Race equality policy making in a devolved context

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Assessing the opportunities and obstacles for a 'Scottish approach'

Introduction

There is now a burgeoning literature which suggests that, across a number of policy domains, 'Scotland is different'. This is reflected in a variety of studies that point to policy distinctiveness in the areas public health (Greer and Trench, 2010; Hellowell, Smith and Wright, 2016), education (Paterson, 2015), criminal justice (Murray et al., 2015), and even in the reserved matter of migration (Mulvey, 2018). While most scholars frame these in relation to England, others look to elsewhere in Europe (Grek, 2015). Of course the criteria and scope of this difference varies, but it also includes the prevailing political discourse (Leith and Soule, 2012). While political discourse is not a public policy area, neither is it, as Schmidt (2008) elaborates in her account of discursive institutionalism, free-floating or unrelated to policy processes. In Scotland, the prevailing political discourse is most obviously coupled to constitutional matters (Mitchell, 2014; Keating, 2009), which in turn are allied to issues around national identity (Meer, 2015). For its part (as discussed below), the Scottish National Party (SNP), in government since 2007, has for some years promoted a flagship policy commitment to cultivating a 'Scottish approach', under which are grouped existing as well as new 'policy styles' (Cairney, 2017). Distinctiveness, of course, is not the same as divergence, and interestingly in his earlier analysis Keating (2005: 461) concluded that while there is a 'slow but persistent trend to divergence', in broad terms 'the policy agenda in Scotland is not greatly distinct from that in England'.

Hitherto however, the area of race equality policy has been largely overlooked in literatures interested in these questions, and this article attempts to address this within the context of recent and historical developments. The oversight is striking for several reasons. Firstly, the topic of anti-racism (broadly conceived) has assumed a tacit role within Scottish political discourse, and not least the ways that some political actors have argued marks Scotland out as different from the UK (Davidson, Linpaa, McBride and Virdee, 2018). Secondly, in 2015 the Scottish Government initiated a wide-ranging consultation in advance of introducing a new

Race Equality Framework, something that goes well beyond anything previously attempted in Scotland (Scottish Government, 2016). Thirdly, and not unrelated to the first two reasons, the multi-level character of governance in the UK means that there may be race equality policy developments that are missed from a UK perspective. The implications of this analysis have a much broader relevance than the focus on Scotland may betray, however, in so far as this article is able to provide an original account of how policy opportunities encounter political obstacles, in a way that bear both specific and generalizable qualities. These include: the role of policy coalitions in holding and promoting a coherent set of positions, the particularity of race as an idea or 'cognitive problem' to be resolved through a policy process, the extent to which population dynamics are said to herald a greater or lesser emphasis on race equality strategies and, lastly, how prevailing narratives about national identities can feed into this process.

In this article these concerns have been explored through a mixed-method case-study analysis. It is mixed in so far as it relies on multiple sources of evidence consistent with those outlined in Yin's (1994) typology of policy documents, archives and interviews. This includes twenty-five semi-structured interviews with civil society and Scottish Government stakeholders in the central belt of Scotland (see table 1). These respondents are sub-divided into four further categories. The first category is a *Civil Society Stakeholder*. This is the largest group and includes respondents from charities, NGOs, and voluntary and community groups in the race equality sector in Scotland. The second category is *Policy Engaged Researcher*, which describes respondents whose principle work focuses on research and analysis in this area, and could be located in either a think tank, NGO or university. A *Civil Servant* meanwhile refers to somebody employed formally in this role by the Scottish Government. All the civil servants interviewed worked the Scottish national level. An *MSP* is a member of the Scottish parliament who may hold or have held a relevant ministerial brief in the Scottish Government. Each respondent was recruited through an invitation letter offering full disclosure about the focus of the research, and each interview took the form of a qualitative semi-structured discussion. An iterative coding frame was devised from preliminary research comprising secondary analysis and scoping interviews[i].

[Insert table one here]

Most closely associated with the work of the Chicago School, case-study research has been marked by periods of intense use and disuse throughout modern social science inquiry (cf. Feagin et al., 1991). Its under-use is somewhat surprising given it is very hospitable to 'how',

'what' and 'why' questions. It is important to bear in mind this is not intended to be a statistically representative number of informants and materials but instead a meaningful inclusion of people and policies that have featured in the race equality field in Scottish policy making.

