



Inequality Before the Law

A Study of the Legitimation of the 'Ghetto' Law
on Compulsory Daycare

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Abstract

The legitimisation of discriminatory policies is the phenomenon under scrutiny in the present study. The thesis is an extreme case study, that inductively analyses The Law on Compulsory Daycare through the ‘What’s the Problem Represented to be’ approach. Deductively, the policy is examined for the presence of othering, orientalism, and cultural racism. The problem representation assumes a binary hierarchy which results in a simplified understanding of ‘non-western’ culture attributed a few negative characteristics. The discriminatory policy is legitimised through the assumption that a lack of ‘Danish culture’ causes social problems of crime, non-participation, isolation, and under-performance in school in so called ‘ghettos’ and ‘deprived neighbourhoods’, which characterises as cultural racism, because it assumes the inferiority of ‘non-western’ culture. The thesis concludes that the ‘non-western’ is created as the ‘other’ in a way that is related to the merits of orientalism, but there is not found clear evidence of orientalism.

Keywords Othering, Denmark, discrimination, minority-majority, integration policy

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Chapter 1. Introduction

1.1 Introduction

Francis Fukuyama makes use of the expression “Getting to Denmark” as the process of developing good political institutions. *Denmark* is the democratic goal that developing states strive to become. Denmark has a reputation that it is an egalitarian democracy that is prime of its kind, utopian for most states worldwide, and enviable. “It is stable, democratic, peaceful, prosperous, inclusive and has extremely low levels of political corruption” (Fukuyama, 2011, p. 14). This study has been conducted in the light of a disruption of this image of Denmark as an inclusive, democratic, rule of law state.

In March 2018 the current government of Denmark published *A Denmark without parallel societies – No Ghettos in 2030* aka ‘The Ghetto Initiative’, which is a policy initiative which offers the solution to the problem of ‘parallel societies’ in Denmark (Regeringen, 2018). The Initiative offers a novel classification of residential areas based on five criteria regarding ethnicity, educational level, crime level, employment status, and income level of residents. In December 2018, 43 residential areas categorised as ‘deprived neighbourhoods’ of which 29 areas are categorised as ‘ghetto areas’. 15 of the 29 ‘ghettos’ are labelled as ‘hardcore ghettos’. The policies of the Ghetto Initiative target and only apply to the 43 ‘deprived neighbourhoods’ (Transport- Bygnings- og Boligministeriet, 2018). The policy initiatives set out to make ‘parallel societies’ disappear by 2030 through amendments to existing legislation in the areas of housing, crime, public daycare and education among other (Regeringen, 2018, p. 8). The initiatives restrict the rights and freedoms of the targeted people in a number of ways, some of which are enhanced penalty zones and increased policing in ‘deprived neighbourhood’, withdrawal of welfare support for incomers in ‘ghetto areas’, and compulsory public daycare for children living in ‘deprived neighbourhoods’. In relation to legitimisation of ethnic discrimination and the creation of the ‘immigrant other’, the Ghetto Initiative is interesting to study as it is situated and legitimised within an egalitarian democracy.

The exclusionary effects of the Ghetto Initiative are criticised and anticipated by the Office of the High Commissioner of Human Rights (OHCHR);

“Denmark’s new “ghetto-package” is hugely troubling & risks heightening racial discrimination against people of migrant origin – further “ghettoising” them. Coercive assimilation measures run risk of fuelling racial prejudice, xenophobia & intolerance – Zeid #FightRacism” (Twitter UN Human Right, 9:08 pm, July 3rd 2018).

On that note, this thesis is motivated to examine the discursive problem representation for cultural racism as the assumption of a cultural groups' inferiority. The Ghetto Initiative was published recently, and not much research have been conducted on it. Hence, this study wishes to contribute with knowledge of the legitimisation of policies at risk of being racially prejudice and discriminatory.

1.2 Purpose and aim

The background for conducting this study is the interest in contemporary Danish "Ghetto Law", hereunder Law no. 1529 of 18/12/2018 from now on referred to as The Law on Compulsory Daycare (Lov om Obligatorisk Dagtilbud), because it represents a departure from the basic egalitarian principle of equality before the law. The approach to this topic is to ask questions about the legitimisation of a clearly discriminatory public daycare policy, hereunder, how to understand the logic behind it. The aim is to analyse the problem representations in the Law on Compulsory Daycare as part of the Ghetto Initiative and through this analysis, to search for evidence of cultural racism, othering, and orientalism.

1.3 Research question

1. How is the departure from the Rule of Law discursively legitimised?
2. What's the problem represented to be in the Law on Compulsory Daycare specifically and in the 'Ghetto Initiative' in general?

1.4 Relevance for human rights

How a state treats the minority members of its population is a question of human rights. People as minorities face greater risk of being stigmatized, marginalized, and denied rights and freedoms. In many examples they lack meaningful representation in all areas of society. With rising populism in Danish politics and "change in paradigm" towards a stricter policy with regards to refugees, immigrants, and minority members of the population, many people increasingly face restrictions of their human rights and fundamental freedoms. When it comes to the Law on Compulsory Daycare, it is a question of discrimination, when people residing in different areas of the same city, have different freedoms in relation to socialisation of their children. Furthermore, the amount of influence that the discourse on Danish norms and values seems to have had on the law-making, speaks of a more general question of human rights for the minority population in Denmark. Their merits are judged in terms

of cultural norms, that they assumedly do not possess. Equality before the law is secured in, among other legal documents, the Universal Declaration of Human Rights;

“Article 7. All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination” (UN General Assembly, 1948).

1.5 Previous Research

To my knowledge there has not been conducted academic research on the Law on Compulsory Daycare yet. The research that lies prior to this study is about integration in Denmark. For that purpose, five scholars who have conducted research in the field of integration and education practices in relation to ethnic minority Danes are mentioned below.

1.5.1 Paradox of integration

Inger Sjørølev (2011) focuses on the tone of the debate on integration of immigrants in Denmark, particularly of Muslim immigrants. The question of her article is whether there are “particular cultural values in Denmark that shape the ways in which integration is conceptualized and practiced?” (Sjørølev, 2011, p. 78). Furthermore, the article focuses on the unneutral meaning of the concept of “integration” depending on intentions and attitudes (Sjørølev, 2011, p. 78).

The book by Jensen (2018) is “inspired by postcolonial theory, power-relation observant forms of cultural studies, whiteness studies, decolonial studies and critical race studies” (Jensen, 2018, p.8). The material is “conceptualized through a postcolonial prism” (Jensen, 2018, p.8). The theory used up until the final chapter can be described as a “post-colonial lens, reading the nation as entangled in colonialism and its aftermath” (Jensen, 2018, p. 173).

Jensen notes in the 8th chapter about the figure of the migrant that she inhabits “*two mutually exclusive zones*” in relation to the welfare state. Namely, “the reaffirmation of the existence of the benevolent welfare society, but also, as illegalized recipient” (Jensen, 2018, p. 175). This theory connects to that of Rytter (2018), who uses the concept of *social imaginaries* to examine the place of the concept on integration within the common social imaginaries (Rytter, 2018, pp. 812). One example of his analysis is that the scenario of *welfare reciprocity* in the social imaginary means that immigrants and refugees do not deserve welfare benefits because they have not contributed their fair share to the state during a lifetime, like native Danish people presumably have. The scenario of the social imaginary

leaves immigrants and refugees in an unbreakable state of negative reciprocity, where they are considered freeloaders of and a threat to the Danish welfare state (Rytter, 2018, pp. 9-10). Both Rytter and Jensen argue that the figure of the migrant in some cases is perceived as an undeserving recipient of welfare.

Another scenario in Rytter's article is the 'Hosts and Guests', which is based on the idea of a Danish monocultural and ethnically homogenous majority who demands of their "guests" to blend into this culture or leave the country (2018, p. 10). This leads to the problem that complete integration is never possible because there will always be new demands of integration. This is a paradox where "you are not ready to become integrated until you are like us, and you will not prove that you are like us until you are integrated" (2018, Rytter, p. 11, referring to Sjørsløv, 2011, p. 83).

