constructed, but they are also consequential (Durrheim, 2017; Durrheim, Quayle, & Dixon, 2016; Greenland & Taulke-Johnson, 2017; Link & Phelan, 2001). Participants' statuses as minorities or majorities are socially

constructed (i.e., sexuality and ethnicity), but again these categories are consequential (Howarth, 2009; Reicher & Hopkins, 2001; Verkuyten 2005). Although we will talk about participants as 'minorities' or 'majorities', these positions are not fixed but context dependent: BAME participants can be understood as minorities in the context of ethnicity (because they divert from whiteness), and gay men can be understood as minorities in the context of sexuality (because they violate heteronormativity).

Method

The data consisted of focus groups and interviews with minority and majority participants. Focus groups were our preferred method of data production because we were interested in the dynamics of how 'discrimination' was constructed and contested between participants (Allen, 2005; Kitzinger, 1994; Marková, Grossen, Linell, & Salazar Orvig, 2007; Verkuyten, 2005). Focus groups were particularly important for participants who were talking as majorities because (a) we expected that they were likely to have less elaborated constructions (compared to minorities) (Flournoy, Prentice-Dunn, Klinger, 2002) and (b) they might find the conversation more difficult rhetorically (Billig, 1988; DiAngelo & Sensoy, 2012). We expected that talking would be less troubling for majority participants if it was located within a focus group (compared to one to one interviews), and particularly if the other participants were already known to them. Focus groups were always made up from existing friendship and/or familial groups for this reason.

We conducted one focus group with minority participants, but most of the minority data was produced with one to one interviews. This reflects the trajectory of the

research project, which was partly inspired by PhD research conducted by Richard

Taulke-Johnson (2009) and Constantino Dumangane Jr. (2016) (and included in this

analysis). One of us (KG) was struck by the complexity of minorities' accounts in these

datasets and began to collect comparable focus group data with majorities. The individual

interviews with minority participants (interview sets one and two) therefore constitute

secondary data. Primary data is from focus groups conducted with both minority (focus

group one) and majority participants (focus groups two- six) (see table one). Participants

in the focus groups were recruited specifically to talk about racism (focus groups one,

four, five, and six) or homophobia (focus groups two and three). Participants in the

interviews, in contrast, had been recruited to talk more generally about their lived

experiences as young gay men at university (interview set one) or African- Caribbean

men at elite universities (interview set two): homophobia or racism was merely one

aspect of this lived experience. 37 participants were recruited as self-identified members

of minority groups, and 17 were recruited as self-identified members of majority groups

(we reached saturation with the majority data at this point).

INSERT TABLE ONE ABOUT HERE

As outlined above, participants were recruited in different ways according to different

identity categories. Participants who were minorities were recruited through those

specific categories (i.e., as gay men or people who were African Caribbean), using social

media, University societies, snowballing, and social networks. Participants who were

majorities were recruited through social networks: researchers would approach one

person who was invited to put together a group from their family and/or friends.

Participants' majority status was therefore not explicitly foregrounded in the recruitment

process, but we were always clear during recruitment that the research was about racism

or homophobia (and in practice the groups were always homogeneous around the identity

categories of interest). We deliberately recruited majority participants from a range of

socio-economic backgrounds (because race talk appears to be classed: Andreouli,

Greenland, & Howarth, 2016; Easterbrook, Kuppens, & Manstead, 2016; Kuppens &

Spears, 2014).

The materials, prompts, and schedule varied according to method. The interviews

were complex and wide ranging, and talk about discrimination was only one small part of

a wider research programme (for fuller descriptions see Dumangane, 2016; Taulke-

Johnson, 2009). The focus groups all followed the same format: participants were shown

materials (see table one) and invited to discuss them. There were a small number of

probes to follow-up particular areas of interest (e.g., if participants talked about humour

or intention), and prompts to bring participants back to topic, but otherwise the

conversation was largely unstructured. Focus groups generally lasted between 45 – 90

minutes.

Analytic Approach

We began by identifying extracts in which participants talked about 'discrimination' and

'-isms'. We selected extracts in which discrimination was explicitly topicalized as a

specific category reference (e.g., 'racism'), and as an ongoing orientation in the turns

around that reference (Romaniuk, 2015). This included talk about what was <u>not</u>

discrimination. Data included participants' stories of their own or others' experiences;

arguments and debates between participants; and sometimes arguments and debates with

the researcher. We did not attempt to identify examples of dialogical repression or stereotyping by implication (Billig, 1999; Durrheim, 2017; Whitehead, 2015).