The article proceeds in three stages. The first charts the contemporary status of racial and ethnic inequalities in the Scotland, and locates them within a historical context. The second stage moves the discussion to the policy framings around race equality, and specifically what may be distinctive in Scottish approaches and consider why this is so. The third stage dwells on some particular issues that race equality actors encounter in advancing race equality agendas in Scotland, especially around forging coalitions and lobbying with shared objectives. The article concludes that while Scottish approaches to race equality have come a long way, they still have some distance to travel if distinctiveness is to reflect more than contingency.

Contemporary Racial Inequalities in Scotland

Scotland, as with the UK as a whole, has formally understood tackling racial discrimination as something 'active' in seeking to treat people equally rather than resting on a benign ideal of equal treatment. In theory at least, this reaches beyond how different groups might blend into society, and instead insists on group-specific policy to address discrimination based on gender, disability, age, sexual orientation and so forth, as well as monitoring the institutional under-representation among such groups. Amongst this progressively intersectional configuration, codified to some extent in the Equality Act 2010, approaches to race equality have also developed what Hepple (2011) calls an 'unsettled apparatus'. This is carried into the legislative instruments of devolved government, specifically in Schedule 5 of the Scotland Act 1998 which incorporated the functions of the third Race Relations Act (1976). Here Paragraph L2 of Part 11 of Schedule 5 specifies that 'equal opportunities' is a reserved matter, and that this includes 'the subject matter of the Equal Pay Act 1970, the Sex Discrimination Act 1975, the Race Relations Act 1976 and the Disability Discrimination Act 1995'. Under the devolution settlement therefore the legislative foundation of race-equality is reserved to Westminster.

The multi-level character of this settlement is key. It has been argued that it is precisely because race equality policy is a reserved matter that it has been able to be 'left off' the

agenda in Scotland (Arshad, 2016). This is not a complaint about the lack of legislation, but the absence of both a cultural awareness around it, and a policy commitment to operationalise it. Equally, it is something that also bears an older (pre-devolution) pedigree[ii]. As one equality stakeholder puts it, 'twenty years ago when I kicked off, working in places like West Lothian, Fife or rural Scotland, you would often get "there isn't a problem here". For example, we had a case in Falkirk, the family had appalling racist language on their wall, but the local police and local MP told me it wasn't racist, and I was like "hold on, I don't understand this?"' (Roic3). This respondent's testimony sits uncomfortably in contemporaneous scholarship on the topic, specifically that of Miles and Dunlop's (1986) influential thesis. In their view the active racialization of social and political life had taken a different course in Scotland and it was not a staple feature. As they elaborated:

> There is no formal evidence of systematic police brutality and discriminatory arrest patterns. Political debate has rarely defined 'race' as a major problem requiring action by local authorities or the Scottish Office. The National Front presence in Scotland has been minimal and the party achieved virtually no electoral support during the 1970s. And there has been no sustained campaign of political resistance on the part of people of Indian and Pakistani origin in Scotland (Miles and Dunlop, 1986: 27)

These thresholds of what constitute racism are high, even if they may have routinely been met in England (Brown, 1984), and which provided Miles and Dunlop with the criteria of relevance. Perhaps these thresholds also highlight a greater awareness of more low level racial discrimination today. In either case, and whether or not this was valid at the time, given the findings on the degree of 'felt' racism in Scottish society today, as well as the structural outcomes discussed below, the account is not a sufficient summary of contemporary social dynamics. As recent attitude polling has shown, about a third of non-white Black and Minority Ethnic (BAME) groups in Scotland report experiences of racial discrimination, and a slightly higher number consider racial discrimination to be a widespread issue in Scotland (Meer, 2016, 2017). Interestingly, the same research reports that 60% of respondents who had experienced discrimination in the last five years did not report it to any kind of authority. This was despite 82% of the entire sample insisting they would encourage a friend or family to make a formal complaint if they thought they had experienced discrimination.

