



Swedish Colorblindness and Post-Racism:

A Study on Colorblindness and Post-Racism and its influence on Swedish law.

Hunter Crooks

International Migration and Ethnic Relations

Bachelor Thesis 15 Credits

Spring 2021: IM245L

Supervisor: Inge Dahlstedt

Word Count: 12,062

Abstract

Although the reality of Swedish race relations is very complex, Sweden presents itself to the world as a colorblind utopia where race does not exist. Since the mid-1900s, Sweden has embraced an anti-racist rhetoric that developed into post-racism and colorblindness, where race is not seen, and racial discrimination is not acknowledged as a societal problem. This study seeks to problematize the complexities of Swedish post-racism and colorblindness. By drawing on previous research, it is clear that the Swedish hegemony has not been thoroughly deconstructed, which necessitates further studies in this area. By drawing on the WPR approach to poststructural policy analysis, this study looks at how Swedish law is influenced by the narratives of colorblindness and details the shortcomings of excluding the term 'race' from legislation. Furthermore, this study employs expert interviews to access the knowledge of experts on how colorblindness and post-racism came to be. It is concluded in this thesis that the post-racist and colorblind perception of Sweden influences Swedish law in negative ways and that the removal of the term race is a denial of the existence of a racial hierarchy in Sweden.

Keywords

Sweden, WPR, race, post-racism and colorblindness

Table of Contents

1. Introduction.....	1
1.1 introduction to the topic.....	1
1.2 Research problem.....	1
1.3 Aim and Research Questions.....	2
1.4 Thesis outline.....	2
2. Literature Review.....	3
2.1 History of Research into Racial Discrimination in Sweden.....	3
2.2 Swedish Anti-racism.....	4
2.3 The State of Racism in Sweden	6
3. Theoretical Framework.....	7
3.1 Racism.....	7
3.2 Colorblindness and Post-Racism.....	8
3.3 White Innocence and Swedish Whiteness.....	9
4. Method and Material.....	13
4.1 Methodology.....	13
4.2 Methods.....	14
4.2.1 The WPR Approach.....	14
4.2.2 Expert Interviews.....	14
4.3 Material.....	15
4.3.1 Policy Analysis.....	15
4.3.2 Expert Interviews.....	16
4.4 Limitations.....	17
5. Analysis.....	19

5.1 WPR Approach to the Discrimination Act of 2008.....	19
5.1.1 What is the problem Represented to be in the Discrimination act of 2008?....	19
5.1.2 What deep-seated presuppositions or assumptions underlie this representation of discrimination?.....	20
5.1.3 How has this representation of Ethnic Discrimination come about?.....	21
5.1.4 What is left unproblematic in this problem representation? Where are the silences? Can the problem of ethnic discrimination be conceptualized differently?.....	22
5.1.5 What effects (discursive, subjectification, lived) are produced by this representation of ethnic discrimination?.....	23
5.1.6 How and where has this representation of ethnic discrimination been produced, disseminated and defended? How has it been and/or how can it be disrupted and replaced?.....	26
5.2 Expert Interviews on Swedish Colorblindness and Post-racism.....	29
6. Conclusion.....	32
6.1 Recommendations for Future Research.....	33
7. Bibliography.....	35
8. Appendices.....	40
8.1 Appendix 1: Discrimination Act - Forms of Discrimination.....	40

1. Introduction

1.1 Introduction to the topic

Sweden has a history of distancing itself from the issues of race and racism. Swedish society is promoted as a “post-racist” and “colorblind” society where all are deemed to be equal, regardless of their race (Hübinette and Tigervall, 2009). This is reflected in Swedish legislation, with one of the most prominent examples being the removal of the term race from legislation (United Nations Association of Sweden, 2018). This view of Sweden, as a colorblind society, brings up questions about race and racism and whether these concepts exist in the Swedish context. Does race matter in Sweden? Does racism exist in Sweden? And if so, why are these things not being addressed and what are the effects of Swedish colorblindness? These are a few of the questions that inspired this study.

1.2 Research Problem

Since the 1950s-60s Sweden has taken an anti-racist stance as a country, asserting that biological race is not an acceptable way to understand social and cultural differences (Osanami Törngren, 2015). Although before that time, Sweden had a vast history of pseudoscientific race biology, and according to Osanami Törngren, (2015: 131) this included being “... the first country to establish a nationally funded race biological research institute...” This history was essentially determined to only exist in the past, and Sweden began to embrace an anti-racist stance throughout the latter half of the 1900s. This brings us to the contemporary issue, that Sweden is presented and believed to be a colorblind society (Osanami Törngren, 2015). Furthermore, the implications of this belief must be deconstructed in a number of situations. The situation that this study seeks to deconstruct, is that of Swedish law in a colorblind society. What caused the removal of the term race from legislation and what are the effects of this removal? Furthermore, there may be many ways that Swedish colorblindness and post-racism can impact legislation and who it serves to protect. This is what this study seeks to deconstruct.

1.3 Aim and Research Questions

The primary aim of this study is to understand how the post-racist and colorblind optics of Swedish society, operate on a legislative level. It will be engaging on a theoretical level with both the social and legal aspects of Swedish colorblindness and post-racism. It seeks to understand the influence these tendencies have on legislation and what the effects of this are. Therefore, the Research questions are as follows:

Can colorblindness and post-racism effect problem representation in Swedish law?

What are the problematic aspects of colorblindness and post-racism in Swedish law and society?

1.4 Thesis Outline

This thesis will begin with a review of the previous literature on this subject. First, looking at the history of research into racial discrimination in Sweden. Then, previous research into anti-racism in Sweden will be presented. Finally, this thesis will engage with previous research into hate crimes in contemporary Sweden. Following the literature review, the theoretical framework of this thesis will be presented. The first aspect of the theoretical framework that will be presented is that of racism. Next, the concept of colorblindness will be discussed. Finally, the concept of white innocence and perspectives on Swedish whiteness will be presented.

Moving on, the methodology that will be used in this study, will be presented. Following this, the methods that will be used in this study will be presented. The first method is that of the WPR approach, this will be looking at Swedish legislation on discrimination. The second method is that of Expert interviews. Furthermore, there will be an in-depth analysis of the material obtained through the WPR approach and expert interviews. Finally, this thesis will be concluded with a summary of the findings. Furthermore, it will provide recommendations for further research into this subject, along with some recommendations on how these complex issues can be dealt with in the future.

2. Literature Review

2.1 History of Research into Racial Discrimination in Sweden

According to Ericsson (2016), one of the first minority groups that Sweden interacted with on both a governmental and social level was that of the Sami, Indigenous peoples inhabiting Sápmi - region located in northern Sweden, Norway, Finland and partially in Russia. The earliest reports determine that the Swedish Government had been working with the Sami in the 1500s and later started to influence internal Sami affairs in the 1600s (ibid). At this time, the Swedish Government attempted to forcibly convert the Sami population to Christianity and eliminate the previous practices of the Sami peoples religion (ibid). Furthermore, in the 1700s-1800s the Swedish government imposed economic measures in order to gain access to natural resources on the lands belonging to the Sami, and progressively seized the ownership rights of the Sami people's land (ibid). There was an attempt to preserve the Sami people's rights, a policy was laid out by the Swedish government, however it was rather restrictive as these protections would only be attainable by those deemed by the Swedish Government to be "truly" Sami and this was determined through the use of race biology (ibid). This policy essentially existed to keep the Sami people in segregation, and it was maintained until the mid-1900s (ibid). The purpose of presenting this particular example, is to exemplify the Swedish history of relations with minority groups and to show how in-depth, this subject has been researched. The other primary groups that the aforementioned study looked at in-depth from a historical perspective on discrimination, were the Jewish, the Roma, and Travelers (ibid).

Ericsson (2016) also discusses research into the discrimination of Finnish migrants, those who speak Meänkieli (Tornedalingar), Muslims, and Black people. The Islamophobia and Afrophobia can be seen as much more contemporary and dominant issues, thus the latter two groups will be the focus of this thesis. Regarding contemporary Islamophobia, "Swedish Muslims are the targets of hostile attitudes and discrimination, as are Swedes who in racist rhetoric are associated with Islam" (ibid: 10). The reasons for the extent of racist attitudes towards Muslims, is due to prejudiced preconceptions and stereotypes of them (Ericsson, 2016). Furthermore, according to

Ericsson (2016: 10), the term 'islamophobia' has barely been used in historical research on the matter.

Moreover, even though the existence of a Muslim population in Sweden is a relatively recent happening, there were preconceptions about Muslims and Islamophobic views that already existed in Sweden before the Muslim population had arrived. The earliest form of Islamophobia in Sweden was presented by Christians in the 1600s, where "Islam is described as a fanatical religion that strives to make Christianity extinct" (ibid: 10). Furthermore, in the early 1900s, Islam was presented in education books as "religion that was oppressive of women, and one that tried to conquer the world through violence and terror" (ibid: 10). Islam and Muslims have continuously been presented in problematic and stereotypical manners up to the 1980s where it was presented as "...as a threat to "Swedish" values and to equality, and is also associated with terrorism and religious fanaticism" (ibid: 10). Overall, this study shows that there has been quite a significant history of islamophobia in Sweden and yet it has only barely been researched.