We coded for themes that were repeated across extracts, with no reference to whether participants were speaking as minorities or majorities. This part of the analysis was data driven and with no reference to the extant literature. We assembled extracts that were representative of each of the identified themes. We took a broadly critical discursive approach to the data (Wetherell, 1998) with a particular emphasis on how social representations of 'discrimination' were mobilised and reproduced in conversation. We were particularly interested in the 'big F' Functions of this talk i.e., how particular constructions of 'discrimination' silenced and legitimised practices. It was at this point that we started to explore the potential divergence between minority and majority accounts, and to explore the overlap between our own and the extant research.

Analysis

We identified three repeated and pervasive argumentative lines of 'discrimination' that participants used in talk: (1) that there are two different forms of discrimination; (2) that you need to understand intention to be definitive about 'real' discrimination; and (3) that a claim of discrimination requires strong evidence. We will draw out differences between minorities and majorities within each theme (where they exist), and then explore how each of these lines of argument were deployed in ways that made it more or less possible to define events and experiences as discrimination. Extracts have been selected to be representative of other instances and exemplars of similar constructions (Romaniuk, 2015).

Two Distinct Types of Discrimination: Hard Versus Soft

A pervasive and recurring line of argument deployed by both majority and minority participants differentiated between two types of discrimination. 'Hard' discrimination was often described in terms of blatant hate, essentialised into a pathological identity (e.g., Howarth, 2009), and constructed as driven by negative affect (fear, anger, or hate). In contrast, 'soft' discrimination was described in terms of ignorance, inexperience, or an honest mistake. Participants often talked about 'soft' discrimination as a consequence of life (in)experience and therefore as transitory and malleable (rather than essentialised and fixed: Carr, Dweck, & Pauker, 2012; Neel & Shapiro, 2012). Many participants (minorities and majorities) argued that 'soft' discrimination was not really a form of discrimination at all (see also, Sommers & Norton, 2006).

Extract one.

John: I think the reality is you're either a racist or you're someone who's either ignorant or just misguided.

Interview set two: African Caribbean man; reproduced from Dumangane, 2016

John used an 'either…or' structure to contrast hard and soft racism. The former was essentialised as an identity ('a racist') while the latter was more ambiguous ('either ignorant or just misguided'). In this argument a person can do (or be) one or the other, but not both. This is consistent with research elsewhere (e.g., Sommers & Norton, 2006) and reproduces the distinction between blatant and subtle prejudice that has been made in the academic literature (Dovidio, Kawakami & Gaertner, 2002; Kleinpenning & Hagendoorn, 1993; but see also Leach, 2005). Durrheim et al. (2005) described how a similar distinction has been deployed within print journalism. We suggest that the

repetition of this argument within our data set, the academic literature, and in the media constitutes evidence of the 'sedimentation' of a social representation.

As already outlined, we are less interested in the local rhetorical functions of this trope ('little f'), and more interested in macro Functions ('big F'). To what extent did participants' deployment of this argument make it easier or more difficult to construct specific experiences as 'discrimination'? In our analysis, this argumentative line worked to minimise both hard *and* soft forms of discrimination. Soft discrimination could be minimised as relatively trivial compared to hard. Hard discrimination could be minimised through an 'end of racism' discourse: both minority and majority participants described hard discrimination as exceptional (limited to an older generation and/ or within the past; Andreouli, Greenland, & Howarth, 2015; Norton & Sommers, 2011).

Extract two.

Constantino (researcher): When you came here and people first saw you do you think they have a certain idea of who or what you were before you they ever got to talk to you?

Dwayne: Yeah I think it's natural that most people will kind of make snap judgments (laughs) I recall one thing. One of my friends, this was like whilst we were becoming friends: he said that the first time he met me he thought I was going to stab him.

Constantino: Can I ask what your friend's ethnicity was?

Dwayne: He's from [name of town], it's down south. I think there's very few Black people there

Constantino: Very interesting. And yet you're friends now?