How should we understand this? One means is to focus on everyday practice, in which surviving racial discrimination is a normalised strategy. While limited, the lens of 'racial micro-aggressions' is useful here. With a provenance in Critical Race Theory (CRT) research, the concept of racial micro-aggressions describes the 'brief and common place daily

verbal, behavioural, or environmental indignities, whether intentional or unintentional, that communicates hostile, derogatory or negative racial slights and insults' (Sue, 2007: 271). If we accept that the understanding of race and racism cannot be reduced to micro-aggression alone, it might be adopted with caution to describe what non-white BAME groups compartmentalise or bracket off in their wider negotiation of social life. Of course this is a complex social practice, and as an explanation it is limited without qualitative data, but this reading is supported by studies that have undertaken precisely this type of work in Scotland (e.g., Botterill, Hopkins and Sanghera, 2017). Moreover, while we are talking here about subjectivity or people's perceptions, it is equally tied to material and institutional inequalities, something quite easily demonstrated by pointing to structural outcomes.

As the Scottish Parliament's Equal Opportunities Committee (2016) notes, despite equivalent education and skills none-white BAME Scots are more likely to be unemployed or in low-paid work than their White counterparts[iii]. This was especially highlighted in the written submission from the Coalition of Racial Equality and Rights (CRER), which reported that 17.7% of BAME people interviewed for local authority jobs were appointed, compared to a figure of 31.9% for white interviewees (2016: para 15). It is a finding that rests in a broader employment gap between BAME and white people in Scotland, and which Scottish Government (2015a) data has shown to be significant (in 2013, 57.4% BAME groups were in employment compared with 73.8% of non-BAME groups). This discrepancy can be seen to permeate efforts to redress inequalities too, with the Modern Apprenticeships being the most prominent example, and where the proportion of people from BAME groups number 2.1% against 5.2% of those possibly qualified to be in receipt of one (Skills Development Scotland, 2016).

Note that the largest none-white BAME group in Scotland is the Scottish Asian populations at 2.7 per cent (compared to 8 per cent in England), whilst African, Caribbean and Black populations made up 0.8 per cent (compared to 3 per cent in England) (Scottish Government, 2018, ONS, 2012). The 2011 populations marked notable increases in both populations: Scottish Asian populations had doubled since 2001 (from 1.4 per cent), whilst African, Caribbean and Black populations quadrupled (from 0.2 per cent).

In her race equality pathfinder, meanwhile, the Independent Race Equality Advisor notes that only 1.6% of the civil service in Scotland is BAME (Kaliani, 2017: 6), notably commenting that 'inclusive policy making is not yet embedded in the DNA of the Scottish Government or public bodies in Scotland' (ibid. 2). Racial inequalities are therefore evident across key

sectors in Scotland in ways that warrant public policy interventions. The next section considers how this has and is being understood within the parameters of the devolved settlement.

The Policy Landscape: Diverging or Orbiting?

Although matters of equality are formally reserved to Westminster in the Scotland Act (1998), this should not overlook a number of developments that can be traced to a distinctively Scottish, rather than UK, experience. First, while the primary legislation of public equality duties is set by UK statute, the secondary legislation that facilitates its operation across devolved areas is the responsibility of the Scottish Government. This means that, theoretically, the Scottish Government can go further than England and Wales (where the UK Parliament legislates *both* for primary legislation and secondary legislation). The question this raises is whether Scottish Governments have diverged from the UK in these respects. Much depends on how this question is posed. For example, within existing parameters Scottish administrations have shown a commitment to mainstreaming race equality, in ways that go beyond the minimum required. An illustration of this is the Race Equality Framework (Scottish Government, 2016) which set out the Scottish Government's vision and strategy for race-equality over a notably long sixteen-year period. The Framework document itself reflects on the successes and limitations of prevailing race equality approaches in Scotland, and registers gaps in data and other kinds of practice based knowledge that might hinder the delivery of effective race equality strategies. One civil servant central to its development characterises it as 'a point in the crossroads' (Rjil3), something which reflects a feeling that it *may* (rather than *has*) facilitate divergence. Equally, however, if we take seriously Rhodes' (2011: 288) view that public policy can be anchored in 'the idea of telling stories or provisional narratives about possible futures', then something more may be at work. As one UK wide equality practitioner puts it, the Framework is itself reflective of a type divergence in mood if not yet deed:

> The atmosphere in Scotland … is much more conducive to the type of work and kind of thinking that we have. We are genuinely in a situation where we have far less concern about the direction of travel of the Scottish Government than we do about what is happening in Westminster. I don't think that is hugely contentious (Roic4).