Another form of discrimination that Ericsson (2016) discusses, is that of Afrophobia. Black people have existed in Sweden since the 1700s and yet there is very little research on Swedish attitudes towards black people. Of the little research that has been conducted, it has been determined that depictions of black people were quite popular in Sweden from the 1850s-1950s and were "...based on extremely derogatory and coarse stereotypes, and were frequently affected a great deal by biological ideas of race" (ibid: 11-12). These depictions were quite prominent in Swedish media and included some extremely harmful and derogatory stereotypes of black people (ibid). These depictions remained present in Swedish society until they were challenged in the 1950s and 1960s as activists and critics pointed out the harmful nature of said depictions (ibid). This is all that was presented by Ericsson, regarding Afrophobia, which indicates that there is a large gap in historical research on this issue as Ericsson is one of the few researchers who has published texts on this issue.

2.2 Swedish Anti-racism

One example of an early form of anti-racism in Sweden is that of Gunnar Dahlberg's push towards non-discriminatory eugenics. Dahlberg was a researcher at Uppsala University in the discipline of

‘race biology’ and in the 1930s he became the Director of the Swedish State Institute for Race Biology (Ericsson, 2019). This example is valuable in understanding the shift towards a post-racist Sweden. This took place during the time when eugenics was at its peak in Sweden, during the 1920s-1940s (ibid). This form of race biology, pushed by Dahlberg, espoused the idea that race and racialization could be studied without the inclusion of a racial hierarchy (ibid). Dahlberg went on to sign the 1951 UNESCO statement on race which “...condemned all forms of racial discrimination, but, at the same time, opposed contemporary demands for abandoning race as a scientific term” (ibid: 156). So, from the very beginning of the shift, there was opposition to the removal of the term race from Swedish discourse.

Furthermore, in the wake of World War II and the Holocaust, Sweden developed its anti-racism towards, what was unique at the time, a colorblind society:

during these foundational avant-garde years in the 1960s and 1970s, Sweden pioneered and more or less formulated what is today considered anti-racism not just in Sweden, but in many other European countries – namely colour-blindness and a practical understanding that race has been relegated to the past or to other countries. This has resulted in the belief that a sort of a non-racist utopia has been accomplished for good. (Hübinette and Mählck, 2015: 11).

Therefore, Sweden played a key role in first producing the concepts of post-racism and colorblindness. The development of these concepts led to some substantial legal developments. This thesis is primarily concerned with how that development led to the parliamentary decision to remove the term ‘race’ from the Swedish vocabulary, as described by Hübinette and Mählck (2015: 11), the term was removed “...on a governmental and public level, as well as in legislation, in academia and the media”. Here, the material consequences of this development can be seen and the implications must be understood.

The parliamentary decision to remove the term race, effected Swedish Legislation, specifically the Discrimination Act. The Discrimination Act is an important piece of legislation as it serves to protect those who face discrimination in many different forms. This will be discussed in-depth later on in the analysis of this study, but in this section, it is important to highlight the UN’s report on this development. In this report (United Nations Association of Sweden, 2018), it was determined that there may be some problematic aspects to the removal of the term. Specifying that even though race biology and racial hierarchization had no scientific or practical basis, people are

still discriminated against due to the existence of racism, which indeed exists in Sweden (ibid). Consequently, it was determined that the removal of the term 'race' would potentially fail to protect those who are discriminated against on the grounds of race or racism (ibid).

2.3 The State of Racism in Sweden

Wigerfelt, Wigerfelt, and Kiiskinen (2013) conducted a study on racist hate crime and everyday harassment towards people in Sweden who are non-white with a specific focus on Afroswedes. That study will be discussed in this thesis, as it gives insight into the contemporary situation of racism in Sweden. That study employed semi-structured in-depth interviews with non-white folks in Sweden, primarily Afroswedes, seeking to understand "...experiences of racism, discrimination, hate crime and everyday harassment" (ibid: 7).

That study determined that even though colorblindness and an unwillingness to engage with the issue of race exists, racial differences contribute to differences in life possibilities and also contribute to exposure to hate crime (ibid: 9). Furthermore, that study echoes the understandings found in this thesis that, as explained by Wigerfelt, Wigerfelt, and Kiiskinen (ibid: 9) "...the word race in Sweden is almost taboo, which has led to difficulties addressing problems such as racism and hate crime."

Furthermore, that study determined that hate crime exists in Sweden, and has occurred in severe fashions, such as the shootings that took place around Sweden where the targets were non-white, as well as in everyday forms, where non-white people face verbal racist abuse (ibid). That study also found that there are four types of consequences, "...damage to the initial victim, damage to the victim's group, damage to other targeted groups and damage to social norms and values" (ibid: 25). Moreover, that study also finds that racist hate crime erodes human dignity in regard to human rights crimes (ibid: 25). That study found that racially motivated hate crimes do occur in Sweden and can have lasting consequences for not only the victims, but also for the society around them (ibid). Finally, Wigerfelt, Wigerfelt, and Kiiskinen (ibid: 25) found that "Even though the Swedish self-image often leads to the denial of racist structures in society, and the fact that race is important, our material shows that these standpoints are incorrect."

3. Theoretical Framework

3.1 Racism

Racism is often taken for granted as a self-describing concept, however for the purposes of this study, it is important to define what it really is. This study will subscribe to Bonilla-Silva's (2015) portrayal of racism. To begin with, racism produces race, rather than the other way around, "Racism produced (and continues to produce) "races" out of peoples who were not so before..." (Bonilla-Silva, 2015: 1359). Furthermore, as described by Bonilla-Silva (2015: 1360), "... race is a 'socially constructed' category... and not a natural phenomenon. This social construction serves to "...produce a racial structure—a network of social relations at social, political, economic, and ideological levels that shapes the life chances of the various races." (Bonilla Silva, 2015: 1360). Therefore, racism serves to produce a racial structure and hierarchy that effects most of the social aspects of our lives. Bonilla-Silva describes the purpose of this system:

This structure is responsible for the production and reproduction of systemic racial advantages for some (the dominant racial group) and disadvantages for others (the subordinated races). Thus, racism as a form of social organization places subjects in common social locations. As subjects face similar experiences, they develop a consciousness, a sense of "us" versus "them." (Bonilla-Silva, 2015: 1360).

A note on this, this structure does not rely on racism in order to be maintained as "after the process of attaching meaning to a 'people' is instituted, race becomes a real category of group association and identity." (Bonilla-Silva, 1997: 472). This system is referred to by Bonilla-Silva as the "...racialized social system approach..." (2015: 1360). Furthermore, Bonilla-Silva (2001: 48) argues that the "...specific mechanisms, practices, and social relations that produce and reproduce racial inequality at all levels," should be studied, rather than the individual racist attitudes and tendencies of people. The last aspect of Bonilla-Silva's racism, is what social functions it serves in a racialized society:

...(1) accounting for the existence of racial inequality; (2) providing basic rules on engagement in interracial interactions; (3) furnishing the basis for actors' racial subjectivity; (4) shaping and influencing the views of dominated actors; and (5) by claiming universality, hiding the fact of racial domination—that is, hiding the fact that a racial order is in place that benefits a racial group... (Bonilla-Silva, 2015: 1361)

Therefore, this system plays an impactful role in many aspects of our lives and social structures, and it would be quite difficult to eliminate this racial structure and racism without systematically deconstructing it.

3.2 Colorblindness and Post-Racism

Colorblindness is a complex concept, as it incorporates a number of values and tendencies so it is imperative to break it down. There are many different theories that explain this tendency, such as white innocence. Wekker (2016) discusses a very similar tendency in the Netherlands.

With the title *White Innocence*, I am invoking an important and apparently satisfying way of being in the world. It encapsulates a dominant way in which the Dutch think of themselves, as being a small, but just, ethical nation; color-blind, thus free of racism; as being inherently on the moral and ethical high ground, thus a guiding light to other folks and nations. (Wekker, 2016: 2)

Now, the Netherlands has a very different history with racism, such as an extremely colonial history, of which Sweden had much less involvement in. However, this concept of white innocence can be seen as extremely applicable to the Swedish context. In the previous quote, in the line "... the Dutch think of themselves, as being a small but just ethical nation; color-blind, thus free of racism..." ignoring the term small, one could easily replace "the Dutch" with "the Swedish" and the same would mostly hold true (Wekker, 2016: 2).

As mentioned by Wekker (2016), colorblindness takes a key role in white innocence, as it does in the Swedish post-racist society. Colorblindness can be understood as "...a mode of thinking about race organized around an effort to not 'see,' or at any rate not to acknowledge, race differences— continues to be the 'polite' language of race" (Frankenberg, 1993: 142).

Colorblindness as a form of anti-racism has maintained itself as a core value of the Swedish people since the country shifted away from the eugenicist practices of scientific racism, towards an anti-racist country. This took place after World War II, when UNESCO officially dismissed the ideas of race biology in 1950 and was signed by two important Swedish scholars (Osanami Törngren, 2015). This is where the shift towards anti-racism started, as described by Osanami Törngren (ibid: 130-131) “With the declaration, the idea of race in the biological sense became unacceptable and an explanation of social and cultural differences deriving from biological differences and inferiority vanished.” Sweden, a country with one of the most prominent histories of pseudoscientific race biology, decided to intentionally forget this history and promote itself as homogeneous (ibid). Sweden was determined to be ‘post-racist’, which is described by Da Costa as,

...forms of thought, discourse, and action that evade, delegitimize, and seek to eliminate racial differences and their effects from the focus of academic scholarship, activist struggle, public debate, and state policy. (Da Costa, 2016: 496)

This process set the groundwork for what was to come, “The colorblind ideology emerged from this selective forgetting of the history of racial biology and the belief that Sweden was a homogeneous country” (Osanami Törngren, 2015: 131).