Sjørsløv builds on the theory of discourses as forms of power inspired by Foucault (2011, p. 83). With theoretical concepts of *grammar of encompassment* and *dichotomous grammar*, she analyses the concept of integration in Denmark. She sees that the two forms of grammar are at play in the discourse on integration in Denmark. Namely, that the category of immigrants is encompassed in the category of the majority Dane, while also a dichotomous grammar makes a discursive boundary between the immigrant and the majority (Sjørsløv, 2011, pp. 84-85). The grammar of encompassment indicates a hierarchical relation between the categories, the "lower" understood as a category that has the potential to but do not yet fulfil the demands or possess the qualities of the "upper" category. The dichotomous grammar shows a relative division between the majority and immigrants. The boundary is changeable, and it is the majority that defines the point at which the immigrant has become integrated, not herself (Sjørsløv, 2011, p. 85). Thus, the paradox of integration is that the "change in meaning of central concepts may disguise intentions and create a discourse in which the real meanings and intentions are difficult to detect" (Sjørsløv, 2011, p. 79).

Furthermore, she identifies "hidden values and meanings attached to integration" for the sake of understanding what is behind 'the tone' of the debate (Sjørsløv, 2011, p. 88). She sees that sameness is a value in Denmark and that Danishness is perceived as inner qualities, and therefore 'Danish' is something that you can become not act (Sjørsløv, 2011, p. 88).

A third contribution that problematises the paradoxical nature of the concept of integration is Ejrnæs (2002). The main conclusion of the article is that the exceptional unclarity in the political use of the concept of integration is reflected in the academic use of the concept. According to Ejrnæs, this has serious impact on the ability of the research to show oppression and discrimination of ethnic minorities (Ejrnæs, 2002, pp.1-2).

The article by Horst & Gitz-Johansen has its starting point in the theory about monocultural and multicultural positions to ethnic complexity and theories of cultural hegemony when examining education of ethnic minorities in Denmark (2010, p. 138). The main finding of the paper is that a monocultural position has the hegemonic status in relation to policy and legal documents. The cultural hegemony leads to viewing deviations from the naturalised norm “in terms of deprivation” when monoculturalism as the position of the dominant political groups in relation to ethnic complexity of society. This position informs a “naturalized system of cultural norms which regulates inclusion and exclusion” (Horst & Gitz-Johansen, 2010, p. 138).

The ‘deprivation paradigm’ is that ethnic minority children’s educational underachievement in relation to ethnic majority children is explained in terms of their lack of a Danish precondition. Therefore, the measures to change the statistical underachievement seek to compensate for the lack of Danishness in terms of culture and language instead of focusing the critique on the educational system or structural racism in society (Horst & Gitz-Johansen, 2010, p. 141). The theoretical frame of the article does not lie far from that of Rytter (2018), because the focus of Rytter is the asymmetrical power relation between minority and majority caused by integration’s role in the social imaginary.

The social imaginary is characterized by a monoculturalist view on the Danish population. The position of immigrants, conceptualised in both the article of Rytter and of Horst & Gitz-Johansen, is a place where they are expected to possess a perceived Danishness, that only ‘native’ Danes have in order to be accepted and gain all rights, freedoms, and benefits of the Danish welfare state. The immigrant figure is kept in an asymmetrical power position relative to the majority Dane (Horst & Gitz Johansen, 2010, p. 141).

The previous research about integration policies and political discourses on the minority population in relation to the majority population in Denmark shows a tendency of monocultural logics that position ethnic minorities hierarchically lower in relation to majority Danes. Which in some research, like Rytter and Jensen, is found to lead to the perception of the migrant as undeserving recipient of welfare benefits. Other contributions, like Sjørsløv and Horst & Gitz-Johansen, see that cultural norms regulate who can be considered fully Danish citizens. Together they problematize the notion of integration and ‘Danishness’ for their vagueness and paradoxical nature that does not allow for the full inclusion of ethnic minorities within the perception of what it means to be ‘Danish’.

1.5.2 Situating the present study in previous research

The Law on Compulsory Daycare seems to depart from rule of law principles in its discriminatory application to ethnic minority groups in Denmark. With the policy in question, policymakers have made the word ‘Ghetto’ an official term, despite its tainted connotations. How this law is framed and legitimised in an egalitarian democratic state, such as Denmark, is what is examined in this study. The previous research is about discursive representations of minorities in relation to majorities in Denmark. It is in line with this research that this study has been designed. This study differs from the previous research in terms of the phenomenon studied, which is the legitimisation of the departure from the principle of equality before the law.

1.6 Delimitations

The Law on Compulsory Daycare is not the only current policy that is motivated through a narrow perception of ‘Danish’ norms and values. Integration and education are not the only areas in Denmark where it is possible to find assumptions and discourses that structurally place some groups of people in positions of disadvantage. However, the law chosen is identified as especially radical regarding discriminatory jurisdiction.

There are also other laws in effect which are discriminatory, for example other laws within the Ghetto Initiative that subscribes double penalty for several types of crime committed in the so-called ‘deprived neighbourhoods’ and ‘ghetto areas’. I have chosen to limit my work to one specific law, as I find it very important from a human rights perspective, how lawmakers motivate the laws that govern children of certain groups. The policies that engage in enhanced penalties are likewise problematic in relation to the rule of law. The choice to focus on the Law on Compulsory Daycare was done because I find it interesting how discrimination among children can be legitimised as it is unlikely that anyone would place responsibility on children due to their legal status as not fully developed persons. Furthermore, the choice landed on this law because it is framed to be in the children’s best interest.

1.7 Chapter Outline

This thesis consists of 5 chapters of which 4 are outlined below. Chapter 2 outlines the theories used in this thesis. The theoretical starting point are the theories about cultural racism, othering and identity formation. Subsequently Bacchi’s approach to discourse analysis called ‘What’s the Problem Represented to be?’ is outlined. In chapter 3 the methodological framework is presented, hereunder

the methodology of the ‘What’s the Problem Represented to be?’. This thesis is then put in the context of an extreme case study. Chapter 4 contains a ‘What’s the Problem Represented to be?’ analysis, which systematically addresses four main questions of the analysis (see chapter 3). Chapter 5 is a conclusion which discusses the findings of the analysis, the academic implications and validity of the study, and possibilities for future research.

Chapter 2. Theory

2.1 Identity formation and othering

The theory focuses on the impact that *othering* has on the process of identity formation. There are two main points on identity formation in relation to the theory of othering. One is the central role of language in identity formation. The second is the idea that the inferior identity of the ‘other’ is formed through the view of the powerful (Jensen, 2011, p. 64). Thus, identity is something that individuals discover and form in negotiation and dialogue with others (Taylor, 1995, p. 34). Taylor argues that *misrecognition* can shape inferior self-image and low self-esteem in which 'subaltern' groups can be imprisoned (1995, p.25). Thus, recognition is not only about respecting the minority group, "it is a vital human need" (Taylor, 1995, p.26). The theory of misrecognition is included in the theory chapter because it describes the possible effects that othering can have on the identity formation for a group of people who are subject to othering.

2.2 Othering

‘Othering’ as a theoretical concept is used in terms of sexual, racial, or class related oppression or domination. Thus, the process of ‘othering’ works on multiple dimensions of social differentiation (Jensen S. Q., 2011, p. 65). In all dimensions the process of ‘othering’ entails an essentialisation of persons, which means to attribute a few negative or romanticised characteristics to those persons (Jensen, 2011, p. 65).

“Consequently I define othering as discursive processes by which powerful groups, who may or may not make up a numerical majority, define subordinate groups into existence in a reductionist way which ascribe problematic and/or inferior characteristics to these subordinate groups. Such discursive processes affirm the legitimacy and superiority of the powerful and condition identity formation among the subordinate” (Jensen, 2011, p. 65)

2.2.1 Othering and stereotyping within postcolonial theory

One way that othering can appear is in the form of orientalism. Edward Said focuses on Orientalism as a way of understanding the Orient in terms of its place in the Western experience (1978, p. 1). Orientalism is based on an ontological dichotomy between the Orient and the Occident, that have been accepted as starting points for academic and cultural writers (Said, 1978, p. 2). Said sees Orientalism as a way of Western domination over the 'Orient' through cultural representation (1978, pp. 5-6). These cultural representations of the Orient are produced in the West through thought, imagery, and vocabulary (Said, 1978, p.109). The theory builds on Foucault's discourse theory, which enables to see the power related to knowledge and how this knowledge is produced and reaffirmed in discourses. Furthermore, Said is inspired by the notion of cultural hegemony that Gramsci describes as a dominant culture within a society that informs and leads the way for 'Orientalism' to become very influential (1978, p.7). It is the hierarchical representations and dichotomic representations of 'others' that shape understandings of relations between minorities and majorities, both the understanding that majorities or Europeans have of 'the Orient' and 'the Oriental' and how the minority or 'the Oriental' person thinks of herself.

