



Interview with Erwin Dijkstra on his book ‘Discrimination and the Foundation of Justice: Hate Speech, Affirmative Action, Institutional Opinions’

Erwin Dijkstra Ph.D. LL.M. M.A. is a former researcher and lecturer at Leiden University. His research focused on the obligations and limitations of lawmakers when they address discrimination between citizens. Commissioning editor Audrey McMahon asked Erwin a few questions.

What is unique about your book?

There are, in my opinion, three aspects which make this book different from most other books on justice, human rights, and discrimination. In the first place, I take a very fundamental approach to the subject matter. The book begins on the most general level, that being the values which underpin current ideas of liberal democracy and the modern human rights discourse. From there I examine what these values mean for the obligations and limitations of lawmakers when they address discrimination between citizens. The book concludes with three case studies which provide recommendations for more thorough anti-discrimination measures. This structure contributes to the second aspect that makes this book unique: its accessibility. One does not have to have a background in law to understand the book, as I build my assertions from the ground up, so to say. Even better, those without such a background might learn a lot about the laws and legal terminology they encounter in their daily life, but have never given much thought. The third unique aspect pertains to the aforementioned case studies on anti-discrimination measures that I conduct throughout the book. As I survey the current Dutch approach to criminalizing hate speech, instating quota laws for more gender equality in the corporate top, and using institutional opinions to combat discrimination within the same theoretical framework, the necessary interconnectedness of all future efforts to better combat the societal ill that is discrimination becomes evident.

What can lawmakers learn from your book?

In short, they can become more ambitious. My book shows that a more thorough approach to combatting discrimination is not only possible, but also necessary if one takes the requirements of our fundamental rights seriously. In addition, my book offers guidelines to stave off many of the perceived risks of such more thorough anti-discrimination measures, including government overreach.

Why should the general public read this specific book on discrimination?

As said, this book offers something of an introduction to justice, human rights, and discrimination, which can be understood by those without a background in law. And it does so without losing an inch of depth with regard to the research presented. In this way, I hope, more people become aware that it is possible to combat discrimination more thoroughly than is currently the case in most liberal democracies.

The book can also serve as a gateway into other works on the subject. That is why I took care to provide ample annotations for those who want to dive deeper into one of the matters that I discuss. And this is paramount. Because, in the end, my book is not the only work one should read on the necessity of combatting discrimination more thoroughly – far, *far* from it! Especially with this subject it is important to hear and read as many voices as possible.

Did you enjoy the writing process, and do you think you would do it again? If so, what would you like to write about?

The importance of the real-world suffering underlying the subject matter – that being the tragedies wrought by discrimination – motivated me throughout the writing process. However, it was a daily struggle to find a balance between crafting an accessible text and conveying all the nuances that this subject is due. I think I have managed, but this exercise provided me with many ideas for other books that I want to write in the future. Because most of the matters that I only mention in passing deserve their own voluminous tome! Especially a popularizing book on the work of Judith Shklar and my own version of a liberalism of fear is something I would like to realize.

How would you describe the experience of working together with Eleven?

I would give Eleven Publishing an eleven out of ten! But more seriously, the editing process was very professional and the comments provided were kindly worded and in-depth, as was the communication. I was also pleasantly surprised by the flexibility and input of the people at Eleven Publishing with regard to my ideas for the lay-out and the cover of the book. As such, I expect that the appearance of the book might attract as many readers as its subject matter.