3.3 White Innocence and Swedish Whiteness

As discussed previously, Wekker (2016) describes the role of colorblindness in White Innocence, this section will delve into the other aspects of white innocence and furthermore, the conception of whiteness in Sweden.

Wekker (2016) describes three central concepts that are discussed in her book, innocence, the cultural archive, and white Dutch self-representation. For the purposes of this thesis, there will be a focus on the concept of innocence. It is important to understand this concept, even though it is applied to the Dutch circumstances by Wekker, it is applicable to other nation-state circumstances (ibid: 1). Regarding innocence, Wekker (ibid) identifies that there are a number of associations that influence the conception of innocence. The first association, is that of the Christian religion (ibid: 16). Wekker (ibid) specifies that even though the church no longer plays the role of an

institution, the worldview that was brought about by Christianity, maintains itself. This can be attributed to the presentation of Jesus Christ, as described by Wekker (ibid: 16) “Jesus is the iconic innocent man”. Since Jesus is such an influential character in the Christian religion, it is understandable why Christian individuals and societies would identify with him. The second association is that of “...being small: a small nation, small child” (ibid: 16). This association, infers that the nation is in need of protection from outside and inside evils (ibid). The third association relates to the second, and is that of traditional femininity (ibid). Wekker (ibid: 17) describes, “... as that which needs to be protected, that which is less strong and aggressive but more affectionate and relational.” The fourth, innocence allows for the possibility for people to make racist statements as long as they are joking or they did not ‘mean it’ in a racist way (ibid). The final association relates directly to Sweden;

Fifth, the claim of innocence is also strong in other European, former imperial nations, such as Sweden. It is striking that we still lack studies of whiteness, within a European context, that would also enable intra-European comparisons... The case of Sweden is interesting, because characteristics comparable to the Dutch case come to the fore, that is, the widespread and foundational claim to innocence, Swedish exceptionalism, and “white laughter” ... (ibid: 17)

Wekker (ibid) thus claims that the Netherlands and Sweden are comparable in their claim of innocence. The terms white laughter and Swedish exceptionalism will be returned to later, but for now, white innocence will continue to be traced. Regarding the claim of innocence, it enables the claim of non-knowing and furthermore it influences the tendency of not wanting to know (ibid). This conception of innocence can also be understood as Charles Mill’s epistemology of ignorance which is best presented by Sullivan and Tuana,

“...the epistemology of ignorance is part of a white supremacist state in which the human race is racially divided into full persons and subpersons. Even though—or, more accurately, precisely because—they tend not to understand the racist world in which they live, white people are able to fully benefit from its racial hierarchies, ontologies and economies.” (Sullivan and Tuana, 2007: 2)

Therefore, one’s inability to understand that they live in a racist world, does not mean that they cannot benefit from their superior position on the racial hierarchy (Wekker, 2016). White innocence thus serves to protect those who subscribe to the narrative from any blame of

wrongdoing, while also allowing for the continued benefits of a superior position within a racial hierarchy (ibid).

Now that white innocence has been described, we can move on to understanding whiteness in the Swedish context. Habel (2012) describes her understanding of Swedish whiteness and how there is a white resistance against engaging with post coloniality and racial differences. Habel (ibid) begins by painting a picture of Sweden's image in the world, drawing from Katarina Schough's (2008) research, she describes how Swedes are accorded a hyperborean identity. This hyperborean identity is described in regard to the Swedes as,

...an exceptional White status, allowing them to ascribe themselves a morally and culturally superior position in the world. The Hyperborean identity, which according to Schough is strongly interlinked with conceptions of purity and political innocence, has contributed to our collective amnesia regarding the nation's complicity in the imperialistic enterprise. (Habel, 2012: 101).

Swedes are generally regarded as a people who have not engaged with or played a role in imperialism or colonialism, this was maintained at the times of colonization by Swedes affiliating themselves as independent persons on missions of science and cultural exploration (ibid). Since Sweden was not often directly involved in colonial projects, this served to allow Swedes to maintain a sense of unaffiliation (ibid). They were thus able to step into colonial projects that they had vested interests in while allowing for the option to step away once the project was determined to be inhumane or cruel (ibid). This has allowed for Swedes to maintain their innocence in the colonial enterprise and thus, as put by Habel (ibid: 101). "...remains untouched by colonial and postcolonial social dynamics." Thus, Sweden and its people are presented as nearly immune to postcolonial critiques. This tendency has been maintained throughout the years and currently often allows for the opinion that social inequality due to racial differences is not an issue in Swedish society (ibid).

Furthermore, Habel (ibid) describes the white Swedish tendency disengage from the racial hierarchy by literalizing whiteness and blackness. For instance, blackness is literalized to meaning actual skin color, therefore an argument is made by often white Swedes that one cannot be black or white, just different shades of brown (ibid). This process serves to delegitimize the fact that a racial hierarchy exists as no one is truly black or white (ibid). This relates back to the discussion on colorblindness, as described by Habel,

...this disinclination to see and acknowledge racism in the everyday is not to be read as lack of critical analysis on their [white Swedes] part, but rather as a form of subconscious, strategic blindness necessitated within hegemonic race-less discourse to retain a sense of dignity and self-esteem. (ibid: 103)

This subconscious blindness to racism thus serves to protect Swedes' self-image and maintain innocence. The self-image of Sweden plays a significant role in this, the image that is presented by Habel (ibid: 103), asserts that Sweden is supposed to be a 'model country' that others are supposed to look up to and work towards, which makes swedes "...unable to self-reflexively examine social injustices and segregating housing policies as racist." If Sweden is a model country, then it would not be unfounded for its believers to assume that it is the epitome of civilization and thus not racist. This background, allows for the assumption that Whiteness in Sweden is, as described by Habel (ibid: 104), "...a more objective, sober, and disinterested type of Whiteness than elsewhere." Although white Swedes do vary in their engagements with questions of race, Habel (ibid) describes two forms of white engagement with race, the form is that of the 'ignorant white subject' who is uneducated in the matter and thus innocence of blame and the latter is that of the 'enlightened liberal white subject' who has educated themselves enough on the issue of race and therefore has nothing more to learn on the issue and is allowed to engage with racist tendencies because they believe themselves unable to be racist.

Both of these forms of white engagement with race do share a common belief that, described by Habel (ibid: 107), "If you don't *mean* anything racist, you have not performed a racist act." If one were to commit a racist act without the intention of being racist, then they are absolved from blame. The 'ignorant white subject' is absolved as they are not educated enough to know better and the 'enlightened liberal white subject' is absolved as they are already educated on the issue and thus cannot be racist themselves (ibid). This belief, as presented by Habel (ibid), is one of the core issues with Swedes' ability to deconstruct racist tendencies and until this belief is thoroughly delegitimized in Swedish discourse and Swedish people's mindsets.

4. Method and Material

4.1 Methodology

To begin, this study will be conducted using the constructivist methodology. Moses and Knutsen (2012: 169) present constructivism as, "...constructivists trace these patterns back to the mind that observes them. For the constructivist, then, the world we observe is, in a sense, a world of our own making." Therefore, for the constructivist, our human histories, backgrounds, and cultures have a significant impact on how we perceive the world. The patterns that Moses and Knutsen (ibid: 169) present, are those of this world and both Constructivists and Naturalists seek to map-out and explain. In order to properly understand Constructivism and how it originated, it is important to understand the previous prevailing methodology, Naturalism.

Moses and Knutsen (2012: 29) determine that Naturalism is based on the perception that "...the world is real; that it consists of independent particulars; that these particular components interact in regular and patterned ways; and that human beings can experience these interactions by way of sense perception." Therefore, naturalists assume that there is a real world that can be examined and explained.

Furthermore, this 'real world' can be studied and examined by Naturalists and can therefore be presented to others from an almost objective position. These more 'objective' realities of the world are presented as a truth and therefore, are presented as independent of varying perceptions. This is where constructivism becomes relevant, as constructivists oppose this belief that a 'real world' exists independently of ourselves and that naturalist 'truths' are often not reliable.

Returning to Constructivism, this methodology seeks to understand the socially constructed patterns and realities of the world. According to Moses and Knutsen, (2012: 177) Immanuel Kant played an important role in the development of constructivism, he did not deny that there was a 'real world' but that we cannot truly understand the 'real world', we only know our perceptions of it. This study, thus follows that train of thought, seeking to understand the perceptions of the 'real world' subject at hand.