So this perceived cultural change marks both a contrast in where Scotland is today to where it has been in the past, and also, given the length of the new Race Equality Framework, suggests

it is reasonable to expect that if there is more formal commitment to race equality in Scotland, then greater divergence with England is likely. This last point is important but not straightforward, however, for it relies on a story of English regression as much as Scottish advance. In this scenario, Scotland 'orbits' around existing settlements, rather than necessarily setting off in a new course. The reasons for this are not entirely Scotland-specific. For example, during the UK-wide consultation on harmonizing different equality bodies and different equality legislation, in the build up to the creation of the Equality and Human Rights Commission (EHRC) and the introduction of the Equality Act 2010, one repeated concern was the risk of rolling back equality achievements (see Meer, 2010). Even where there was no immediate 'dilution' in legislation and settlements were 'levelled up' across different grounds, a concern remained that separate commissions would no longer be able to agitate for equality on specific grounds. With more streamlined legislation, it was feared, a less favourable political administration in more cash strapped times would encounter less resistance if they moved to undermine existing settlements. While not Scotland-specific, these concerns have traction in Scotland too, as one civil society stakeholder describes:

> Prior to setting up the EHRC in Scotland we had the CRE which had a focus and through them you could do a lot of work, you could gather and collect information and then focus on one issue, but we don't have that anymore. So the Equality Human Rights Commission again with the best will in the world has not achieved the outcomes that we would have liked to have seen for race in Scotland. It might have met others but a lot of the focused work that we did was diluted. We do see the benefits of having the EHRC in Scotland as all the characteristics in terms of equality groups are under that banner. But those characteristics have their key players who champion those and we don't have a champion for race. (Rkia5)

Craig and O'Neil (2013) have pointed to these developments in England, setting them in the context that the budget of the harmonised EHRC was reduced almost immediately by the Coalition government to the equivalent of less than one of its constituent bodies (from £70m when it started in 2007 to £17m). Amongst equality practitioners, however, there are mixed views of this analysis, with one respondent suggesting there has long been a misapprehension on the part of third sector and NGO organisations of the role of regulatory equality bodies:

> The same people were deeply critical of the CRE then as they are of the EHRC [Equality and Human Rights Commission] now. I think there is an immediate misconception in communities that the CRE [Commission of Race Equality] or the EHRC is theirs and we're not. […] People often have an unrealistic expectation of what that means or a misconception, we are not a black agency, the CRE was never a black agency, it was

> never a race relations agency, it works in the interests of people who are experiences race discrimination but it is not of the community, firstly you need to get your head round that. (Roic7)

This concern with UK level regression being coterminous with the creation of the EHRC in Scotland too, also needs to register how in May 2012 the Scottish government placed specific duties on public authorities, also known as the Scottish Specific Duties, requiring listed authorities to publish a race equality mainstreaming report on the progress they have made in integrating the three needs of the General Equality Duty (GED). This comprised a need to: (i) Eliminate unlawful discrimination, harassment and victimization, (ii) Advance equality of opportunity and (iii) Foster good relations. These Scottish Duties moreover were conceived with a focus on 'outcomes' such that they might, if properly implemented, 'identify the changes institutions want to see in the lives of people facing inequality' (Young, 2018: 197). The introduction of Scottish Duties may be contrasted with the discontinuation of statutory equality impact assessments (EIAs) in England, and highlights a striking difference to approaching race equality instruments as an administrative burden, signalled by placing the public sector equality duty within the UK government's 'red tape reduction challenge'. On the latter issue, and as one Scottish civil servant describes, the move was something that the Scottish Government was very keen to distance itself from:

> A statement of record was issued where Scottish Ministers did make it quite clear that we were concerned that the [public sector equality] duty was in that red tape challenge, which is also probably one of the arguments for devolving, especially the general equality to Scotland, in order for it not to be caught up in future 'red tape challenges'. (Rjil5)