The relational implications of Orientalism is that 'the Orient' is represented as being in the earlier stages of the process of becoming like 'the Occidental' (Said, 1978, pp. 66-67). 'Oriental' culture is considered as backwards in relation to European culture. Thus, "the Orient ("out there" towards the East) is corrected, even penalised, for lying outside the boundaries of European society, "our" world" (Said, 1978, p. 67). Orientalism is a framework of othering of 'non-western' culture, politics, religion, tradition etc., which is to distance, reduce and pathologise the image of 'the Orient' in the view of Europeans (Jensen S. Q., 2011, p. 64). The image of 'the other' is created through stereotypical representations. Orientalism is relevant for the representation of 'the other' in the case of the political discourse surrounding the Law on Compulsory Daycare because it is involved with categories distinguishing 'Danish' from 'non-western', which are similar to categories described in the theory of orientalism.

2.3 Cultural Racism

"Cultural racism and the problematization of ethnic minorities in Denmark has been associated with the strengthening in the public imagination of the concept of a homogeneous Danish culture, perceived as a historically rooted set of traditions now under threat from globalization, the EU, and from 'alien' cultures" (Wren, 2001, p. 148). Compared to pseudo-scientific assumptions of biological

inferiority assumed in traditional racism, cultural racism is a refined version that substitutes ‘natural’ with ‘cultural’ and thus makes cultural inferiority the justification for suppression (Wren, 2001, p. 142). The rise of cultural racism is linked to the development of the nation state that increasingly loses functions and legitimacy in the face of globalisation. The thesis is that the weakened boundedness of the nation and culture is met with a homogenous definition of national culture and hence, the exclusion of ‘others’ to support national identity (Wren, 2001, p. 141).

A discourse of cultural racism functions similarly to biological racism, since it creates culturally bounded groups. When culture is treated as absolute and unchangeable, it functions like nature (Wren, 2011, p. 156). Cultural racism justifies exclusion, since the meeting of cultures, that are assumed inherently different, is thought to lead to conflict. Another function of the discourse of cultural racism is to distort the discussions of social and economic inequality with the claim that it is a result of cultural difference. Hence, cultural racism thrives in countries like Denmark because national identity is considered culturally homogenous and therefore immigration assumedly threatens national identity (Wren, 2001, pp. 144-145).

The stereotypical and negative representation of ‘the other’ is paradoxically justified through liberal attitudes (Wren, 2001, p. 141). Contemporary Denmark has seen institutionalised and legally tolerated cultural racism (Wren, 2001, p. 146). The specificities of cultural racism in Denmark is that it, to a large extent, is publicly invisible. Since “cultural racism can be easily framed within the predominant discourses of a highly progressive welfare state”, where relative social and sexual equality can be used as an argument against cultures that assumedly allow social and sexual inequality (Wren, 2011, pp. 146-147). “This anti-Muslim discourse is accentuated by perceived sexism, a phenomenon noted by Wallerstein (1990), where Western values are regarded as universal, and Islamic women are therefore perceived as being oppressed both by their religion and by their men, serving as further justification for discrimination. In the light of the achievements made by the feminist movement in Scandinavia, this argument is particularly vociferous in the Danish context.” (Wren, 2011, p. 148).

2.4 ‘What’s the Problem Represented to be?’

The focus of the book by Carol Bacchi is the role of the government in the production of specific understandings of a problem (2009, p.2). She challenges the conventional idea that public “policy is a government’s best attempt to deal with ‘problems’” (Bacchi, 2009, p. 1). This approach to policy analysis, however, has the proposition that we are governed through problematisations and thus, asks

the questions of how the policy problems are understood and uncovers these implicit assumptions of said problems (Bacchi, 2009, pp.1, 25).

The theoretical underpinning of Bacchi's article (2009) is Foucauldian in the sense that in order to understand a problem representation one must look at the knowledges that presumes the policy (Bacchi, 2009, p. 5). It is this view that no knowledge is neutral, that informs Foucault's understanding of governmentality and power, which is a key theoretical concepts of the 'What's the Problem Represented to be?' (WPR) approach (Bacchi, 2009, pp. 25-26). Foucault differentiates between different forms of ruling power, namely sovereign power, disciplinary power and governmentality. The power linked to governmentality targets the population through social and economic policy (Bacchi, 2009, pp. 26-27). Thus, the population is problematized as a technique of governing (Bacchi, 2009, p. 27). The WPR approach proposes that problematisations are inherent in every rule or policy and to understand the thought behind the rule, one must study the problematisation that it makes (Bacchi, 2009, p. 31).

The second proposition of the WPR approach is to study problematisations rather than 'problems'. In line with social constructivist thinking it is assumed that the government actively creates policy 'problems', rather than reacting to existing 'problems', that are independent of the apprehension of said 'problems' (Bacchi, 2009, p. 33). Some constructivist ideas appreciate the role of the individual as an active part in creating her own understandings of the world. The WRP approach assumes that social processes play a role in creating the knowledges through which we understand the world. Hence, the WPR approach places the government's production of problematisations at a privileged position in shaping knowledges. The theory says that the understandings of 'problems' produced by governments "take on lives of their own" (Bacchi, 2009, p. 33). Additional to the notion stated above that knowledge is never neutral, the WPR approach assumes that "no 'knowledges' exist apart from the statements that constitute them" (ibid: p. 35). Thus, the purpose of the WRP approach is to question the perceived truths (p. 35).

The third proposition of the WPR approach is that a policy analysis must examine the assumptions and presuppositions behind the problem representations of the policy (Bacchi, 2009, p. 39). The purpose of this is to identify and assess the political rationalities that inform the policy. This part of the WPR approach makes clear the theory that power is productive and policies are made within complex power relations. Power is productive, since power produces the problem representations and certain ways of thinking and knowing about different issues. When for example the government enforce a certain way thinking about a 'problem', this will have implications for the people the

‘problem’ concerns. Thus, discourse and problem representation are best understood in terms of how they affect the conditions of the people involved (Bacchi, 2009, p. 40).

Bacchi has the theoretical understanding of dichotomies in policies that function to exclude one side of the implied hierarchy of the problem representation (2009, p. 7). Furthermore, Bacchi argues that how political problems are represented have significance for how people are treated, and how subjected groups or individuals think of themselves (2009, p.1).

The ‘What’s the Problem Represented to be’ approach, that Bacchi (2009) uses, is both a theory and a method in the sense that it builds on Foucauldian theory and subscribe a method for analysis of policy discourses. Within the field of discourse analysis there exists various perspectives based in distinct theoretical assumptions. Common for most approaches to discourse analysis is that they are based in a premise of social constructivism in their understanding of the role of language (Jørgensen & Phillips, 2002, p. 4). Where they differ is in their theoretical framework and methodological guidelines. The methodological guidelines of the WPR approach will be described in the chapter on methodological framework.

Chapter 3. Methodological framework

3.1 What’s the Problem Represented to be?

The methodological tools used to explore the research problem of this thesis is the ‘What’s the problem represented to be approach’ by Bacchi (2009). The approach will be used to conduct an analysis of the policy documents legitimising the Law on Compulsory Day Care.

The aim of the method is to be able to critically asses the policy by examining the assumptions that have led to the problem representation and the discursive and lived effects that it brings. *“Tak[ing] nothing for granted”* (Bacchi, 2009, p. ix) of what is represented by policy makers as truths about a given issue nor the people involved in that issue and how the cause of the issue is understood.

The analysis will be conducted in accordance with the 4 of the 6 questions of WPR outlined below;

1. What’s the problem represented to be in a specific policy?
2. What presuppositions or assumptions underlie the representation of the problem?
3. How has the representation come about?
4. What are the silences. What is left unproblematic?
5. What effects are produced by this representation of the problem?

6. How/where has the representation been produced and defended. And how could it be questioned, disrupted and replaced?

(Bacchi, 2009, xxi)

Of the 6 questions, question number 3 and 6 have been left out, due to their historical character, which would take up more time and space than available for this thesis.