4.2 Methods

4.2.1 The WPR Approach

The WPR or “What’s the Problem Represented to be” approach was developed by Carol Bacchi and Susan Goodman (2016:13). This method is a form of post-structural policy analysis and was largely influenced by Foucault (Bacchi and Goodwin, 2016). This approach relies on several questions, which the researcher systematically goes through in order to understand the problematic aspects of policy, law, and legislation (ibid). The questions provided, are as follows:

- Question 1: What’s the problem (e.g., of “gender inequality”, “drug use/abuse”, “economic development”, “global warming”, “childhood obesity”, “irregular migration”, etc.) represented to be in a specific policy or policies?
- Question 2: What deep-seated presuppositions or assumptions underlie this representation of the “problem” (problem representation)?
- Question 3: How has this representation of the “problem” come about?
- Question 4: What is left unproblematic in this problem representation? Where are the silences? Can the “problem” be conceptualized differently?
- Question 5: What effects (discursive, subjectification, lived) are produced by this representation of the “problem”?
- Question 6: How and where has this representation of the “problem” been produced, disseminated and defended? How has it been and/or how can it be disrupted and replaced? (Bacchi and Goodwin, 2016: 20)

4.2.2 Expert Interviews

This method is important to this study, as it serves to develop understandings by gaining insight from experts in their respective fields. Using expert interviews provides several advantages. First off, it is useful in exploring a research problem as it is a much more efficient method than most others, such as surveys (Bogner, Littig, and Menz, 2009: 2). Furthermore, it is useful for studying subjects that may be difficult to gain access to due to positionality, subject matter, or lack-of

experience (ibid: 2). This is one of the primary reasons for using this method in this study. The other crucial reasons for using this method is provided by Bogner, Littig, and Menz (ibid:2), who specify that “Beyond the direct benefits, it is also evident that expert interviews offer researchers an effective means of quickly obtaining results and, indeed, of quickly obtaining good results.” This is imperative as this study is making use of two different methods, and both must be conducted efficiently. Another positive aspect of using Expert interviews, which is presented by Bogner, Littig, and Menz (ibid: 4) is that “...experts become important when people find themselves having to deal with abstract systems (whose internal workings they do not understand).” This study deals with some complex legal and social systems that often intersect and therefore expert input is invaluable in understanding these systems.

The interviews were conducted in an open and unstructured format. The reason for this, is due to the fact that those interviewed had very different research and knowledge backgrounds, and in order to access their knowledge, questions had to be developed individually. The interviews were conducted online over Zoom and the audio of each interview was recorded. Due to the scope and allotted time for this thesis, along with the recommendations of my supervisor, these interviews were not transcribed.

4.3 Material

4.3.1 Policy Analysis

The law that will be analyzed using the WPR approach, is the Swedish Discrimination Act of 2008 (SFS, 2008:567). This piece of legislation was chosen due to the importance of the act in the protection of minorities from discrimination and due to the previously discussed parliamentary decision to remove the term ‘race’ from this piece of legislation. In choosing this act, this study seeks to deconstruct its capabilities of protecting those who face discrimination and the consequences of the removal of the term ‘race’ will be analyzed by deconstructing the problem representation of the act.

4.3.2 Expert Interviews

Tobias Hübinette is a Doctor of Philosophy and was the first interviewed. He was chosen as an interviewee due to the vast amount of knowledge he has on the issues of Swedish anti-racism and whiteness, as is exemplified by his large portfolio of research. Texts such as, *Swedish Antiracism and White Melancholia: Racial Words in a Post-racial Society* (Hübinette, 2013), *Three Phases of Hegemonic Whiteness: Understanding Racial Temporalities in Sweden* (Hübinette and Lundström, 2014), and *The Racial Grammar of Swedish Higher Education and Research Policy: The Limits and Conditions of Researching Race in a Colour-Blind Context* (Hübinette and Mählck, 2015) proved to be invaluable for embarking on this research. His academic contributions prove to be more than enough justification to constitute him as an expert.

Sayaka Osanami Törngren is an Associate Professor and a Senior Researcher at Malmö University, and was the second expert to be interviewed. Her insight into Swedish hegemony and colorblindness was derived from research, as she has produced some of the most well-developed perspectives on said issues. She has published quite a few texts on these issues, such as, *Does Race Matter in Sweden?: Challenging Colorblindness in Sweden* (Osanami Törngren, 2015), *Attitudes toward interracial marriages and the role of interracial contacts in Sweden* (Osanami Törngren, 2016) and *Who Is Marketised in Colour-Blind Sweden? Racial and Ethnic Representation in Swedish Commercials* (Osanami Törngren and Ulver, 2020).

I contacted the Afrosvenskarnas Riksförbund, seeking to find someone who had an in-depth knowledge on the workings of Swedish post-racism and colorblindness and they put me in contact with a member who had that knowledge. They asked to remain anonymous, due to fear of reprisal for speaking out about the realities of race relations and police racism in Sweden. In the analysis, I will refer to them as AR, in reference to their organization. On the question of their expertise, they have been working on the ground with people effected by discriminatory police practices and have actively advocated for the accountability of the police in Sweden.

Leandro Schclarek Mulinari is a professor in the Department of Criminology at Stockholm University, and was the final expert to be interviewed. He is one of the few scholars who has actively done research into police racism here in Sweden which has proven immensely insightful

to a subject that has not been discussed much before. Further, his knowledge on police racism, has given him insight into the workings of Swedish colorblindness and whiteness. Some of the studies he produced are, *Randomly Selected: Racial/Ethnic Profiling In Sweden* (Schclarek Mulinari, 2017a), *Race and Order: Critical Perspectives on Crime in Sweden* (Schclarek Mulinari, 2020), and *Racial profiling in the racial welfare state: Examining the order of policing in the Nordic region* (Schclarek Mulinari and Keskinen, 2020). These studies have not only proven his expertise on the issue, but also proven to be invaluable to this study itself.

These four interviewees consented to expert interviews for the inclusion in this study. The format of the interviews is unstructured due to the fact that they have different areas of expertise and thus the questions needed to be relevant to their fields and to allow for constructive discussion. These interviews sought to attain knowledge on these issues from those who had an in-depth understanding of them. Therefore, expert interviews were determined to be the most efficient method to attain said knowledge.

4.4 Limitations

This study is covering some complex and problematic concepts; therefore, it is important to determine the limitations of this study. First, due to this study being a bachelor's thesis, its scope is not able to cover all of the aspects and contributing factors of colorblindness and post-racism in Sweden. Therefore, within this thesis, it is not claimed to be presenting a fully grasped understanding of these concepts but it has been conducted to contribute to the research and discourse on them. Furthermore, this study does not have the scope to determine exactly how prevalent these concepts are in Swedish society, but to look at the impacts they have on legislation.

In regard to the first method, in this thesis I do not claim to present the only problematic aspects of the discrimination act, but due to the aim, will focus on the problem representation of ethnicity. Furthermore, not all of the effects of this problem representation will be able to be identified in this study, but I seek to highlight what some of those effects are, with the hope of inspiring further critical research on the issue.

Regarding the second method, analysis of the interviews of several experts on the issues of post-racism and colorblindness will be presented. As discussed in section 4.2.2, this method was chosen due to access of knowledge and efficiency. Within the analysis of the interviews, it is not claimed that the information presented is hard evidence or indisputable fact but the perspectives of those who have extensively engaged with these issues on academic and real-world levels.

Finally, the conclusions of this thesis will reflect that these are complex issues, that cannot fully be understood in a bachelor's thesis. Yet research such as this, must be conducted if colorblindness and post-racism are ever to be deconstructed on a societal and legislative level.

5. Analysis

5.1 WPR Approach to the Discrimination Act of 2008

5.1.1 What is the problem Represented to be in the Discrimination act of 2008?

The purpose of this first question is to identify what the problem is represented to be and to understand exactly what is problematized by the law (Bacchi and Goodwin, 2016: 20). The purpose of the Discrimination Act is as follows:

The purpose of this Act is to combat discrimination and in other ways promote equal rights and opportunities regardless of sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age.” (SFS, 2008:567: 2)

This act identifies that its primary purpose is to combat discrimination. This is followed by listing the different identities or categories that are protected from discrimination. This underlies what the problem is represented to be by this act. Those who face discrimination, based on “...sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age” must be protected from said discrimination (SFS, 2008:567: 2). Therefore, it is implied that the represented problem is that in Sweden, people face discrimination on these grounds which necessitated the creation and implementation of this act.

Furthermore, it is important to understand what discrimination is determined to be by this act. There are several forms of discrimination laid out by this act, which can be found in the appendices.

This list determines that if one faces any of these forms of discrimination, on the grounds of the previously presented categories or identities, then this law serves to protect them. It can be inferred from the presentation of those forms of discrimination in the law, that these forms of discrimination take place or have taken place in Sweden. Therefore, the problem is represented to be that discrimination of the previously presented forms exists in Sweden and is based on “...sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age” (SFS, 2008:567: 2).

5.1.2 What deep-seated presuppositions or assumptions underlie this representation of discrimination?

First off, this question seeks to understand and present the previously constructed or taken-for-granted knowledges that are assumed in this act (Bacchi and Goodwin, 2016: 21). The first assumptions of this law that must be deconstructed are the presuppositions of the grounds for discrimination. The Discrimination Act (SFS, 2008:567: 2) determines that those grounds are “...sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age.” This act thus assumes that these are the only grounds for discrimination. The focus for this study will be on the framing of ethnicity. As stated in the limitations, this is not due to the assumption that there are not problematic aspects of the other grounds for discrimination but that they are not pertinent to the focus of this study. The primary definition that this study is concerned with is that of Ethnicity. Ethnicity is described in the Discrimination Act (SFS, 2008:567: 3) as “...national or ethnic origin, skin colour or other similar circumstance.” One of the questions that must be asked is why ethnicity is recognized as ground for discrimination, but race is not.