Dwayne: Yeah I mean I think that's one thing I've learned. Just in terms of the ignorance that people can have. And I think I'm somebody who would never kind of blame people for that position. If anything I would try to teach them and show them or help them to kind of see how ridiculous they are (laughs)

Constantino: So would you say that's more ignorance than racism? And have you experienced racism as well, I'm just curious?

Dwayne: I think it's very unlikely that anyone would be the victim of kind of what's the word I'm looking for (pause) kind of just overt direct racism, like in today's day and age.

Constantino: What do you equate is being direct racism can you give me an example? What does it mean to you?

Dwayne: For someone to call you N- word [sic] or something.

Interview set two: African Caribbean man; reproduced from Dumangane, 2016

Over several turns, Dwayne and Constantino co-constructed a two types of discrimination argument: one soft (based on 'ignorance'), and one hard (based on 'overt direct racism'). Although Dwayne constructed the latter as racism, he deployed the 'two types' argument to minimise *both* forms. He constructed his own experience as relatively minor by contrasting it with the 'overt direct racism' which existed in the past. Deploying this either/ or contrast enabled Dwayne to construct an absolute discontinuity between 'overt direct racism' and the experience that he had described (Greenland & Taulke-Johnson, 2017; see also, Leach, 2005). He also minimised hard discrimination as happening very rarely 'in today's day and age' (Andreouli, Greenland, & Howarth, 2016).

Participants who were minorities repeatedly used the 'two types' argumentative line in ways that constructed potentially problematic experiences as minor: indeed, they often said that they were 'lucky' that they had not experienced discrimination, even while talking about experiences that events that could be constructed as low level harassment (Anderson, 2002; Greenland, Andreouli, Augoustinos, & Taulke-Johnson, in preparation). Participants who were majorities deployed the 'two types' argumentative line to similar effect: in extract three, white majority participants discussed television personality Jeremy Clarkson's use of the word 'nigger'. Participants described this as an honest and inadvertent mistake that should not be taken too seriously.

Extract three.

Harvey: But like he, he quite obviously didn't want to say it so he muffled it under his voice, and he muffled it quite obviously so he, there was no intent

Annabelle: He acknowledged that there was something wrong but there was, he knew that there was, he thought it was a controlled situation where it wouldn't get out and wouldn't necessarily, anyone that it would offend, clearly he wasn't around them

Harvey: And he probably had the imp, had the idea that it wouldn't be aired once he had done it so

Tod: I just don't, I mean like that, even if that, even if Jeremy Clarkson is a racist in his spare time and we just don't know about it that one situation doesn't make him a racist

Harvey: Not at all

Tod: Because it was not aimed at anyone, it wasn't ever going to be shown to

anyone, if he then goes home and like does it all the time in front of his

children and impressionable people it's a different situation

Harvey: Yeah, but if a video got leaked of him like laughing at a video of people

getting lynched then yeah he probably would be a racist, but like that

doesn't suggest at all like that he is a racist, there was obviously no racial

intent in what he said because he tried to cover it up for one

Focus group four: young white middle class participants

While Dwayne (extract two) constructed the use of the 'N- word' as indicative of racism

when used directly to his face ('For someone to call you N- word or something'), the

white majority participants in extract three collaboratively constructed (Condor, 2006;

Durrheim, 2017) the same word as a relatively minor slip of the tongue. They deployed

three lines of argument; first, that it was not intentional ('he quite obviously didn't want

to say it so he muffled it'); second, that no one was harmed ('anyone it would offend,

clearly he wasn't around them'; and third, that it was trivial compared to 'hard'

discrimination ('laughing at a video of people getting lynched'). Harvey consolidated this

argument with an 'if… but' hypothetical contrast ('if a video of him got leaked… but that

doesn't suggest at all like that he is a racist'). As in extracts one and two, the contrast was

key: Harvey constructed Clarkson's actions as 'soft' by building a contrast with 'hard'.

The 'two types' line of argument worked to construct some events as

'discrimination' while constructing other events as 'not discrimination'. Durrheim et al.,

(2005) described this as 'splitting': constructing a small number of exceptional acts as

discrimination in order to deny everyday experiences. Our participants constructed hard

forms of discrimination as problematic but also exceptional. Soft discrimination (in comparison to hard) was not really discrimination at all. Importantly, however, there was slippage between what was constructed as hard and what was constructed as soft: the argument hinged on the contrast rather than the content of a specific act. Thus, use of the 'N-word' could shift from hard (extract two) to soft (extract three) depending on the comparative context. The 'two types' argumentative line could therefore be deployed to minimise all but the most egregious act of deliberate hate.