It is perhaps in this context that we should locate Scottish Government's Race Equality Framework Scotland (2016), which was brought into fruition through a collaboration between the Coalition for Race Equality and Rights (CRER) and the Scottish Government's Equality Unit. As explored below, its development reflected an attempt at a broad consultation with strategic partners including the Council for Ethnic Minority Voluntary Organisations (CEMVO), the Black and Ethnic Minority Infrastructure in Scotland (BEMIS), the Scottish Refugee Council (SRC), and the Equality and Human Rights Commission (EHRC). The devolved character is relevant here too. Here we are reminded that the exception to equal opportunities being reserved to Westminster pivot on the ability to encourage (other than by prohibition or regulation) 'equal opportunities, and in particular of the observance of the

equal opportunity requirements' (Scotland Act, 1998 section 5). As one stakeholder from a strategic partner put it:

> The Scotland Act did allow the promotion of equality by the Scottish Parliament and the Scottish Government on a much wider range of issues than just those at that time that were formally laid down in British Statute. So in Scotland the three commissions (CRE. EOC, DRC] tended to work very closely together. So not only on our own issues but on joint issues and joint understanding of how we in the small and developing context of Scottish Government and Parliament and the ability to do things differently, without changing primary legislation of course (Rwij1).

Beyond contingency, however, does this signal evidence of a distinctive 'Scottish Approach' to race equality; one that not only 'diverges' or 'orbits', but one which has an inherently 'national' characteristic in which there is a social policy 'idea of community' that is 'connected with sets of political values' (Beland and Lecours, 1005: 679). Minimally, we might say that Penrose and Howard (2008: 95) were surely right to observe that 'just as the Scottish context will influence how 'race' is constructed and experienced within its borders, so too will constructions and experiences of 'race' influence what constitutes Scotland'. Hence in terms of categories, successive Scottish Acts tackling religious bigotry and incitement to religious hatred have adopted tariffs and sanctions that make the treatment of religious discrimination more symmetrical with racial discrimination than is the case in England and Wales. While there is a lively debate over the form and scale of 'sectarianism' in Scotland (Scottish Government Advisory Group, 2015), government initiatives make special mention of religious discrimination, and offer equivalent protection on the grounds of race, colour, nationality, ethnicity, sexual orientation, gender identity and disability.[iv] So although legislation such as the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 is to be repealed, its provenance points to a particular set of social dynamics.

Yet prominent reports and commissions concerned with social and constitutional reform in Scotland have made little mention of race equality as distinct from a generic concern with 'fairness'. This includes both the report of The Commission on Scottish Devolution (2009) and The Commission on the Future Delivery of Public Services in Scotland (2011). Hopkins (2016: 31) has characterised this tendency as one of 'disentanglements', where: 'Scotland has more urgent and important matters to deal with than racial equality; whether this is about funding projects connected with anti-sectarianism or poverty, matters of racism are

disengaged from. This does not necessarily mean that racial equality is ignored completely; instead, it may be regarded as less urgent, not as important and less worthy of attention compared to other matters'. One way to reflect on this is to consider the extent to which race equality stakeholders are being brought into the policy process in Scotland.

A Scottish approach to the race equality *process*?

There is a burgeoning literature on a 'Scottish approach' to policy making, something that is said to traverse a number of policy domains while underwritten by a distinctive 'style' of government. Cairney, Russel and Denny (2016: 339) offer a valuable description of its provenance and iterations, characterising its emergence as 'a broad idea about how to govern by consensus in an era of 'new politics'; developed from 2007 as a way to pursue a 'single vision', cross-cutting government aims, and an outcomes-based measure of success, developed in cooperation with the public sector; and became, from 2013, a way to articulate, and measure the impact of, key governing principles ('assets-based', 'co-production', 'improvement methodology') and address specific issues such as inequality.' This resonates with testimony from civil servants. As the two extracts below show, something of Cairney et al's., account is certainly reflected in responses from two senior civil servants responsible for overarching policy development in the Scottish Government.