The inclusion of ethnicity and not race implies that there is an assumption that people are discriminated against due to ethnic intolerance rather than being due to racism. Therefore, this act assumes that ethnic intolerance is present in Sweden, but racism is not. It must be determined what the difference then is between ethnicity and race. As stated previously, the definition for ethnicity is described in the Discrimination Act (SFS, 2008:567: 3) as “...national or ethnic origin, skin colour or other similar circumstance.” On the other hand, race is described by Bonilla-Silva (2015: 1360) as “...a ‘socially constructed’ category...” The primary difference between these two concepts, is that ethnicity is described in the act as attributed to natural characteristics, and yet Bonilla-Silva’s conception of race, which this thesis is presenting, is that of social construction. An argument could be made that the phrase “similar circumstance” could incorporate socially constructed aspects of ethnicity, yet the act is referring to similar circumstances to national/ethnic origin and skin color, which are both natural characteristics. It can thus be inferred that socially constructed circumstances are not intended to be included by the phrase, “similar circumstance”. This act thus assumes that discrimination in Sweden can be based on the physical and cultural

characteristics of a person but not because of a socially constructed racial hierarchy, as described by Bonilla-Silva (2015). Furthermore, a presupposition exists in this act, that there is no socially constructed racial hierarchy in Sweden. Therefore, it can be concluded that this law assumes that Sweden is a post-racist country or that only ethnic discrimination exists in Sweden, not racial discrimination. These findings will be further deconstructed in the following questions.

5.1.3 How has this representation of ethnic discrimination come about?

Bacchi and Goodwin (2016: 22) determine that the purpose of this question is to “...examine how a specific problem representation has come to be.” Drawing on “Foucauldian genealogy,” it seeks to understand the societal practices, such as power relations, that have produced the representation of the problem (Bacchi and Goodwin, 2016: 22). The problem representation that this question seeks to understand the development of, is that of ethnic discrimination, as presented in the Swedish Discrimination Act (SFS, 2008:567). Specifically seeking to understand how the problem representation of ethnic discrimination came to be, as opposed to representing the problem as racism.

This question can only be answered by first considering the historical development of discourse on race in Sweden. As discussed in the previous research section of this study, race biology and eugenics was extremely prominent in Sweden prior to World War II, this included having the very first state funded institution of race biology (Ericsson, 2019). Therefore, it can be assumed that race played a key role in Swedish society. This changed however post-World War II as Sweden shifted towards an anti-racist society (Hübinette and Mählck, 2015: 11). In the 1960s and 1970s, this notion of anti-racism developed in Sweden until it determined itself to be post-racist (Hübinette and Mählck, 2015:11). Once Sweden conceptualized itself as a post-racist society, no more work was believed to be needed and Swedish society determined itself to be colorblind (Hübinette and Mählck, 2015:11). This shift in Sweden, going from a country that had state funded race biology, to a colorblind society in only a few decades had impactful consequences on the social, political, and legal spheres of Sweden. One of the consequences of this, took place in 2001 when the Swedish Parliament banned the word ‘race’ from legislation and in many cases they replaced the term ‘race’ with that of ‘ethnicity’ (Hübinette and Mählck, 2015: 11-12). Therefore,

from a historical point of view, it is simple to trace this development of how ethnicity came to be represented in the Swedish Discrimination Act.

5.1.4 What is left unproblematic in this problem representation? Where are the silences? Can the problem of ethnic discrimination be conceptualized differently?

Bacchi and Goodwin (2016: 22) determine that the purpose of this question is "...to destabilize an existing problem representation by drawing attention to silences, or unproblematized elements, within it." This analysis has already shown some of the shortcomings and problematic elements of the problem representation of ethnic discrimination in Sweden. This question will thus seek to further analyze these shortcomings within the context of the Swedish Discrimination Act.

One of the first problematic elements of this problem representation is how the law conceptualizes ethnicity. As stated previously, in the Swedish Discrimination Act (SFS, 2008:567), ethnicity is deemed to be determined by physical characteristics and culture, and that a socially constructed racial hierarchy (Bonilla-Silva, 2015) does not exist in Sweden. This representation of the problem must be deconstructed. If the tendency of ethnic discrimination is based on a dislike or marginalization of those who have different physical or cultural characteristics, than it must be determined where this tendency comes from.

As discussed previously, Bonilla-Silva (2015: 1359-1360) presents racism as a socially constructed racial hierarchy. This hierarchy produces both advantages for the dominant racial group and disadvantages for the subordinated racial groups (Bonilla-Silva, 2015: 1360). Furthermore, this structure produces a social consciousness for its subjects, creating "... a sense of 'us' versus 'them'" (Bonilla-Silva, 2015: 1360). This process of creating a social atmosphere of "us versus them" has real impacts on the prejudices of the people(s). Bonilla-Silva (1997: 472) describes this process, "...after the process of attaching meaning to a 'people' is instituted, race becomes a real category of group association and identity." Therefore, this racial hierarchy is internalized to the point where people are categorized into the hierarchy, which is determined by their characteristics and cultures. This categorization process thus determines who is within the "us" and who is within the "them" categories, determining who can and cannot be discriminated against. This brings us back to ethnic discrimination, the social racial hierarchy produces the means

to categorize people and thus justify what the Discrimination Act determines to be ethnic discrimination, it must be assumed that this racial hierarchy and thus racism exists in Sweden. Ethnic discrimination cannot exist without the racial hierarchy prevailing behind it. Thus, it can be concluded that a racial hierarchy exists in Sweden and that ethnic discrimination simply exists as a veil for racism, thus silencing the problem of racism. Furthermore, in silencing racism it also silences any voices of those who determine the existence of a social racial hierarchy in Swedish society. This is put well by Hübinette (2013: 32), "... minorities are being discriminated against and their histories, experiences and perspectives are being silenced and made invisible in dominant representations of Swedish national identity."

5.1.5 What effects (discursive, subjectification, lived) are produced by this representation of ethnic discrimination?

Determining the effects of the problem representation of ethnic discrimination is imperative to this analysis of the Discrimination Act. This question thus seeks to identify and explain these effects. Bacchi and Goodwin (2016: 23) identify three forms of effects; discursive, subjectification, and lived. This subsection will delve into these three forms of effects that are produced by the Discrimination Act.

The first form of effect is discursive. Bacchi and Goodwin (2016: 23) explain that discursive effects are those that reflect the referenced terms of the problem representation, specifically determining what can be "thought and said." As determined previously the presentation of ethnic discrimination rather than racism, silences the discourse on the existence of Bonilla-Silva's (2015) socially constructed racial hierarchy in Sweden. If the racial hierarchy is determined to be non-existent in Sweden, then that legitimizes the view that racism does not exist in Sweden. Those that argue that racism is present in Sweden are thus silenced and the discourse on the existence of racism or racist actions is delegitimized. Therefore, the view that is legitimized by this process is that Sweden is a post-racist society and "colorblindness" is normalized.

The second effect that is presented by Bacchi and Goodwin (2016: 23), is that of subjectification. Subjectification is described as "... how 'subjects' are implicated in problem representations, how they are produced as specific kinds of subjects" (Bacchi and Goodwin, 2016: 23). This concept

draws heavily on Foucauldian theories of power relations in order to understand how subjects are produced through policy and law (Bacchi and Goodwin, 2016: 29-30). Laws such as the Discrimination Act, "...constitute political 'subjects' as 'governable' through promoting identities that 'perform' behaviors deemed to be desirable" (Bacchi and Goodwin, 2016: 50). In the Discrimination Act (SFS, 2008:567: 3), it is determined that people can face discrimination based on their ethnicity (see definition of ethnicity above). Thus, the subject that this study is concerned with, is that of an ethnic subject. The desirable behavior than, is that people are discriminated against due to their ethnicity rather than their race. In other words, this law determines that those who are discriminated against are not racialized people but those belonging to an ethnic group. The primary question that must be asked then is why people are subjectified as ethnic groups and not as racialized people.

This question returns us to the discussion on a socially constructed racial hierarchy. As stated previously, this law assumes that this hierarchy does not exist in Sweden. Ethnic discrimination does not necessitate the existence of some form of socially imbedded prejudice. Thus, this subjectification of ethnicity rather than race, removes the justification of systematic discrimination from subjects. The existence of a racial hierarchy in Sweden would give subjects of discrimination a substantial amount of evidence to back their claims. Subjects of ethnic discrimination in Sweden are represented to not have the justification of living in a society where a racial hierarchy exists which therefore creates a more governable subject (Bacchi and Goodwin, 2016).

The final form of effects that Bacchi and Goodwin (2016: 23) present, are lived effects. Lived effects are described as "...an analytic category, ensures that the ways in which discursive and subjectification effects translate into people's lives form part of the analysis" (Bacchi and Goodwin, 2016: 23). Both the analysis of the discursive and the subjectification effects of the representation of ethnic discrimination in the Discrimination Act resulted in finding some similar problematic aspects. This section of the question seeks to determine how these effects actually impact people's lives.

As previously determined, the discursive effect of this problem representation in the Discrimination Act (SFS, 2008:567) is that Sweden is presented as a colorblind society. Colorblindness in the Swedish context is essentially the internalized belief that race does not

matter, that people do not see race, and that it is non-existent in the society (Osanami Törngren, 2018). The existence of colorblindness in Sweden is best described by Osanami Törngren;

The resistance to talk about race in contemporary Sweden can be understood as a national collective forgetting of a past where Sweden played a crucial role in the development of the idea of biological race, and where the notions of Sweden and Swedishness were built on the idea of the white superior race. (2015: 134-135)

Therefore, the first lived effect of Swedish colorblindness is historical erasure on an individual and collective level. Not that racial science and racism have been erased from the history books, but the significant role Sweden played in the development of racial science and engagement in the racist colonial project has been intentionally or unintentionally removed from the peoples' perception of Swedish history. The history of Swedish racial science and racism is thus removed from the collective memory of Swedish society. The collective erasure of racism and the embrace of colorblindness brings about many problematic effects. The first, is that presenting Sweden as colorblind can serve to protect those who are racist or have tendencies of racial discrimination. Osanami Törngren (2019: 138) determines that "... research shows that visible differences matter in Sweden and how whiteness and racial differences shape the definition of Swedishness and non-Swedishness." Therefore, if race does matter in Sweden but Swedish society denies this, then it is essentially covered up.