3.1.1 Operationalisation of the 4 questions

The operationalisation of the first question of the WPR-analysis is to ask what is made problematic in the policy. What does the policy suggest solving and why? (Bacchi, 2009, pp. 1-3). Several *problem representations* are identified in The Ghetto Initiative respectively and interrelating, since the Ghetto Initiative hold several policies that have a number of complex problem representations within them. Thus, the general problem representations of the Ghetto Initiative are outlined together with the problem representations of the Law on Compulsory Daycare.

The second question is about finding the *conceptual logics* that make the problem representation meaningful. These underlying *assumptions* and *prepositions* are found through the examination of *key concepts*, *binary hierarchies*, and *dichotomies*. The analysis has been conducted through the identification of binary hierarchies, key concepts and dichotomies that are internal to the problem representations. The observables are the contradictions, implied hierarchies and taken for granted knowledges that form the foundational argumentation for the policy. In this section the represented responsibility is also examined because binary hierarchies often function to exempt on side of the hierarchy from responsibility (ibid, pp. 7-9). Hence, examining where responsibility is represented to be can clarify the relation between the binaries.

The third question (corresponds to question 4 in the overview above) is answered by exploring the possible other ways to represent the ‘problem’ in question. Critical scrutinization of the implicit assumptions makes it possible to question these and hence, ask the question; how would the problem representation have looked had the underlying assumptions not been accepted? Examining other conceptualisations of the problem representation can be carried out by identifying what is left unproblematic. Problematising this gives one an alternative problem representation that have been *silenced* in the policy (ibid, p. 12).

The fourth question (corresponds to the 5th question above) of the analysis is answered building on the analysis of implicit assumptions and prepositions of the problem representations established in

the answer to questions 1 and 2. The outcomes of the problem representations are examined in this section. Respectively the *discursive*, the *subjectification*, and the *lived effects* of the problem representations are assessed. The discursive effects are identified by asking the question; What are the limits to what can be said and thought about the ‘problem’ and the people involved in it? (ibid, p. 15). The subjectification effects are examined by identifying how societal relationships are constructed and which positions different groups of people have within them (ibid. p.16). Thinking about the possible effects of stigmatisation and discrimination on the identity is also considered here. For the purpose of reflecting on the possible subjectification effects theoretical observations from Taylor (1995) about identity formation and othering are included in this section. The lived effects are assessed by looking at the concrete changes that the policy and the problem representations within it bring about. *Categorisations* are considered here, as the categories that people belong to decide whether the policy is targeted at their lives or not.

3.2 Extreme case study

This study lies within the methodological frame of a single case study. The case selection was done on the grounds that the Law on Compulsory Daycare is an extreme case of a western government that engages in discriminatory policy. The Law on Compulsory Daycare is valuable to study due to its extremity and possibilities of generalisation will not be explored. The Law on Compulsory Daycare and the policies of The Ghetto Initiative seem to depart from basic egalitarian principles, that generally are celebrated in a Danish context. Thus, the case has been chosen because of its empirical deviance and extremity.

Case studies are often performed with the aim of “exploring causal relationships incapsulated in these cases” (Gerring, 2007, p. 102). However, this study is not preoccupied with causal relations of the phenomenon of discrimination and cultural racism in western democracies. This study is occupied with exploring the discriminatory policies in an egalitarian democracy that follow the rule of law. Furthermore, it seeks to explore whether the discriminatory policy is a case of cultural racism.

The policy is a case of discrimination as the Law on Compulsory Daycare only applies to a group of people defined by various criteria of ethnicity, employment, educational level, crime rates and in the postal code. The case is examined for the type of discrimination that the problem representation produces. It is the hypothesis that the problem representation of the Law on Compulsory Daycare and the Ghetto Initiative in general contains and produces cultural racism.

Extreme cases are traditionally studied with the intent to understand a given phenomenon clearly. It is the assumption that in extreme examples of a phenomenon it is possible to understand the surrounding structures clearly (Gerring, 2007). This study aims at understanding a pattern for legitimising discriminatory policies, since the extreme case of the Law on Compulsory Daycare in Denmark could possibly set precedence for other egalitarian democratic states.

3.3 The consequences of the choice of method

The WPR analysis is intended to examine policies, with the assumption that the representation of a given problem can cause harm to some members of society disproportionately (Bacchi, 2009, p. 15). One weaknesses of using the method of WPR is that it does not allow me to cover a wide range of policies and discourses, since it is a qualitative method, which requires in depth understanding of a specific material, which is not possible to do to a wide range of material within the given time and space limits of this research. Thus, claiming continuity and generality of the conclusions of this research will be more complicated to motivate and not as convincing as a study of all policies and discourses on integration and socialization of ethnic minority members of western egalitarian societies.

Chapter 4. Analysis: What's the problem represented to be in the Ghetto Initiative and the Law on Compulsory Daycare?

In the following section the second research question will be addressed in a WPR-approach to a discourse analysis of the 'Ghetto' Law in Compulsory Day Care. The analysis is structured around 4 questions of the WPR-approach.

4.1 The Ghetto Initiative

The choice of material for this study is policy documents regarding recent Danish policies that contradicts the picture that Fukuyama (2011) describes of Danish political institutions as democratic and inclusive. Thus, the material is chosen because of its empirical extremity in an international perspective where discriminatory and excluding policies are not thought to exist.

The material used for this WPR analysis consists of the Government's publication *A Denmark without parallel societies – No Ghettos in 2030*, (my translation, all further translation of this material is mine) (Regeringen, 2018), which is the political initiative, in popular terms called 'The Ghetto Initiative'. The material chosen contains the argumentation and discourse legitimising the Law on Compulsory

Day Care and the Ghetto Initiative. It was chosen to get as close as possible to the political discourse that informs the law in question. As the research problem concerns the discursive representation of the relation between minority and the majority population governed by the Law on Compulsory Day Care, the primary material would be the documents that state the motivation for the law by the authorities in power to create and endorse it.

The ‘Ghetto Initiative’ is a 40-page long policy initiative delivered by the current government of Denmark. It consists of 22 initiatives which together shall demolish the perceived ‘parallel societies’ by 2030. The complex ‘package’¹ of initiatives suggest amendments to existing housing legislation and physical demolition of housing in ‘deprived neighbourhoods’. The Ghetto Initiative engages in discriminatory criminal law, the ‘enhanced penalty zones’ and increased policing in ‘deprived neighbourhoods’. The policy of particular interest for this study is the Law on Compulsory Daycare for children residing in so-called ‘parallel societies’ from the age of 1 (Regeringen, March 2018, p. 8). The parts of the Ghetto initiative that are relevant for this research are the introductory chapters, that holds a general problem representation of why efforts against ‘parallel societies’ are needed (ibid, pp. 4 – 9). The second part of relevance for this research is chapter four of the Ghetto Initiative “A good start to life for all children and youths” (ibid, pp. 24-30) which presents the policy initiatives that are directed at children, youth and their parents including the Law on Compulsory Daycare. The Danish ‘ghetto areas’ and ‘deprived neighbourhoods’ are categorised and distinguished from each other on the grounds of five main criteria, of which two must be fulfilled.

“1) The share of immigrants and descendants from non-western countries exceeds 50 pct. 2) The share of residents in the age ranged 18 – 64 years that are outside the labour market or educational system exceeds 40 pct. 3) The share of persons convicted for violating The Criminal Code, The Firearms Act, or the Law on Euphoria-inducing Substances exceeds 2,7 pct. of the total amount of residents. 4) The share of residents aged 30-59 years that solely attain an elementary school education exceeds 60 pct. 5) The average gross income in the age group 15-64 years in the area, excluded people applying for education, represents less than 55 pct. of the average gross income for the same group in the region.” (Ibid, p.11).

‘Deprived neighbourhoods’ must fulfil two of the five criteria. ‘Ghetto areas’ must fulfil either two of the criteria numbered 1, 2, and 3, or be on the list of ‘deprived neighbourhoods’ and have a share

¹ The Ghetto Initiative is also known as ‘The Ghetto Package’

of ‘non-western immigrants and descendants’ that exceeds 60 pct. of the total amount of residents (ibid, p. 11).

The 22 initiatives were law proposals presented in March 2018. The Law on Compulsory Daycare was enacted on December 18th, 2018. The initiatives on changes to the housing law in ghetto areas were enacted in November 2018.