> The way we approach what we do in government comes from that idea that Scotland is actually a nation that thinks about the nation as opposed to the state. So the Scottish Government in the devolution settlement actually are responsible, rather than to the Crown, they're responsible to the Scottish people. And that's a very subtle difference but actually it does play out in some of the things we do (Rgid4)

> It's almost like a perfect storm of things that have come together through the outcomes-based work, the [2014 Scottish independence] referendum, the increase in people wanting, showing that people want to be involved in something that matters to them. And then it's looking about how do you help people do that, how do you help citizens actually feel that they have the ability to make the changes they want to, or even to find out the changes they want to make (Roik3).

In the first extract, the civil servant invokes a 'style' of consultative involvement, broadly corresponding with the first stage of stage development described from 2007 (the first Scottish National Party (SNP) minority government), while in the second extract the second

civil servant points to its contemporary manifestations. What appears to be underway in both is the fashioning of something like Rhodes' (2011: 4) characterisation of a governmental tradition, specifically the curation of 'a set of inherited beliefs about the institutions and history of government'. If this is so, then it equally relies on what Beland and Cox (2016) understand as the 'positive role of ambiguity', in so far as 'broader – and vaguer – ideas are more likely to appeal to a greater number of constituencies that have heterogeneous preferences' (2016: 432).

Where we might locate a study of race equality policy within this approach is not readily apparent, however, and part of the function of this paper is to elaborate a story of what, if anything, is 'distinctive' about the race equality in Scotland, principally (though not exclusively) through the narratives of those involved in it. To do so, we can return to the Race Equality Framework (Scottish Government, 2016), where in addition to its provenance and stated ambition, there is a continuing question as to how it is being operationalised. Specifically, whether the approach compartmentalises race equality policy, or whether, consistent with a vaunted 'Scottish approach', an attempt is being made to pursue this in a much more holistic fashion, and pull it across arenas of government. As one civil servant describes:

> So I suppose that's moving into sort of the difference between formal resistance and just individual people's personally understanding about equality and what they think is their role. So I would state that formerly we were very clear that Scottish equality is a cross-government responsibility of the framework etc. […]. The Race Statement of 2011 didn't do that. So I think there was an ambition [in 2016] to say that actually there is work that is relevant that we want to claim and articulate for how the Scottish Government is advancing outcomes for people of ethnic minority communities as well and also use it as a way, as a vehicle to help our local colleagues about what the evidence is, what their current priorities are for their ministers and to see what more we can do in that area to advance the issue (Rjil7).

What emerges from this description is a recognition that the pursuit of race equality relies on civil servant capacity building and policy learning, as well as wider communities of mobilisation (revisited below). Noteworthy too, and borrowing from Carstenson and Schmidt (2016: 323), is how race equality is contained to a 'cognitive problem', in so far as it is understood as a policy problem to be resolved rather than as a part of a discursive formation about the very identity of Scotland, in which the character of race equality can be contoured –

precisely what one would expect of a self-consciously 'Scottish' approach. As Khan (2016: 33) has previously argued:

> The reason why race equality remains side-lined at present is because policymakers and the wider public have not yet engaged in a deeper reckoning with Britain's past, much less deliberated on how to develop a positive and inclusive vision for a successful multi-ethnic country in the 21st century.

What is true of the UK as a whole can also be true of Scotland. In this frame, 'cognitive arguments depend for success on their ability to define the problems to be solved, and to propose adequate policy solutions to those problems' (Carstenson and Schmidt (2016: 323). Which parts of the problem come to be included then is key. This is reflected in one stakeholder's observation that 'if you talk about institutional racism people get scared and they withdraw. Because obviously it harks back to Stephen Lawrence, and I think people think that we have moved on from there'. (Rcis2). Another elaborates this at length with the following story concerning a facilitation exercise between stakeholders and the Scottish Government:

> One of our professional stake holders was a very senior police officer who spoke at length about institutional racism and believed that Police Scotland was institutionally racist. We were not allowed to include a synopsis of it in the conference report because there was wide spread panic in Government that that would hit the press and look terrible. So basically unless public institutions are comfortable with the fact that things may temporally look terrible, we won't be able to meaningfully have that public conversation because we haven't got the issues into the open (Ryic3)

Minimally, we might say that if there is a burgeoning Scottish approach, this is also characterised by an active reticence to speak publically about structural racism. This is not unique to Scotland, as illustrated by the findings discussed at the outset, but equally Scotland does not stand outside this. As Young (2016: 20) has argued, this taps into a deeper vein of how governmental organisations engage with the race equality stakeholders in Scotland:

> Involvement requires public bodies to reach people, actively listen to what they say and take action to address their concerns. […] It also means being prepared to deal transparently with conflict. This could be conflict arising from criticism of what the organisation does, or conflicting messages from different groups of people. […] Failure to address this creates 'consultation fatigue' and leaves communities feeling cheated.