You Need to Understand Intention

Extracts two and three above also contained lines of argument about 'intention' (Dwayne distinguished between thoughtless 'snap judgements' and 'overt direct' use; Harvey made specific reference to 'racial intent'). Participants often talked about importance of context: in practice, this meant understanding the actor's intention. In Extract 4, majority participants talked about the word 'gay' (which they used as a synonym for 'pathetic' or 'rubbish'). They argued that it was not the word that was the problem, but how it was said.

> **Extract four.**
>
> Ellie: It's definitely how you say it ain't it. Like if you want to hurt someone. Like if one of the boys want to hurt another of the boys.
>
> Katie: Yeah he didn't say it with the intention to upset or cause anyone to like, be offended by it. He was just saying he didn't like it really.
>
> Focus group three: young white working class women

In this line of argument, it was the intention of the speaker ('if you want to hurt someone') that transformed the word into an act of discrimination. Minority participants often made the same argument.

Extract five.

> Will: If – if somebody's saying something you know to intentionally offend somebody, it doesn't make any difference really which word they use you know, the bottom line is they're trying to offend you. But you know I suppose if you know somebody says 'Oh that's gay' or you know like something happens – something that happens – something rubbish happens like 'Oh that's gay' or 'That's queer' or 'That's bent' I mean I've – I've said all of those things. But you know if it's directed at a person and to offend a person that – that's when it's offensive.

> Interviews set two. Young gay man.

Will's argument here is very similar to extract four: it was not what was said, as much as the intention behind it. Participants deployed argumentive lines about the actor's intention: if the actor did not intend to 'offend', or 'hurt', then it was not discrimination.

Argumentive lines about intention has been recorded elsewhere with a range of different participants and methods (Burford-Rice & Augoustinos, 2017; Sommers & Norton, 2006; Walton, Priest, & Paradies, 2013). It has also been reproduced in laboratory studies: Swim et al. (2003) demonstrated that participants are strongly persuaded by intention arguments (but for a critique of these experimental designs see Potter & Edwards, 1990). Again, we would argue that the repetition of this argument suggests the 'sedimentation' of a social representation. What are the Functions of this

argumentative line? We suggest that the intention argument can be deployed to construct a recognisable and defensible account of discrimination, while also providing the tools by which it can be repeatedly disclaimed in practice: 'intention' was frequently deployed by our participants to argue that an event was <u>not</u> discrimination.

Constructing events as 'not discrimination' using intention arguments

Readers will be familiar with arguments around to what extent humour can constitute a form of discrimination (e.g., Durrheim, 2017; Grigg & Mandelson, 2015; Walton, Priest, & Paradies, 2013; see also, Douglass, Mirpuri, English, & Yip, 2016). Both majorities and minorities repeatedly stated that humour and 'banter' were not discrimination, and deployed intention arguments to achieve this. Specifically, they constructed arguments about alternative intentions (i.e., the intention to be funny rather than the intention to discriminate).

Extract six.

Richard (researcher): Er. You talked about banter.

Daniel: Yeah.

Richard: Is that homophobic? Or – I mean not homophobic - is that –

Daniel: Yeah it's like they do take the mick I think.

Richard: Taking the mick, yeah.

Daniel: But I don't – I think you could take it offensively, but they don't mean it nastily. They take the mick out of everyone. And that's – I dunno. I don't take it offensively.

Interviews set two. Young gay man.

Extract six is representative of many minority accounts. Although Daniel appeared alert to the dilemma in constructing humour as not discrimination (see also, Greenland & Taulke-Johnson, 2017), he constructed the actions of his friends as not discrimination by deploying both an intention argument ('they don't mean it nastily') and a claim that it was not category based ('They take the mick out of everyone'). Majority participants, in contrast, often constructed humour as self-evidently unproblematic: participants deployed argumentative lines in which the intention to be funny was sufficient to construct an event as not discrimination.

Importantly, however, argumentive lines about intention were deployed to make claims about a whole range of events.

Extract seven.

Ross: Well they are what we would call each other ain't it. As a laugh. Probably wouldn't call a gay person it. Unless they done something to piss you off.