The Law no. 358 of 29/04/2018 which is known as the Law on Enhanced Penalty (Lov om Dobbeltstraf) for crimes of aggravated assault committed in deprived neighbourhoods was enacted on May 2018.

The Law on Compulsory Daycare is the policy of interest to the thesis. For the purpose of understanding the full scope of the problem representation in the policy, the overall presentation of the Ghetto Initiative is analysed in connection hereto. The 22 initiatives are however not included in the analysis. The preliminary problem representation of the initiative to demolish ‘parallel societies’ in 2030, including the categorisation and definition of ‘deprived neighbourhoods’ and ‘ghetto areas’ is analysed alongside the Law on Compulsory Daycare as the law is best considered within the cluster of laws that it belongs to.

4.2. What’s the problem represented to be in the Law on Compulsory Daycare?

The problem that is represented in the Ghetto Initiative is that children in deprived neighbourhoods are isolated from the Danish mainstream society. ”Too many children in deprived neighbourhoods live in isolation from the Danish society” (Regeringen, 2018, p. 24).

The isolation results in lack of Danish language proficiency and knowledge of Danish norms and values. ”It may mean that the children rarely meet Danish children and youth and consequently do not get acquainted with the norms and values that the Danish society is founded on, and only to a limited extent learn the Danish language” (ibid., p. 24). Thus, we initially see two implicit problem representations in the policy on compulsory daycare. Namely the lack of Danish language proficiency of children living in deprived neighbourhoods, and the lack of knowledge of Danish norms and values.

In order to get a more thorough understanding of the problem representation, it is meaningful to examine how the sanctions for non-compliance of the law are applied. ”Parents have a duty to let their children attend a language examination and language stimulation. In case the parents do not live up to this obligation, it is the municipality that shall decide on the cessation of the child benefit” (ibid., p. 24). In this quote the problem that is represented is the parents’ unwillingness to enrol their

children in daycare. The parents who live in the deprived neighbourhoods are contrasted to the 'Danish society', and the parents' choice to care for their children at home is equated with 'isolation'. The Law on Compulsory Daycare is part of the Ghetto Initiative and contains complex problem representations (Bacchi, 2009, p.4). Thus, examining the problem representations of the Ghetto Initiative in general serves as supporting the analysis of the specific policy on compulsory daycare. So far, it is shown that the responsibility of the problem is represented to belong to the parents, who are unwilling to let their children enrol in public daycare. This representation resonates with the overall problem representation of the existence 'parallel societies'.

"The individual immigrant holds the greatest responsibility. To learn Danish. To get a job and become part of the local community. To become integrated in his/her new homeland. Way too few have seized the opportunities that Denmark offers. Even though Denmark is a society with security, freedom, free education and good job opportunities." (Regeringen, 2018, p. 5).

The immigrant is represented to hold the biggest responsibility for the existence of 'parallel societies', since Denmark offers good opportunities, that have not been seized. Two other explanations are given to the problem of 'parallel societies'.

"As a society we have for too long failed to set the necessary demands. We have had way too low expectations to the refugees and immigrants who came to Denmark. We have not given sufficiently firm demands about jobs and self-support. That is why too many immigrants have ended up in long term passivity" (Ibid, p. 5.).

The quote states that the Danish society is partly responsible for the existence of 'parallel societies' in terms that the demands towards refugees and immigrants have not been firm enough.

The third reason presented is that too many refugees and family reunified have been allowed into Denmark. The use of the words "have been allowed to lump together" (ibid, p. 5) and "we have not given sufficiently firm demands" shows that the responsibility is represented to lie with immigrants first and foremost. However, the 'lumping together' and the 'long term passivity' could have been avoided had the state denied the immigrants the freedom to do so. Thus, the direct cause of the existence of 'parallel societies' is the behaviour of the immigrants and refugees themselves. The indirect causes of 'parallel societies' are for one that Denmark allowed immigrants and refugees to

enter the country and secondly, that Denmark allowed immigrants and refugees to isolate themselves in ‘parallel societies’.

One of the problem representations in the Ghetto Initiative is the amount of ‘non-western’ immigration into the country. “The growth in the population comes from outside. Both immigrants and descendants of immigrants. Most of the new Danes have a non-western background” (Regeringen, 2018, p. 4). Another and related problem represented is the non-participation in society by many non-western ethnic minorities resulting in ‘parallel societies’. “[T]oo many do not actively participate. Parallel societies have occurred among people of non-western background. Way too many immigrants and descendants have ended up without any connection to the surrounding society” (ibid., p. 4). The problem representations that ‘non-western’ immigration is large in numbers and that many of these immigrants are non-participatory in society can be considered together with the problem representations behind the Law on Compulsory Daycare. Doing so, it is evident that the problem of the children’s lack of Danish language proficiency and knowledge of Danish norms and values are causally connected to the group ‘non-western immigrants’. Their being ‘non-western’ immigrants and the high numbers that they represent cause the isolation from Danish society.

4.3 What presuppositions or assumptions underlie the representation of the problem?

The conceptual logics that are necessarily in place for the problem representation to make sense are examined in this section. The following section analyses the government’s use and understanding of key concepts, hierarchical binaries and categories.

The discourse of the government shows the belief that there is a fundamental difference between Danish people and non-Danish people.

“Most citizens with non-western background originate from societies built on fundamental values that are markedly different from the Danish fundamental values. Many descendants include Danish values and norms into their way of life. But there is also a large group who does not (Regeringen, March 2018, p. 7).

In the quote above the contrast between ‘non-western’ values and ‘Danish’ values is highlighted. Furthermore, it is described how some ‘descendants’ do adapt to ‘Danish’ norms and values, while some do not. Normatively favoured are those of ‘non-western’ ethnicity who do adapt to Danish norms and values. This is evident in the following statement that “The strong growth in population of citizens with non-western origin has provided breeding ground for parallel societies where Danish

norms and values are not the primary ones” (ibid, p.7). Thus, it is clear from the statement that the ‘Danish’ norms and values are wanted, while ‘non-western’ values are not wanted, if they exist in isolation from what is perceived as ‘Danish’ norms and values.

The following statement establishes a contrast between ‘non-western’ ethnic minorities’ culture and the modern democratic values of freedom, equality, and tolerance that are defined as the fundamental Danish values. ”It is a threat to our modern society when freedom, democracy, equality, and tolerance are not accepted as fundamental values. And when rights and duties do not go hand in hand” (Regeringen, 2018, p. 5). The statement is based on statistical surveys that are used to outline the cultural differences between majority and minority Danes throughout the Ghetto Initiative. One of which is that social control is more prevalent among ethnic minorities exerted over women. “Social control is more prevalent among persons of non-western descent than among persons of Danish descent” (Regeringen, 2018, p. 5).

A second example of contrasting the ‘values of ethnic minorities’ with ‘Danish’ values are seen in the following quotes; ”Approximately one in ten young male descendant with non-western background are convicted of breaching The Criminal Code, The Firearms Act, or the Law on Euphoria-inducing Substances on a yearly basis” (Regeringen, 2018, pp. 5-6).

That it is a threat to the Danish society when rights and duties do not go together strengthen the discourse about non-participation in society.

The problem represented is that the ‘non-western’ young descendants are criminals because they lack ‘Danish values’. This might look as a statement of fact. However, because it is connected to lack of ‘Danish values’ it implies cultural racism, as ‘Danish values’ can prevent crime among young males. A multicultural perspective would argue for the possibility that the young descendants lack ‘their own’ norms and values and that norms and values from other cultures than the Danish could help prevent crime.

The discourse above describes a group of people who are culturally different from majority Danes. They are associated with crimes related to drugs and weapons, female oppression, and isolation among themselves. The binary between the two cultures simplifies the merits of the two and the relationship between them. It creates a hierarchical relationship that explicitly favours Danish culture over ethnic minority culture (Bacchi, 2009, p. 7).

One of the key concepts of the overall problem representation about the existence of ‘parallel societies’ is isolation. The problem representation describes the position of the ‘immigrants and descendants’ as ‘without connection to the surrounding society’. The isolation is evident since the

‘immigrants’ are “[w]ithout education. Without job. And without being able to speak Danish adequately” (ibid. p 4). ‘Parallel societies’ are in the problem representation associated with non-participation, lack of connection to the surrounding society, lack of education, unemployment, and lack of Danish language proficiency. Thus, ‘parallel societies’ are assumed to be made up of a group of people, who are isolated from the surrounding society, because they are not educated, employed or able to speak Danish.