Convention is the key here, to the extent that individual motives and objectives become much less relevant to sustaining and proliferating racial inequalities. A word that relates to what is being described above is 'unwitting', and this is precisely how institutional racism came to be described in the MacPherson Inquiry (1999) into the London Metropolitan Police Service, and the improper investigation of the murder of teenager Stephen Lawrence twenty-five years ago. The investigating judge found the police service guilty of 'unwitting racism', and made a number of wide-ranging recommendations with a broad scope which then had implications beyond police services through the Race Relations (Amendment) Act 2000) for the public sector more broadly. One of the features that characterised the Lawrence case was the coalition of civil society anti-racist mobilisation that marshalled and sustained a co-ordinated effort, in order to platform such issues as identified by the above respondent. The response in that case prompts us to consider the extent to which Scottish stakeholders are working with sufficiently shared or overlapping objectives in policy networks, or what has come to be known as advocacy coalitions.

Race equality policy networks and advocacy coalitions

In their influential formulation, Sabatier and Jenkins-Smith's (1993) thesis on the function of an 'advocacy coalition framework', one that is sufficiently stable to advance policy agendas, is relevant here. Key to this formulation is an overlapping consensus on values and beliefs about underlying causation, rather than general social, political or economic interests on their own, that are said to bring actors from competing positions together in the process of influencing policy decisions. In the pursuit of race equality in Scotland, a recurring deficit is identified by respondents, and the following four responses are illustrative of its perceived character *across the policy process*. While the precise configuration and description of the policy process tends to reflect the wider theoretical stance that is adopted, it might typically comprise: problem identification, agenda setting, consideration of potential actions, implementation of agreed action, and evaluation. When linked together this is what is deemed to comprise a 'policy cycle' (Goodin et al., 2006). Of the four extracts, the first comes from a leading equality body, and the second and third from different race equality stakeholders. The fourth respondent is a civil servant in the Scottish Government who has helped craft the Race Equality Framework and other race initiatives:

> If we go to the gender movement and ask: 'what are your three top priorities?'
> They will say: 'equal pay, violence against women and advancement at work'. If

> you speak to LGBT community, maybe 2-3 years ago, they would have said: 'harassment, equal marriage and pensions'. Very clear, very focused. If you go to the race movement and ask the same question, and you get 40 different things… of course people will start to gravitate away from you because you lack coherence (Roic5)

> I was surprised by the broader diversity of the race equality agenda. I am not saying that I thought it was everyone in solidarity marching against the oppressor or anything like that, but I sort of assumed that most of the folk working in the area would have a similar understanding and we would be broadly pushing in the same direction. So I was surprised to find that wasn't the case and there are all kinds of other agendas that would not have occurred to me, and that was an eye opener. (Ryic1)

> I distinctly remember this [parliamentary] evidence session, and there was one representative from a BME intermediary organisation who was very much saying something very different to the rest of us. […] There are problems between intermediary organisations which have not been able to be sorted out, which then spills over into what people think and say in these arenas. (Rcis4)

> I think race equality is probably harder for us in the [anonymised Scottish Government department] than any other policy area, any other equality agenda, mainly because of the … There's a lack of consensus and of what the key areas to focus and that single voice, which of course there's not a single voice in gender, LGBT, but there is slightly more focus in articulation… the gender lobby are quite clear about the budget process, gender analysis, representation. (Rjil2)