Ryan: Yeah yeah. Like when we was out, and that boy

[Inaudible]

Ryan: I know. Yeah he said to me I pushed in front of him right. Um. And I didn't, I was queuing as much as he was. And you could tell he was gay. Right. So I said to him "Look buddy I was here first." And he was offering me on, mind. But, um, I knew he was gay. He kept shouting. So I told him to fuck off the bent twat.

Focus group two. Young white working class men.

As in extract four, Ross and Ryan were talking about the word 'gay'. In the first turn, Ross contrasted two different contexts and intentions: an intention to have 'a laugh'

versus an intention to respond to someone who has 'done something to piss you off'. In the second turn, Ryan described an incident which culminated in the use of an identity category ('fuck off the bent twat'). The use of an identity category is often sufficient for a statement to be heard as discrimination (Durrheim, Quayle, & Dixon, 2016). However, Ryan constructed his action as a reasonable response to provocation ('And he was offering me on, mind... He kept shouting') (Durrheim, Quayle, & Dixon, 2016; Goodman & Rowe, 2014). In this account, Ryan's intention was to be deliberately offensive, but as a rational and morally creditable response to an external reality (Capdevila & Callaghan, 2007; Augoustinos & Every, 2007; see also, Rai & Fiske, 2011). The identity category of the other person was incidental to the argument, and the insult ('bent twat') simply the nearest verbal weapon to hand. In practice, the presence of *any* alternative 'intention' seemed to be sufficient to construct an event as not discrimination.

A Claim of Discrimination Requires Strong Evidence

Participants (minorities and majorities) frequently said that it was difficult to define an action as discrimination, and that you had to know what someone really thought before you could do so.

Extract eight.

Harvey: someone like Jeremy Clarkson, not a lot of people know who he is as a person, you don't know whether he says that erm, that he whether he says nigger under his breath as a racist or as a non-racist, because you don't know him. So if so like racism is so dependent on the beliefs that a person has, because if you know what their beliefs are then you know whether or not something that comes out, you'll know what the meaning of what is, you'll

have a much better idea of the meaning of what is coming out of their mouth

Focus group four: young white middle class participants

In this account, Harvey said that you cannot judge someone (in this case, Clarkson) as a racist without some form of psychological omniscience ('you don't know him… if you know what their beliefs are then you'll have a much better idea of the meaning of what is coming out of their mouth'). We can see how this claim is related to the 'two types of discrimination' and 'intention' lines of argument (which emphasise the thoughts of the actor over the consequences of the act). Majority participants argued that it was not possible to construct Jeremy Clarkson's use of 'nigger' as discrimination, because they could not know what he really thought. In the absence of this information, they argued, it was necessary to give him the benefit of the doubt.

The psychologization of discrimination (i.e., the construction of discrimination as a consequence of individuals' psychologies) was almost universal among majority participants when they talked about specific people or events. This trope has been repeated sufficiently across different research designs (Billig, 1988/ 2012; Figgou & Condor, 2006; Kadianaki, 2014; Moore & Greenland, 2018; Sommers & Norton, 2006) and in the research literature (Condor, 1988; Howarth, 2009; Thomas & Brunsma, 2013) to suggest the sedimentation of a social representation. What might be the Function of this resource? It has been noted elsewhere how the psychologization of discrimination obscures its institutional and intergenerational nature (both inside and outside academic practice: Bonilla-Silva, 1997; Condor, 1988; Dixon, Durrheim, & Tredoux, 2005; Howarth, 2009; Kitzinger & Perkins, 1993). In addition, we suggest that it renders discrimination as an explanation of last resort (see also, Kirkwood, McKinlay, &

McVittie, 2013). Participants constructed discrimination as so serious that it required a level of 'proof' that was rarely available in practice (see also, Goodman & Burke, 2010). Majority participants said that they were unwilling to construct an event as discrimination without sufficient evidence of what an individual actor really thought and/or a tracking of their actions across time and situation (Kelley, 1967). In the absence of this knowledge, participants argued, they could not know the meaning of an action, and therefore could not define it as discrimination. This was almost universal among majority participants when they talked about specific people or events.

There were relatively few examples in the data in which minority participants made claims of discrimination. When they did, however, they made little or no reference to the psychology of the actors. Instead, they worked up high facticity (Potter, 1996), high contrast accounts.