The second lived effect of colorblindness could be described as a gaslighting tendency. When a person faces racial discrimination, they may be met with a form of gaslighting, where the person accused of discrimination will argue that they "don't see color" and thus acquit themselves from any blame (Tobias and Joseph, 2018). This is extremely problematic as it upholds the portrayal of Swedish colorblindness, allows those who commit acts of racism to maintain innocence, and delegitimizes the claims of those who face racism.

Regarding the subjectification effects, it was determined that people who face discrimination are subjects of ethnic discrimination rather than racial discrimination. Furthermore, this denial of racism also implies the denial of the existence of a socially constructed racial hierarchy. This has been done in order to produce governable subjects, Foucault (Dreyfus, Rabinow, and Foucault, 1983: 208) describes this process as "dividing practices." People are divided in this context to veil the existence of a racial hierarchy in Sweden. The real effect of this is that those that face racial

discrimination are stripped of their agency to address it. The acknowledgement of the existence of a racial hierarchy existing in Sweden would allow the agency to those who face racial discrimination, to address this hierarchy and work to deconstruct it.

5.1.6 How and where has this representation of ethnic discrimination been produced, disseminated and defended? How has it been and/or how can it be disrupted and replaced?

Bacchi and Goodwin (2016: 23-24) This question seeks to "... emphasize the existence and possibility of contestation, to destabilize taken-for-granted 'truths'." In this case, the problem representation is that of discrimination on the grounds of ethnicity, as opposed to race. The production process of this problem representation spanned many years and involved many actors. This study does not claim that there was an intentional concerted effort to produce this problem representation but nevertheless, it has been produced. Thus, this question seeks to determine how this has come about, how it has been spread and maintained, how it is being or can be dismantled, and how it is being or can be replaced.

The historical origins of this problem representation can be located post-World War II. With the signing of the UNESCO declaration that determined that there was "...no biologically superior or inferior human race" (Osanami Törngren, 2015: 129) (Courier, 1950). Two of the scholars that signed this declaration, were the Swedish scientists, Gunnar Dahlberg and Gunner Myrdal, laying the groundwork for Sweden to become a post-racist society (Osanami Törngren, 2015: 130) (Ericsson, 2019). Following the signing of the UNESCO Declaration, Sweden continued to transform its image towards a non-racist one throughout the 1960s and 1970s (Hübinette, 2013: 25). This process of transformation continued throughout the years until it was able to take up the image "... as the most radical Western proponent for social justice, antiracism and gender equality through Social Democratic-led multicultural and so-called state feminist policies" (Hübinette, 2013: 25). Sweden therefore took upon itself the mantle of colorblindness and determined that racism remained only in the past (Hübinette, 2013). This rhetoric was maintained in the social world until "The word 'race' became a taboo word itself" (Hübinette, 2013: 25).

However, the taboo of using the term race did not only remain in the social, use of the term was eventually stripped from Swedish legislation as well. This began with the drafting of the

Discrimination Act of 2008, removing the term race from the legislation and replacing it with the terminology, “Ethnicity: national or ethnic origin, skin colour or other similar circumstance” (United Nations Association of Sweden, 2018). Furthermore, the Swedish government decided to remove the term race from all Swedish legislation (Rundquist, 2014). It becomes clear that there was a direct set of developments that led up to this representation of the problem. Race was systematically removed from social norms and that led to its removal from Swedish legislation.

On the legislative level the Swedish government argued that the removal of the term race was necessary as “...there is no scientific basis to divide human beings into different races and, consequently, from a biological point of view, no basis to use the term race to describe human beings” (United Nations Association of Sweden, 2018). The Swedish Government also figured that if race was included in the act, that it might legitimize the views of racists, that they were of a superior race and therefore justified (United Nations Association of Sweden, 2018). These arguments have been heavily contested, a committee was put together by the Swedish Government on the removal of the term race, and they made a number of arguments against it:

They argued that the term exists in the legislation to fulfill international ratified conventions, whereby race is used to protect people from actions grounded in the belief that there are different races of human beings, rather than the belief that there are different races or to support such a belief. Furthermore, the Committee also concluded that removing the term race from the legislation would compromise undermining the protection against discrimination. (United Nations Association of Sweden, 2018: 17).

Therefore, it is clear that there was push-back against the removal of race from the act from the very beginning, by the Government’s own committee. Yet, this change went ahead and furthermore race was removed from all legislative documents (Rundquist, 2014). This shows a systematic development of the problem representation of ethnic based discrimination rather than racially based.

Moving on to the second half of this question, it must be determined how the problem representation is being or can be dismantled and replaced. To start off, staying with the UN report, it entailed its recommendations for the discrimination act:

- Conduct a thorough and balanced assessment of the legal and social consequences of the removal of the term race from the Discrimination Act.
- While removing the term race from legislation, establish appropriate alternative measures combating racism effectively. (United Nations Association of Sweden, 2018: 18)

They argue that legislation must be in place to combat racism as the act currently does not have the measures in place to appropriately do this. They do not directly state that the term race should be returned to the legislation, however it should be considered as this would greatly shift the problem representation towards racial discrimination as opposed to ethnic discrimination.

On the societal level, there is a lot of work that needs to be done. Osanami Törngren describes the danger in not engaging with this issue:

Failing to discuss how race matters and continuing to pursue the belief of colorblindness in Sweden, I believe will only inhibit the efforts towards tackling discrimination and racism that exist in Sweden today and achieving a truly colorblind society. (Osanami Törngren, 2015: 135)

As discussed previously, the problem representation of ethnic discrimination silences the discourse on race and racism in Sweden on legal, political, and social levels. Therefore, moving forward, the problem representation must be shifted in order to be able to properly engage with and discuss racism in Sweden. If this shift were to take place, it would allow for critical engagement with Bonilla-Silva's (2015) concept of a socially constructed racial hierarchy. This will then allow for the possibility to deconstruct and dismantle this hierarchy on an academic and societal level.

Furthermore, some researchers have begun to dismantle the racist and colorblind tendencies that are inherently linked to this problem representation, as have been referenced throughout this text. This is a concerted effort to begin to deconstruct aspects of this problem representation and further research is imperative to this process. On a more individual and social level, the internalized aspects of this problem representation must be deconstructed in order to move forward.

5.2 Expert Interviews on Swedish Colorblindness and Post-racism

Throughout the interviews, Swedish post-racism and colorblindness was brought up many times. It was made clear in these interviews, that the construction and current situation of post-racism and colorblindness in Sweden must be understood in order to do research on this subject. Of course, as was brought up many times, it is difficult to fully understand the ins and outs of these tendencies. This was well put by Osanami Törngren, “So conceptually I understand the history of Sweden and how the white hegemony has emerged but this resistance part, I don’t really understand.” The resistance that Osanami Törngren was referring to, was that of resistance to discuss race or even acknowledge it at all. This resistance makes it extremely difficult to engage with and therefore understand the concept of Swedish hegemony and Swedish post-racism. Nevertheless, this section seeks to highlight the insights of experts on Swedish post-racism and colorblindness.

The first question that must be asked is where these concepts originated and how it developed. When asked about this development, Tobias Hübinette discussed the history of Swedish Lutheranism and how that influenced Swedish colorblindness:

It’s this idea that there’s a certain kind of Lutheran approach I think to everything related to race and racism in Sweden where this idea about protestant Christianity and Lutheranism is that you can cleanse your soul of evil and you have to do that on your own, you don’t do that. The Catholics and the orthodox in eastern Europe and southern Europe they do it together as a collective but the Swedes, they do it individually and if you do that you become a better person in the eyes of god and it’s that kind of religious ethos that lies behind Swedish anti-racism and Swedish colorblindness although it’s never stated of course... I think that’s kinds of the backdrop, the unconscious backdrop of Swedish colorblindness and Swedish antiracism, this Lutheran heritage basically.

This heritage of Swedish Lutheranism is not something that is often brought up in reference to the development of Swedish colorblindness and post-racism. However, it does explain how there was such a dramatic embrace of colorblindness without deconstructing and decolonizing both Sweden’s past and individual biases. Once an individual has cleansed themselves of the evils of racism, then their work is done, they have achieved a post-racist and colorblind worldview. Unfortunately, racism is not something that someone can just immediately wipe themselves clean of. Deconstructing racism and racist tendencies is a complex process, made even more complex in

colorblind societies. In the book, *Racism Without Racists*, Bonilla-Silva (2018: 137-140) concludes with a list of ways to start deconstructing one's racist tendencies within a colorblind society and furthermore how to begin to change the hegemony of said society. This is a complex process, and many other scholars have produced complex analyses of racial hierarchies and racist tendencies, detailing how to deconstruct one's racism and without a doubt, this deconstruction of racism is a long and difficult process, which cannot be done overnight.

This is a valid theory on how post-racism and colorblindness developed in Sweden but unfortunately, it has not been investigated in depth. All the experts I interviewed had thoughts on why Swedish hegemony has developed in this way but generally none of them had determined what the entire blueprint looked like. What was discussed much more, is the current effects and forms of post-racism and colorblindness here in Sweden today.