”Isolation from society (header). Approximately 15 pct. of all families with non-western background show several signs, that may signify that they live relatively isolated from mainstream society. The average family live in social housing (in Danish; *alment boligområde* translates to normal residential area), where many residents have a non-western background. At least one adult in the family is long term passive on the labour market. And does the family have children, then they attend a daycare institution or a school where many of the children have a non-western background” (ibid, p. 5).

In this quote we get a further specification of the meaning of isolation. Living in social housing along with other families of ‘non-western’ ethnicity is one factor associated with isolation. Long-term unemployment of one adult in the family is another factor associated with isolation. Considering ‘the good job opportunities’ mentioned in the general problem representation about ‘parallel societies’ above, it is indirectly hinted that unemployment is due to reasons beyond structures of the labour market. Thus, it is not the state that holds the main responsibility for long term unemployment of members of ethnic minority families. A third factor associated with isolation is that children of the family attend public daycare or school with many ethnic minority pupils.

The parameters of isolation are in sum some level of unemployment, lack of education, lack of Danish language proficiency, and children of a family attending public daycare and public schools with many children of non-western ethnicity.

Another key concept of the problem representation is the term ‘non-western’. The term is used 39 times in the throughout the Ghetto Initiative (Regeringen, 2018). However, the term is not defined throughout the publication. Statistics Denmark defines the categorisations ‘Western’ and ‘non-western’ in the following way;

“Western countries: All 28 EU-countries and Andorra, Iceland, Liechtenstein, Monaco, Norway, San Marino, Switzerland, Vatican City State, Canada, USA, Australia, and

New Zealand. Non-western countries: All other countries” (Danmarks Statistik, 2017, p. 3).

As nothing else is stated in the Ghetto Initiative, there is reason to assume that the government adheres to this categorisation as it is the most official definition found. It is also worth noting that no other country uses this categorisation for statistical purpose (Ibid, p. 3).

‘Non-western’ as a category includes one of two parts of the world and is too broad for the narrow understanding of ‘non-western’ culture presented in the Ghetto Initiative. The basis for the created ‘other’ of the Ghetto Initiative is vague and unclearly defined as the cultures of all other countries than the 40 ‘Western’ countries cannot meaningfully be attributed the same handful of characteristics.

4.3.1 Culture as conflict and threat

It is evident from the Ghetto Initiative that the perceived culture of ethnic minorities is considered a ‘threat’ to the Danish society. Establishing a dichotomy between the two cultures shows an implicit assumption of culture as narrowly defined because the dichotomy is founded in only a handful of values and norms belonging to ‘each’ culture. Declaring that ‘non-western’ culture is a threat to ‘Danish values’ implies a belief that perceived fundamental different cultures will conflict when they meet (Wren, 2001, pp. 144-145). However, it is only the case that ‘non-western’ culture is a threat to Danish society when groups of people lack ‘fundamental Danish values’ as their primary norms and values. Thus, it is assumed that ‘fundamental Danish values’ can be included into the culture of people of ‘non-western’ descent.

”Many immigrants are luckily doing well. In companies across the country the everyday co-working runs smoothly colleague to colleague” (Regeringen, 2018, p. 4). Mentioning that the everyday co-working between majority and minority Danes in many workplaces runs smoothly implies that there is a potential for cultural conflict in the workplace. The quote also shows an assumed potential that ethnic minorities’ culture does not conflict with the culture of the Danish majority. Thus, the fundamental difference that is discursively produced, as shown above, is not absolute. On the contrary, the assumption that societal participation and interaction with ethnic majority Danes through employment, education and public daycare help combatting ‘parallel societies’ indicates that there is room for change within the culture of ethnic minorities.

It is stated that the Danish society is threatened by those people who do not accept freedom, democracy, equality, and tolerance as fundamental values. The components of the threat in relation to the acceptance of ‘fundamental Danish values’ are not explicitly elaborated upon.

Stated below is another forecast of what could happen if nothing is done to combat parallel societies:

”It is about to be the final call. In parts of Western Europe massive challenges with ghettos and parallel societies have occurred. In Denmark we have not reached that point yet. And that is why we shall put in massive effort now so that we can stop the development before the problems become impossible to solve.” (ibid, p.6).

Using the words ‘ingrown’, ‘massive challenges’, and ‘impossible to solve’ to describe ‘parallel societies’ creates them as very severe issues. It creates a ‘now or never’ rhetoric about solving the problem of ‘parallel societies’, since if it is not done now, it will be impossible to do in the future. Thus, there is assumedly an overhanging danger of the ‘parallel societies’ to develop more problems that cannot be solved. The potential for becoming an ‘ingrown’ and severe problem legitimises the use of solutions targeted severe problems.

Other statements about how ‘parallel societies’ and the problems representations associated with them cause harm to society are the following; “Parallel societies are a great burden to the social cohesion of society and to the individual” (ibid, p.5), “It is an economic burden when citizens do not participate in the labour market” (ibid, p.5). Added to the threat that non-acceptance of ‘fundamental Danish values’ pose and the risk of having the ‘parallel societies’ become ‘ingrown’ and impossible to solve, is that ‘parallel societies’ are a burden for social cohesion, a burden for the individual, and a financial burden due to the citizens who are unemployed.

4.3.2 Child’s best interest

The representation of the problem that ethnic minority parents are unwilling to enrol their children in daycare implies that neither parents nor children will be considered within the group ‘the Danish society’. It is written that children in ‘parallel societies’ possibly rarely meet ‘Danish children’. Creating a dichotomy between ethnic minority families and ‘Danish’ culture, values, and society dismisses the possibility that parents residing in ‘deprived neighbourhoods’ or ‘ghetto areas’ can socialise their children according to the perceived ‘Danish’ values.

It is taken for granted knowledge that children will have a better start to life if they are forced to attend public daycare. The section title; “A good start to life for all children and youth” (Regeringen, 2018, p. 24) implicitly claims that ethnic minority children who do not attend daycare from the age of one will not have a good beginning to their lives. This relies on the implicit assumption that ‘Danish norms and values’ are significantly better in providing conditions in the child’s best interest. The

assumption is evident in the use of scientific references to child development when arguing for the law on compulsory daycare. “Research shows that an early effort (0-3 years) to strengthen the cognitive, social and emotional competences of children is the most cost-efficient effort” (Regeringen, 2018, p. 24). Implicitly, the government states that the development of cognitive, social, and emotional competences in children are at risk when the ethnic minority child does not attend public daycare institutions from an early age. It does not follow from the research mentioned that this exact intervention is required. The research says that early efforts to strengthen cognitive, social, and emotional competences are most cost-efficient. It does not say that the way to do it is through compulsory daycare policies. That an ‘early effort’ is exclusively important among ethnic minorities is not a part of the research either. Nor does it state that ‘early efforts’ is what is in the child’s best interest, nor the best interest of the family. The expert reference is used to stress that early efforts in relation to strengthening the cognitive, social, and emotional competences in children are in the best financial interest of the state.

The problem representations that children who are isolated in ‘parallel societies’ lack Danish language proficiency and lack knowledge of Danish norms and values will assumedly have both implications for the child at present but is also connected to the future learning in school and learning in a workplace. ”It can have a negative effect on the child’s life here and now, learning in school, and later on in upper secondary education and on the labour market” (ibid, p. 24).

The risk that children will have been affected by the conditions of living in a parallel society to an extent that it will have consequences not just for her wellbeing as a child, but also for its education and work life legitimises the policies that will prevent this from happening. “The consequence may be that the children are less capable of engaging in adult life with higher education, self-support, and active participation in society” (Ibid, p. 25). The motivation is found both in the protection of the child’s best interest ‘here and now’ and in the potential financial burden to society that an adult that do not have the competences to participate in the labour market is. Following, the conclusion is “a need for intensified efforts to secure that all children will have a good start to life” (Regeringen, 2018, p. 24).

The solution to the problem representations of isolated children who lack language proficiency and knowledge of ‘Danish’ norms and values is to give them exactly that through secondary socialisation in public daycare among ethnic majority ‘Danish’ children and adults. It is done with the help of financial sanctions if the parents are unwilling to let their children enrol in public daycare. Thus, interaction with people of ‘Danish’ culture and language is assumed to have positive effects on the

problem represented. The assumption is that the culture of people living in ‘parallel societies’ is changeable.