Extract nine.

David: I was, where was this, late 90s? Yeah late 90s. And I volunteered to erm be a collective for a very high ranking charity. I forgotten which one, but it was a well-recognised charity, ok? We were erm taken in, we were trained, we were told exactly what to do. We were given the same things to wear, like a sash, a badge, an ID badge and erm a collecting box. Plastic. And we were told, you you must not shake them, because you, that is harassing. [[BACKGROUND TALK]] So we, everyone, I was one, I was I think the only black person, in that particular thing, but we were all told the same thing, so we're all, all given the same things to wear, same and an ID badge which clearly had your identity on it and told exactly what to do. So, you know, everyone, the same information. Now I was positioned

outside erm Selfridges on Oxford Street. Selfridges. Nice, very nice there. And I stood there. And that is exactly what I did. I stood there. I didn't open my mouth, didn't shake the box and didn't move. I was stationary. I was there for a little while and all of a sudden a police van pulled up outside Selfridges. [[LAUGHTER]] No, this is, no. A police van. Seriously. Flashing lights. Pulled outside Selfridges. I started looking around to see what happened, like oh what's happened, exciting, I must have missed something. So I'm looking around and they get me and they take me in the van [[GASPS]] [[LONG PAUSE]]. When I asked them what had happened, they said somebody had rang, an anonymous phone call, saying there was somebody outside Selfridges making a disturbance [[OHHH]] They must have described me! I'm assuming they described me because they didn't pick anyone else up. And it was me they took into the back of the van.

Focus group one. African Caribbean participants.

David built a story with high facticity, including time, location, and a rich detailed description of his actions ('And I stood there. That is exactly what I did. I stood there. I didn't open my mouth, I didn't shake the box and I didn't move. I was stationary'). He also used contrasts to emphasise repeatedly how he was 'exactly the same' as other volunteers ('we were all told the same thing and given the same things to wear, and given an ID badge with our identity on it and told exactly what to do'). This contrast provides a detailed and direct comparison between his own (minority) experience and the experience of majorities ('I was I think the only black person… but we were all told the same thing'). In this account, the only remaining explanation for being stopped by the police is his ethnicity.

Minority participants constructed high facticity, high contrast accounts when making a claim of discrimination (for other examples, see Andreouli, Greenland, & Howarth, 2016; Varjonen, Jurva, & Jasinskaja-Lahti, 2015). At a micro level, they seemed to be alert to the ways in which their claims could be contested, and that they themselves could be heard as unreasonable or irrational (Edwards, 2005; Goodman, 2010; Kirkwood, McKinlay, & McVittie, 2013). At a macro level, however, these arguments may be one of the few ways to make a claim when discrimination is widely constructed (i) as a psychological phenomenon (i.e., in the absence of a legitimate means of demonstrating an actor's beliefs or intentions) (ii) that requires strong evidence. Note that these arguments are only performable in a very limited set of circumstances.

Conclusions

In our analysis, we have explored how 'discrimination' was constructed and contested in talk. We moved from an analysis of race talk into an analysis of the social representations of 'discrimination' as an object of study. Participants turned repeatedly to three specific lines of argument, which (we argue) indicated a sedimentation of social representations into local practice, and which worked to minimise and silence claims of discrimination. The 'two types' argument worked to minimise both hard and soft forms of discrimination (extract 2): 'hard' discrimination was constructed as very rare and located in the past, while 'soft' discrimination was constructed as minor when compared to 'hard'. The 'intentions' argument emphasised the psychologized state of individual actor(s) which was difficult to evidence and easy to contest (extracts 6- 7). Finally, participants argued that you could not make a claim of discrimination without strong evidence, and that this

required knowing what someone 'really thought' (extract 8). In the absence of such gold standard evidence, participants generally argued that actors should be given the benefit of the doubt. In practice, then, participants (both majorities and minorities) generally made discrimination an explanation of last resort (Kirkwood, McKinlay, & McVittie, 2013).

The three argumentative lines that we have outlined therefore actively undermined the naming of actions or events as discrimination. They were non-performative (Ahmed, 2006): they appeared to be tools to make claims of discrimination, but in practice they were much more effective at making claims of what was not discrimination. 'Discrimination' was highly contestable when applied to everyday experience: exceptional, remote, and othered.