First off, colorblindness was determined to function in different ways by the different experts interviewed. One point that often came up, was that Swedes do engage with discussion of systemic racism, especially if it's outside of Sweden. This tendency is put well by Osanami Törngren when comparing the Swedish context to the US one:

...the difference in Sweden is that there is a high level of awareness of institutional racism, as you probably have realized, that whenever, in Swedish academia or politicians talk about racism, it's always about the structural racism. What is lacking is the individual level, awareness of the individual level... and that's where the power evasion comes into play in the Swedish context more in a sense that it's about color evasion, right? So you don't want to admit that your whiteness contributes to privileges.

What Osanami Törngren is highlighting here, is that institutional racism can be addressed and discussed but on the personal level, it becomes taboo. Sweden has been at the forefront of calling-out other nations when it comes to their racist tendencies, but when it comes to addressing institutional racism within the Swedish context, many of the other experts argued that it does not happen. This was echoed by AR in the context of Sweden on the international stage:

Sweden has been one of those countries that has reached out and then acknowledge the country like Palestine... Sweden was one of the countries that strongly went out and renounced apartheid in South Africa... Sweden is like one of the countries that has really supported equality and feminism.

But at the same time, Sweden is one of those countries that sterilized especially LGBTIQ [people], some of the LGBTIQ persons still, recently... When you go abroad, Sweden, really when it comes to human rights, gender equality, you know, like, really civilization like Sweden is up there. But no one talks about their role when it comes to race biology, whereby actually they had like a national institution in the entire world, it was the first national institution, no one talks about that.

This seems to be a visible pattern for Sweden - it is quite common to criticize other countries for their abuses, but there is a lack of self-reflection. This will be further exemplified in the second sub-section of this analysis. Osanami Törngren further discusses that systemic discrimination is recognized when it is based on “nativity or immigrant backgrounds.” So specific trends of systematic discrimination on the grounds of antisemitism, Romaphobia, and islamophobia are acknowledged in the Swedish context. This acknowledgement can be understood due to the use of the terminology of ethnic discrimination rather than racial discrimination (see section 5.1.4). On the topic of ethnic discrimination and the removal of race from legislation, Hübinette corroborated the previous findings that one cannot file a case of discrimination using the explicit terms of racial discrimination or racism:

...you have to file a report saying that you became discriminated out of for example religion, or something else, because religion is still a discrimination ground but race is not so it means that legally there is no category basically for racial discrimination.

It is of course good that the Discrimination Act acknowledges the grounds of religion, ethnicity, etc. but the potential consequences of the lack of the terminology of race/racism must be acknowledged as well. This use of the term ethnicity rather than the term race was highlighted by Schclarek Mulinari:

it's very important to address the link between race, racialization and racism and I think that this language, focused on ethnicity, it blurs this link, and it makes it possible to talk about ethnic discrimination [by] sidestepping the topic of racism, so it's a mechanism to blur or to avoid discussing the topic of racism.

This description of the use of the term ethnicity does make sense, regarding Swedish tendencies of colorblindness. This is not to say that it is an intentional or conscious act but nevertheless it is serving a function. Racism is thus replaced by terms of ethnic discrimination or religious

discrimination and those effected by racism are denied the acknowledgement of it by Swedish society and hegemony.

6. Conclusion

This study has shown that the concepts of Swedish post-racism and colorblindness are complex to deconstruct and analyze and yet it has attempted to undertake this task. The scopes of these complexities are quite vast and thus no single study could claim true understanding of them. Yet by narrowing down the scope, this study has been able to begin to deconstruct the mechanisms of colorblindness and post-racism in the Swedish context and furthermore has sought to highlight how these concepts influence Swedish legislation.

By providing the reader with a backdrop of the previous research into the study of racial discrimination, the conceptualizations of Swedish post-racism, and the current state of hate crime in Sweden, it has been shown that there is interest in studying these issues and emphasizes the need for more studies to be embarked upon, such as this one. Furthermore, with the theoretical perspectives on racism and post-racism, and colorblindness, this study implemented said theories into an analysis of the Swedish context. Deriving from the methodological tradition of constructivism, the researcher sought to analyze post-racism and colorblindness through the use of two methods. The first, was the implementation of the WPR approach of post-structural policy analysis to analyze the Swedish Discrimination Act of 2008. And the second, used expert interviews to discern the complexities of the previously stated concepts.

Through the use of the WPR approach, this study was able to ascertain the problem representation of ethnic discrimination that was presented in the Discrimination Act. This problem representation importantly leaves out the problem of racial discrimination for grounds of protection by this act. This was an intentional action led by the Swedish parliament on the removal of the term ‘race’ from legislation, so a direct development of this problem representation was simple enough to trace. The implications of the removal of the term race are that it has the potential to fail to protect those who face racial discrimination. This problem representation also insinuates that a racial hierarchy is non-existent here in Sweden. But as this study touches upon, there is significant

evidence pointing to the fact that a racial hierarchy in Sweden and that denial of this hierarchy is a perpetuation of colorblindness and white innocence. All-in-all, the problem representation of ethnic discrimination and the exclusion of grounds for racial discrimination falls short in the protection of those who are faced with racist discrimination and serves to promote a colorblind Sweden and veils the socially constructed racial hierarchy that exists in Sweden.

Moreover, the expert interviews proved to be an effective method in gleaning knowledges from the experts who have engaged with the same and similar subject matters. They served to be crucial in gaining an understanding of the complexities of white Swedish hegemony and how the concept of post-racism developed throughout society, politics, and law. One of the most visible aspects of this, is that of colorblindness, the interviewees were able to describe how it serves to side-step oneself from being blamed of racist tendencies or views and yet still allows for discussion on the issues of systematic ethnic discrimination.

Finally, the removal of the term race from Swedish law and vocabulary was influenced by the development of the notions of post-racism and colorblindness in Sweden. In many cases, such as in the Discrimination Act, the term race was replaced with the term ethnicity. Within this study, it has been shown that the terms race and ethnicity are not interchangeable, the concept of race allows for the acknowledgement of the existence of a racial hierarchy in Sweden, the term ethnicity does not. It has been determined that ethnicity is based on natural or nurtured characteristics. The discrimination act thus represents the problem to be based on intolerance due to skin color and origin and fails to acknowledge that discrimination is influenced by a racial hierarchy in Sweden. This process has been directly influenced by the understanding of Sweden and the Swedes as post-racist and colorblind and thus this study shows the problematic aspects of continuing this understanding and the promotion of it to themselves and to the world.

6.1 Recommendations for Future Research

As has been exemplified by this study, there is still a large gap in research when it comes to understanding Swedish hegemony, post-racism, and colorblindness and their potential influences on legislation and policy. Therefore, it is imperative that these issues be further researched and

analyzed in order to determine whether there are more problematic tendencies that originate from these conceptualizations.

7. Bibliography

Bacchi, C. and Goodwin, S. (2016) *Poststructural Policy Analysis*. 1st ed. New York: Palgrave Macmillan US.

Bogner, A., Littig, B. and Menz W (2009) *Interviewing Experts*. Basingstoke: Palgrave Macmillan.

Bonilla-Silva, E. (1997) 'Rethinking Racism: Toward a Structural Interpretation', *American Sociological Review*, vol. 62, no. 3, pp. 465-480. doi:10.2307/2657316

Bonilla-Silva, E. (2001) *White Supremacy and Racism in the Post-Civil Rights Era*. Boulder: Lynne Rienner Publishers.

Bonilla-Silva, E. (2015) 'The Structure of Racism in Color-Blind, "Post-Racial" America', *American Behavioral Scientist*, vol. 59, no. 11, pp. 1358-1376.

Bonilla-Silva, E. (2018) *Racism without racists*. 5th ed. Lanham: Rowman & Littlefield.

Courier (1950) *Fallacies of Racism Exposed: UNESCO Publishes Declaration by World's Scientists*. Available from: <https://unesdoc.unesco.org/ark:/48223/pf0000081475.nameddest=81475>.

Da Costa, A. E. (2016) 'Confounding Anti-racism: Mixture, Racial Democracy, and Post-racial Politics in Brazil', *Critical Sociology*, vol. 42 no. 4-5, pp. 495-513. doi: 10.1177/0896920513508663.

Deflem, M. (2000) 'Bureaucratization and Social Control: Historical Foundations of International Police Cooperation', *Law & Society Review*, vol. 34 no. 3, pp. 739-778.

Dreyfus, H., Rabinow, P. and Foucault, M. (1983) *Michel Foucault: Beyond Structuralism and Hermeneutics*. 2nd ed. Chicago: The University of Chicago Press.

Ericsson, M. (2016) *Historical research into racism and racial intolerance in Sweden: an analytical knowledge overview*. Lund: Department of History at the University of Lund.