The state attempts to socialise the children of the ‘parallel societies’ by enrolling them in public daycare institutions. The logic is that the children if institutionalised from the age of one will internalise ‘fundamental Danish values’ which together with improved Danish language proficiency will create them as participatory citizens in terms of education and labour market and interaction. It will prevent them from internalising the unwanted norms and tendencies of the parallel society. If the child is socialised in line with the norms and values of the parallel culture, she poses the risk of becoming a ‘burden’ in terms of inability to be ‘self-sufficient’ and ‘participate in society’.

4.4 What are the silences? What is left unproblematic?

One key element which is left unproblematic is the notion of responsibility for the existence of ‘parallel societies’. It is noted that the primary responsibility resides at the ‘individual immigrant’. However, the secondary responsibility that is held by the state also concerns the behaviour of the ‘immigrants’, since it is the state that has ‘allowed immigrants to lump together’ and allowed ‘immigrants’ to be non-participatory. Stressing that the development of ‘parallel societies’ was a process that could have been prevented by not allowing certain types of behaviour, stresses the personal responsibility of the citizens and weakens it as a structural issue.

The responsibility for the problem represented about under-performing children is represented to lie with the parents who are unwilling to enrol their children in public daycare. Possibilities for shared responsibility could be that parents do not trust daycare personnel due to the personnel’s lack of cultural understanding and sensitivity. A general stigmatisation and discrimination of cultural minorities could also be partly responsible for why some ethnic minorities do not perform well in comparison to majority Danes in the educational system. The argument is that the unequal power relation between ethnic minorities and majorities can explain why minorities do not perform adequately in the statistics. Thus, when policies that deprive a minority of freedoms that the majority holds are implemented to erase the statistical under-performance of ethnic minority children in the educational system it only reinforces the existing power relation causing it.

In relation to the justification of the law on compulsory daycare for the children residing in ‘deprived neighbourhoods’ it is worth noting that the law does not comment on the effects of ethnic majority parents keeping their children at home after the age of one. Hence, what is problematised is not keeping children at home in general. The problem represented is that children of ethnic minority

families are kept at home longer than until the age of one. Thus, it is the assumption that a child born to ethnic majority parents has less of a need for socialisation through public daycare than children living in 'ghetto areas'. Furthermore, the representation that the solution to the educational underperformance of children in 'ghettos' or 'deprived areas' is related to the internalisation of cultural norms and values will not be dismissed here. However, a multicultural perspective would suggest that the internalisation of 'Danish' as well as 'non-western' culture might in that case positively affect the wellbeing of children and their ability to perform well in school and later in life. The problem representation that underlies the Law on Compulsory Daycare includes the risk that children of 'parallel societies' will not be able to be economically self-sufficient as adults. The 'good job opportunities' in Denmark are left unproblematic in relation to workplace discrimination. A study from 2018 shows "that applicants with Middle Eastern-sounding names on average have to apply for 52 per cent more jobs to receive the same number of callbacks as applicants with Danish-sounding names" (Dahl & Krogh, 2018).

Similarly, it can be argued that the Ghetto Initiative silences the possible causes of 'parallel societies' in relation to the nature of the housing market in Denmark. The 'deprived neighbourhoods' consist of social housing with low rent compared to private housing market (Næss-Schmidt, Heebøl, & Kilsdal, 2019). Structural factors could explain why ethnic minorities in relatively high numbers reside in low rent social housing. If they had the means to purchase housing in the private market, it is likely that more of them would have done so. The structures of the Danish housing market are silenced in the explanations of 'parallel societies'. Where the individual behaviour of 'lumping together' is favoured as explanation and cause.

A silence in relation to the criteria of being listed as a 'deprived neighbourhood' or a 'ghetto area' is that people who are not considered 'non-western' are also represented in the statistics. It is silenced in the problem representation of 'parallel societies' that there are people of 'Danish' or 'western' origin who affect the statistics by not being self-sufficient, having been convicted of a crime, not having completed higher education or have a relatively low income level. It is not considered of equal importance or risk to society that there are people of 'Danish' background who do not participate in society according to the proposed criteria for isolation.

The definition of what constitutes 'parallel societies' is taken for granted knowledge. The Ghetto Initiative does not compare other groups of people than the one highlighted as especially prone to creating 'parallel societies' in a way that relates to the definition of 'parallel societies', namely the group of 'non-western' immigrants and descendants. 'Non-western' immigrants and descendants

represent a non-homogenous group of people from different countries of all ages, educational levels, etc. Thus, it is not examined whether groups of 'Danish' or 'western' people could fall under the criteria of a parallel society.

4.5 What effects are produced by this representation of the problem?

4.5.1 Discursive effects

The discursive effect of the problem representations is that ethnic minorities are defined as the group 'non-western immigrants and descendants'. The group is produced to be located external to what is considered the real 'Danish society' and 'Denmark'. "Denmark shall continue being Denmark. The places where we have got 'parallel societies' shall become Denmark once again" (Regeringen, 2018, p. 6). And the specifics of the difference are attributed to culture, norms and values.

The Ghetto Initiative does not claim that all 'non-western' ethnic minorities are problems to Denmark due to their culture. However, the logic is that the 'non-western immigrants and descendants' can accept the 'fundamental Danish values' and children can be brought up to internalise Danish culture through public daycare. 'Denmark can become Denmark' again. The potential for change of culture and behaviour together with 'the necessary demands' places additional expectations to live up to. The fact that being 'non-western' irrespective of criminal record, job status, educational level and gross income, is a factor that worsen the status of a residential area from being a 'deprived neighbourhood' or a 'ghetto area' indicates that this defined group holds the potential for developing the problems associated with 'parallel societies'. In other words, 'non-western immigrants and descendants' who live in 'deprived neighbourhoods', 'ghetto areas' or in mainstream 'Denmark' need to compensate for not being 'Danish' to be able to live under equal legislation as other citizens. Within this discourse it is not possible to think of ethnic minorities as fully equal Danish citizens.

4.5.2 Subjectification effects

The binary hierarchies produced with the problem representations in the Ghetto Initiative contain descriptions of negative characteristics associated with 'immigrants' and 'descendants'. Those are 'uneducated', not 'self-sufficient', 'non-participator', males are associated with 'drug or weapon related crimes', and 'oppressive patriarchal culture'. Parents are represented to let their children live under conditions that have negative consequences for their lives. The fundamental differences between 'Danish' culture and 'non-western' culture created through the problem representations are

reductionist as it boils down culture to a few features such as gender equality, freedom, democracy, societal participation, and tolerance related to ‘Danish’ culture, and female oppression, crime, unemployment, low education, and non-participation related to ‘non-western’ culture. As the discourse attributes only a few and problematic qualities to people with ‘non-western’ culture it can be said to be a process of othering.

Ethnic minorities are given primary blame for the existence of ‘parallel societies’ and the ‘burden’ that these are to society. By putting the responsibility for the under-performance of children on the parents, the government’s policy to intervene to this behaviour that may “have negative consequences for the child” (ibid, p. 24) is framed as a compassionate act and as one of necessity. Thus, the consequence following from this ascription of responsibility to the ‘non-western’ parents reinforces existing power relations between majority and minority. The discursive othering of ethnic minorities labelled ‘non-western immigrants and descendants’, sustains the legitimacy of the government’s policies that restrict the freedom of the minority group.

The subjectification effects of the Law on Compulsory Daycare could include that the representation of ethnic minorities as responsible for social problems due to their qualities inherent in their ‘non-western’ culture leads to a problematic self-image of these persons. The internalisation of misrecognition potentially damages the self-esteem of the parents living in ‘deprived neighbourhoods’ and ‘ghetto areas’ in relation to their ability to provide their children good conditions for living and learning. On the same note, the children who are represented to live in isolation from ‘Danish’ society and to be preconditioned for under-performance and under-achievement in the educational system could be affected by this depiction of themselves in government rhetoric. As self-images are created in dialog with others the children subject to the law are likely to internalise the reductionist representation of the perceived ‘non-western’ culture that they live in. Thus, they might create an inferior self-image, since the representation situates them at the centre of inexpedient behaviour.