A social representations approach enables us to explore the ways in which these resources are consequential for social justice (i.e., in silencing potential claims of discrimination). Understanding these tools and how they are deployed (in local interactions, in public debate, in the media) enables us to begin to problematize and challenge them. Specifically, we note the pervasive psychologization and individualization of discrimination across the three argumentative lines: there was a repeated emphasis on the beliefs, intentions, and thoughts of individual actors. These arguments may work to facilitate the identification of a small number of 'bad apples', but potentially obscure institutional and intergenerational forms of discrimination. Alternative arguments would shift the focus away from individual actors onto the experiences of targets as collectives, and the chronic (rather than acute) harm of both microaggressions and institutional discrimination (e.g., the Black Lives Matter and #metoo campaigns; see also, Fevre & Krause, 2017).

This analysis constitutes a timely and important complement to Durrheim, Quayle, and Dixon (2016), in that we have begun to explore the specific instantiations of 'discrimination' as a category. These resources became evident when repeated across different participants (i.e., majorities and minorities), different methods (interviews and focus groups), and in talking about two different forms of discrimination (racism and homophobia). They were evident over a sustained and protracted length of time (2007-2015). Finally, they were also evident in the extant research (both qualitative and quantitative). We note, however, that the rhetorical delicacy with which our participants made their arguments contrasts sharply with the 'call to arms' discourses described in Durrheim et al. (and with the vilification of alleged perpetrators in social and national media). Further research should explore this bifurcation in responses, where some claims of discrimination are problematized and underplayed, while others are reproduced uncritically. We tentatively suggest that this bifurcation may partly relate to the power (either institutional or collective) of those making the claim and/or the reputation of the alleged perpetrators. Further research might also explore the roles of defense and catharsis in the reproduction of these claims.

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Notes

1   Although we will refer to 'minorities' and 'majorities' in the text, these categories are also socially constructed (see section 'the current research').

2   We focus on 'discrimination' (as opposed to 'prejudice') as a broader phenomenon that can encompass both institutional discrimination and unconscious bias.

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Table 1: Participants

Minority participants	Interviews set one (n= 15) (2007)
	Young gay men talking about their experiences at University, of which

	homophobia was one part. Participants were interviewed twice. Researcher (RTJ) was an out gay man (Taulke-Johnson, 2009).
	Interviews set two (n= 17) (2014) Young African Caribbean men talking about their experiences at elite universities, of which racism was one part. Participants were interviewed twice with some occasional additional follow-ups. Materials included 'shit white girls say' video https://www.youtube.com/watch?v=ylPUzxpIBe0. Researcher (CD) was an African- American man (Dumangane, 2016).
	Focus group one (n= 5) (2014) African Caribbean middle class participants, talking about racism. Participants were men and women aged between 30 and 50. Materials were still images relating to African Caribbean identity and experience. Researcher (KG) was a white woman of comparable class and age.
Majority participants	Focus group two (n= 3) (2013) Young white working class men talking about homophobia. All participants identified as heterosexual. Materials were 'no homophobes' website (www.nohomophobes.com). Researcher (MC) was a young woman from the same peer group.
	Focus group three (n= 3) (2013) Young white working class women talking about homophobia. All participants identified as heterosexual. Materials were 'no homophobes' website (www.nohomophobes.com). Researcher (MC) was a young

	woman from the same peer group.
	Focus group four (n= 4) (2014) Young white middle class people (three women and one man) talking about racism. Materials were Jeremy Clarkson 'eeny meeny miney mo' video https://www.youtube.com/watch?v=AR7QYJnqXhg. Researcher (GW) was a young woman from the same peer group.
	Focus group five (n= 3) (2014) White women university students talking about racism. Materials were Jeremy Clarkson 'eeny meeny miney mo' video https://www.youtube.com/watch?v=AR7QYJnqXhg. Researcher (GW) was a young woman from the same peer group.
	Focus group six (n= 4) (2015) Older white working class talking about racism (two men and two women). Materials were Jeremy Clarkson 'eeny meeny miney mo' video https://www.youtube.com/watch?v=AR7QYJnqXhg. Researcher (GW) was a young middle class woman.

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Richard Taulke-Johnson obtained his PhD from School of Social Sciences, Cardiff University, UK. His research examined the experiences of gay students within the university setting, with a particular focus on alternate, non-victimised, empowering narratives.