- Ericsson, M. (2019) 'Anti-fascist race biology', in Braskén K. Copsey, N. and Lundin, JA. *Anti-Fascism in the Nordic Countries: New Perspectives, Comparisons and Transnational Connections*. Milton: Taylor & Francis Group, pp. 145-159
- Fekete, L. (2014) *Sweden's counter-extremism model and the stigmatising of anti-racism*. Briefing no. 9, London: Institute of Race Relations.
- Frankenberg, R. (1993) *White women, race matters: The Social Construction of Whiteness*. Minneapolis: University of Minnesota Press.
- Goldberg, D. (2009) *The Threat of Race: Reflections on Racial Neoliberalism*. Malden: Blackwell Publishing.
- Habel, Y. (2012) 'Challenging Swedish Exceptionalism? Teaching while Black' In Freeman, K. and Johnson, E. (eds) *Education in the Black Diaspora: Perspectives, Challenges, and Prospects*, 99–122. London: Routledge.
- Haynes, S. (2020) As Protesters Shine a Spotlight on Racial Injustice in America, the Reckoning Is Going Global. *Time*, Available from: <https://time.com/5851879/racial-injustice-protests-europe/>.
- Heinö, A. (2009) 'Democracy between collectivism and individualism. De-nationalisation and individualisation in Swedish national identity', *International Review of Sociology*, vol. 19, no. 2, pp. 297-314.
- Heller, K. (1996) 'Power, Subjectification and Resistance in Foucault', *SubStance*, vol. 25, no. 1, pp. 78-110.
- Hinton, P. (2000) *Stereotypes, Cognition, and Culture*, East Sussex: The Psychology Press.
- Hollinger, D. (2011) 'The Concept of Post-Racial: How Its Easy Dismissal Obscures Important Questions', *Daedalus*, vol. 140, no. 1, pp. 174-182.
- Hübinette, T. (2013) 'Swedish Antiracism and White Melancholia: Racial Words in a Post-racial Society', *Ethnicity and Race in a Changing World*, vol. 4, no. 1, pp. 24-33. 10.7227/ERCW.4.1.2.
- Hübinette, T. and Lundström, C. (2014) 'Three phases of hegemonic whiteness: understanding racial temporalities in Sweden', *Social Identities*, vol. 20, no. 6, pp. 423-437.

Hübinette, T. and Mählck, P. (2015) 'The Racial Grammar of Swedish Higher Education and Research Policy: The Limits and Conditions of Researching Race in a Colour-Blind Context', in Andreassen, R. and Vitus, K. *Affectivity and race. Studies from a Nordic Context*. Farnham. Ashgate. Available from:

https://www.researchgate.net/publication/285164715_The_racial_grammar_of_swedish_higher_education_and_research_policy_The_limits_and_conditions_of_researching_race_in_a_colour-blind_context

Hübinette, T. and Tigervall, C. (2009) 'To be Non-white in a Colour-Blind Society: Conversations with Adoptees and Adoptive Parents in Sweden on Everyday Racism', *Journal of Intercultural Studies*, vol. 30, no. 4, pp. 335-353, Available from: https://www.researchgate.net/publication/233308982_To_be_Non-White_in_a_Colour-Blind_Society_Conversations_with_Adoptees_and_Adoptive_Parents_in_Sweden_on_Everyday_Racism

Joseph, A. (2015) *Deportation and the Confluence of Violence within Forensic Mental Health and Immigration Systems*. 1st ed. Basingstoke: Palgrave Macmillan.

McEachrane, M. (2018) 'Universal Human Rights and the Coloniality of Race in Sweden', *Human Rights Review*, vol. 19, no. 1, pp. 471-493.

Moses, J.W. and Knutsen, T.L. (2012) *Ways of Knowing: Competing Methodologies in Social and Political Research*. Second ed. London: Palgrave Macmillan.

Nelson, J. (2013) 'Denial of racism and its implications for local action', *Discourse & Society*, vol. 24, no. 1, pp. 89-109.

Osanami Törngren, S. (2015) 'Does Race Matter in Sweden?: Challenging Colorblindness in Sweden', *Sophia Journal of European Studies*, vol. 7, pp. 125-137.

Osanami Törngren, S. (2016) 'Attitudes toward interracial marriages and the role of interracial contacts in Sweden', *Ethnicities*, vol. 16, no. 4, pp. 568-588.

Osanami Törngren, S. (2019) 'Talking Color-Blind: Justifying and Rationalizing Attitudes Toward Interracial Marriages in Sweden' in Hervik, P. (ed.) *Racialization, Racism, and Anti-Racism in the Nordic Countries*, Approaches to Social Inequality and Difference, Cham: Palgrave Macmillan.

Osanami Törngren, S., Malm, C. and Hübinette, T. (2018) 'Transracial Families, Race, and Whiteness in Sweden', *Genealogy*, vol. 2, no. 4, pp. 54-70.

Osanami Törngren, S. and Ulver, S. (2020) 'Who Is Marketised in Colour-Blind Sweden? Racial and Ethnic Representation in Swedish Commercials 2008–2017', *Genealogy*, vol. 4, no. 4, 100-120.

Rundquist, S. (2014) Race to be scrapped from Swedish legislation. *The Local SE*, Available from: <https://www.thelocal.se/20140731/race-to-be-scrapped-from-swedish-legislation/>.

Schclarek Mulinari, L. (2017a) *Randomly Selected: Racial/Ethnic Profiling In Sweden*. Stockholm: Civil Rights Defenders

Schclarek Mulinari, L. (2017b) 'Contesting Sweden's Chicago: why journalists dispute the crime image of Malmö', *Critical Studies in Media Communication*, vol. 34, no. 3, pp. 206-219.

Schclarek Mulinari, L. (2019) 'The Spectrum of Repression: Swedish Muslims' Experiences of Anti-terrorism Measures', *Critical Criminology*, vol. 27, pp. 451-466.

Schclarek Mulinari, L. (2020) *Race and Order: Critical Perspectives on Crime in Sweden*. Doctoral Thesis, Stockholm University.

Schclarek Mulinari, L. and Keskinen, S. (2020) 'Racial profiling in the racial welfare state: Examining the order of policing in the Nordic region', *Theoretical Criminology*, pp. 1-19, Available from: <https://journals.sagepub.com/doi/10.1177/1362480620914914>.

Schough, K. (2008) *Hyperboré: Föreställningar om Sveriges plats i världen [Hyperborean: Images of Sweden's place in the world]*. Stockholm: Carlssons Bokförlag.

SFS (2008:567) *Discrimination Act*. Diskriminerings Ombudsmannen. Available from: <https://www.do.se/other-languages/english/discrimination-act/>

Sullivan, S., and N. Tuana, eds. (2007) *Race and Epistemologies of Ignorance*. Albany: State University of New York Press.

The Local (2020) *INTERVIEW: Sweden's anti-racism protests aren't just about what's happening in other countries*, Available from: <https://www.thelocal.se/20200623/analysis-swedens-anti-racism-protests-arent-just-about-the-past-or-other-countries/>.

Tobias, H. and Joseph, A. (2018) 'Sustaining Systemic Racism Through Psychological Gaslighting: Denials of Racial Profiling and Justifications of Carding by Police Utilizing Local News Media', *Race and Justice*, vol. 10, no. 4, pp. 424-455.

United Nations Association of Sweden (2018) *ALTERNATIVE REPORT to Sweden's 22nd and 23rd Periodical Reports to the Committee on the Elimination of Racial Discrimination*. Stockholm: FN-förbundet UNA Sweden, Available from: https://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/SWE/INT_CERD_NGO_SW_E_30715_E.pdf.

Weber, M. (2004) 'Politics as a Vocation', in Owen, D. and Strong, T.B. *The Vocation Lectures*. Indianapolis: Hackett Publishing Company

Wekker, G. (2016) *White Innocence: Paradoxes of Colonialism and Race*. Durham and London: Duke University Press.

Wieslander, M. (2018a) 'Learning the (hidden) silence policy within the police', *Studies in Continuing Education*, vol. 41, no. 3, pp. 308-325.

Wieslander, M. (2018b) 'Marginalised voices in the inclusive recruitment discourse: a dilemma of inclusion/exclusion in the (Swedish) police', *European Journal for Research on the Education and Learning of Adults*, vol. 9, no. 1, pp. 61-77.

Wieslander, M. (2019) 'Controversial diversity: diversity discourses and dilemmas among Swedish police recruits', *Policing and Society*, vol. 30, no. 8, pp. 873-889.

Wigerfelt, B., Wigerfelt, A. and Kiiskinen, J. (2013) 'When Colour Matters: Racial Hate Crime and Everyday Violations in Sweden', *MIM Working Paper Series*, vol. 13, no. 2, pp. 1-30.

Zamudio, M. and Rios, F. (2006) 'From Traditional to Liberal Racism: Living Racism in the Everyday', *Sociological Perspectives*, vol. 49, no. 4, pp. 483-501.

8. Appendices

8.1 Appendix 1: Discrimination Act - Forms of Discrimination

1. Direct discrimination: that someone is disadvantaged by being treated less favourably than someone else is treated, has been treated or would have been treated in a comparable situation, if this disadvantaging is associated with sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age.

2. Indirect discrimination: that someone is disadvantaged by the application of a provision, a criterion or a procedure that appears neutral but that may put people of a certain sex, a certain transgender identity or expression, a certain ethnicity, a certain religion or other belief, a certain disability, a certain sexual orientation or a certain age at a particular disadvantage, unless the provision, criterion or procedure has a legitimate purpose and the means that are used are appropriate and necessary to achieve that purpose.

3. Inadequate accessibility: that a person with disability is disadvantaged through a failure to take measures for accessibility to enable the person to come into a situation comparable with that of persons without this disability where such measures are reasonable on the basis of accessibility requirements in laws and other statutes, and with consideration to

- the financial and practical conditions,
- the duration and nature of the relationship or contact between the operator and the individual, and
- other circumstances of relevance.

4. Harassment: conduct that violates a person's dignity and that is associated with one of the grounds of discrimination sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age.

5. Sexual harassment: conduct of a sexual nature that violates someone's dignity.

6. Instructions to discriminate: orders or instructions to discriminate against someone in a manner referred to in points 1–4 that are given to someone who is in a subordinate or dependent position relative to the person who gives the orders or instructions or to someone who has committed herself or himself to performing an assignment for that person. (Discrimination Act, 2008: 2-3)