4.5.3 Lived effects

The lived effect of the problem representation within the Law on Compulsory Daycare is that the people who are categorised as ‘non-western’ residents of ‘deprived neighbourhoods’ and ‘ghetto areas’ are restricted in their freedom to decide over the lives of their children above the age of 1 year. Unlike the rest of the Danish citizens people who live in the areas affected by the law do not have the right to raise their children at home. In the case that the people targeted by the Law on Compulsory

Daycare do not wish to comply with the law and send their child to compulsory public daycare from the age of 1 year, they will be sanctioned financially by the cessation of the child benefit. Hence, a universal welfare benefit for parents in the Danish society is denied a group of people who represent a minority.

Chapter 5. Concluding discussion

5.1 Findings

The analysis has found one of the main problem representations to be that children in deprived neighbourhoods are isolated from mainstream Danish society, which causes the lack of Danish language proficiency and the lack of knowledge of 'Danish' norms and values and further, this has the consequences that the children maybe will under-perform relatively to 'Danish' children and are likely to become non-participatory adults who are not self-sufficient. The problematisation is rooted in the problem that is represented to be the parents' unwillingness to enrol their children in daycare.

The problem representation of the overall existence 'parallel societies' is believed to be due to immigrants and descendants not seizing opportunities that the state offers. Non-participation in society by many 'non-western' ethnic minorities resulting in 'parallel societies' is what is presented to be the problem. Primary responsibility for the existence of 'parallel societies' is perceived to belong to the 'non-western' immigrants and descendants. Rhetorically, responsibility is divided into two. Apart from the main responsibility that is given to immigrants and descendants themselves, the state is given responsibility in the sense that had it not accepted immigration in the first place, the problem would not have existed. Additionally, responsibility is accepted to belong to the state for having failed to prohibit immigrants, refugees and descendants to 'lump' together in 'parallel societies'.

The problem representation of the isolated children is tied together with the general problem representation in the idea that if nothing is done to solve the problem of isolation of children in 'parallel societies', then they are likely to not be able to be self-sufficient as adults.

The problem representation creates a hierarchical binary that shows the assumptions that there is a fundamental difference between 'Danish' people and 'non-western' people. The binary between the two cultures creates a simplified representation of 'non-western' culture which is attributed a few negative characteristics such as violence and drug related crime, non-participation, and deficient childcare. It creates a hierarchical relationship that explicitly favours 'Danish' culture over 'ethnic minority' culture. The government's rhetoric shows a narrow definition of culture, since the 'non-

western' culture is associated with only a handful of negative characteristics. There is an assumption that lack of 'Danish culture' will cause the social problems of crime, non-participation, isolation, and under-performance in school for the group of people living in so called 'parallel societies'.

There is created a dichotomy between the culture that ethnic minority families have and the 'Danish' cultural norms and values. This dismisses the possibility that parents living in 'ghetto areas' or 'deprived neighbourhoods' can socialise their children in line with 'Danish' norms and values. The cultural dichotomy is followed by the assumption that only 'Danish' norms and values will have a positive effect that will prevent isolation and underperformance of the children. A multicultural perspective is silenced, as it might suggest that socialisation into any culture's norms and values would benefit the wellbeing of children. The Law on Compulsory Daycare is legitimised through the assumption that the internalisation of 'Danish' cultural norms and values which are found within mainstream society will prevent that children of the 'ghettos' and the 'deprived areas' will suffer the consequences of underperformance in education and in labour market. Therefore, the Law on Compulsory Daycare needs only to apply to children of the 'ghettos' and 'deprived neighbourhoods', as they are the ones who lack Danish culture.

The WPR analysis has shown that the problem representation silences the possibility that the characteristics of 'ghetto areas' and 'deprived areas' are due to social and political structures. The Law on Compulsory Daycare aim at behavioural change of the targeted group, thus silences the possibility that statistical under-performance in schools could be solved by combatting discrimination and stigmatisation of minorities in Denmark. It is argued that the unequal power relation between minority and majority Danes could influence the statistical performance of children in schools. Hence, the policy that denies one minority group the freedom that are granted to the majority population to decide over the socialisation of their children, it supports the existing power relation that cause the problem that was set out to be solved.

The representation of 'Danish' culture and 'non-western' culture reduces them to a few characteristics among which are gender equality, freedom, democracy, societal participation, and tolerance attributed to 'Danish' culture. 'Non-western' culture is characterised by female oppression, crime, unemployment, low education, and non-participation, possibly unwilling to do what is best for their children's development. The rhetoric relates only problematic and negative qualities to 'non-western' culture and is therefore a process of othering.

There is in the current study not found adequate evidence for Orientalism in the problem representation within the Law on Compulsory Daycare or the Ghetto Initiative in general. The term

‘Oriental’ is not used to describe the people or culture that is created as ‘the other’ in the context of the Danish society. Instead the term ‘non-western’ is used to describe the group created as ‘the other’ in the problem representation. The use and meaning of the term ‘non-western’ is vaguely defined and unclear in the policy in question. Thus, the ‘non-western’ is produced as an area and culture that does not exist as defined by the people perceived to inhabit the ‘non-west’ with the delimitations presented in the policy. The ‘non-western’ describes a group of people who have cultural similarities to the extent that they can be distinguished not only from ethnic Danish people but also from ‘western’ immigrants and descendants. On the one hand, it can be said that the definition of the categorisation as ‘non-western’ is similar to ‘Oriental’. On the other hand, there have not been found evidence of a representation of the ‘non-western’ as ontologically different from the ‘Danish’. ‘Non-western’ culture is perceived as fundamentally different from the ‘Danish’ culture, however, there is a belief in the possibility for a change of culture and adaptation to ‘fundamental Danish norms and values’. And hence, an openness for conflict free cultural meetings. It is therefore argued that there is no clear evidence of orientalism in the analysis of the Law on Compulsory Daycare.

There are traces of cultural racism in the perceived hierarchical binaries created between ‘Danish’ culture and ‘non-western’ culture. The definition of ‘Danish’ culture functions to exclude the ‘non-western other’ from the category of ‘Danes’. Cultural racism is furthermore seen in the representation of ‘non-western’ culture as inferior to ‘fundamental Danish norms and values’. In the representation that crime is connected to the lack of ‘Danish’ values, ‘non-western’ culture is produced as inferior in relation to crime preventing effects. It is also found that the problem representation of lack of ‘Danish’ norms and values among isolated children positions ‘non-western’ culture below ‘Danish’ culture, as it is not deemed as a positive factor for the wellbeing of the children and their possibilities to attain successful education and careers.

5.2 Implications and validity

The findings of this study are in line with the previous research on the discourse on ethnic minorities in Denmark. It is so in the findings of discursive dichotomies and categories that produces the ethnic minority person as a ‘burden’ to the Danish welfare state and as a non-participatory citizen that is not self-sufficient. The favoured position of ‘Danish’ culture over ‘non-western’ culture and their perceived fundamental differences are found problematic as it is connected to the assumption that children in ‘parallel societies’ lack Danish culture as the cause of their statistical underperformance in the school system. This interpretation is in line with the concept of Horst & Gitz-Johansen named

the deprivation paradigm. This study adds to the field of research an examination of phenomenon that is the discursive legitimisation of a discriminatory law within the Danish rule of law.

If this study was used with a different theory, it is likely that it would have appeared with different results. It is likely that the deductive parts of this thesis where the Ghetto Initiative has been examined for occurrence of cultural racism and othering would have had different conclusions had the phenomenon that were searched for been different ones.

The external validity of this study is discussed in the light of it being an extreme case of the phenomenon of legitimisation of a departure from the principle of equality before the law in a democratic state. Thus, the case is valuable irrespective of its generalisability as there, at the moment of writing, are not many extreme examples similar to the one presented in this study. However, it is possible that future discriminatory policies in Denmark or other countries could be legitimised through similar discursive patterns and logics as found in this thesis.

5.3 Further research

For future research on ethnic discrimination in Denmark, it would be relevant to study the discourse on immigration and minorities from the political opposition and from Human Rights and civil society organisations. Are they guilty of containing similar assumptions and logics that lead the way for legitimising a departure from fundamental egalitarian principles of the rule of law? Or do they offer a significantly different understanding of the relation between ethnic minorities and majorities in Denmark?

Following another line, it would be interesting to be able to understand how the mechanisms and discourses of norms and values already start affecting your life from childhood and if it affects differently people who produced to belong to different social groups. The study could consist of interviews of children and youths from both ethnic minorities and majorities in Denmark about their self-image. Theoretically it could be discussed as effects of misrecognition.

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