Presenting these four extracts alongside one another starkly reflects the ubiquity of this complaint across different actors in the policy process. Contrary to a successful policy coalition, it is clear that race equality stake holders and policy actors are neither 'clustered' as something like an 'epistemic community', nor in ways that can 'harness enough legitimacy around their policy ideas to avoid considering alternative approaches' (Carstenson and Schmidt, 2016: 327). Indeed, the opposite would appear to be true, in so far as competing agendas jockey for position and key arguments can be fragmented. These are noticeable tendencies when set against the lobbying of other equality groups. This is to recognize that internal consensus is not given but worked towards, as one former Scottish Government Minister reiterated: 'look at the LGBT example, they were able to come to a consensus once

same-sex marriage's bandwagon was rolling, everybody got on board. And I've not seen the same kind of thing happen in race' (Rbim2). The reasons for this include genuine disagreement on the root causes of race inequality in Scotland, and specifically the difference between people's capacity and social structure, between education and training needs on the one hand, and institutional discrimination and indeed racism on the other. As one stake holder puts it:

> I'm not sure everybody does accept there is a problem, or certainly a problem with the system. I think without naming names at this point, again one of the differences is whether the problem is structural racism or individual capacity of black people. And yes undoubtedly there are some capacity issues for some people but that isn't the main problem. And in a sense if it was only that you could change that fairly quickly and easily, if that was the only problem (Rhij2).

It is arguable that one of the prevailing ways in which race is understood in the policy process, and what is understood by the above respondent to be problematic, is indeed as a 'cognitive problem'. A point made earlier however is that race equality is also intrinsically critical of more than public policy, specifically because it takes on the discursive character of the very identity of society, and which goes beyond public policy and administration to invoke debates about national belonging. This has been true of England where race equality was historically enmeshed in a post-colonial critique and where writers such as Hanif Kureshi and Salman Rushdie, and politicians including Diane Abbott and Bernie Grant, held a mirror up to their respective society in light of race related social and political contestation. It is arguable that something similar has not happened in Scotland. Scotland appears to be on its own journey in making and re-making national identity. This may not be immediately apparent, and in the ways that Carstenson and Schmidt (2016: 329) describe: 'the background ideas and public philosophies of a polity do usually develop slowly in an evolutionary manner through incremental steps via adaptation and adjustment to changing realities'. As another respondent puts it:

> You see far more dynamism in the big cities down south. I would have always compared Scotland in terms of race to Devon; you are looking at the same size of the population. Part of the problem in Scotland was that the population was never big enough apart from Glasgow to make a compelling case. When you are work in Fife, less than 1% of the population is from an ethnic minority, you have to have a very strong principled

> argument to move people because it isn't a surface problem, 1% you can almost ignore so you have to make it in principals (Roc1)

Numbers of course are important in forging a critical mass but the analogy is implausible given the relative size and history of Devon and Scotland. The most recent census told us that 4 per cent of Scotland's 5.5. million population considered themselves none-white 'minority ethnic' compared to 14 per cent in England (Scottish Government, 2018, Audickas, 2016, p. 4). Within this population, there are also different demographic dynamics. In the coming decades, these dynamics are likely to continue and the ethnic minority population in Scotland is predicted to double what it was in 2001, approaching 10 per cent by the middle of the century. So this question is only going to become more pressing in the coming decades.

A related argument comes from another stakeholder, and might perhaps be summed as less about novelty and more about the sense of organisational inertia in the sector, that can emerge as 'bickering over the validity of communities' recognition, and apportioning blame for lack of real or perceived progress or outcomes to, on occasions, individuals but most prominently to organisations, sectors, local authorities and national government, agencies or bodies' (Boyle, 2016: 23). Where this is the case, it almost reflects in part those disagreements previously outlined and which centre on competing analysis of the causes of racial equality. No less relevant is that there is here a real challenge for organisations that receive funding for a variety of matters associated, but perhaps not directly related to, race equality policy work, to labour with agendas outside this remit. The following stakeholder illustrates this by pointing to the ways other policy questions which may be related to race equality, such as asylum and refugee support, are met with uncertainty:

> Coming back to the Scotland's race NGO infrastructure, what would I say? Well I suppose I would say is that, I think there's been a reluctance for them to engage in our issues, because I think it reflects to some degree what they see as a sort of nervousness, a reluctance to some of those communities, which I totally get. Bluntly put, some of the indigenous or second generation communities, largely ethnic communities in Scotland, are nervous about, because they have their own issues and problems and difficulties and they can see what goes on around, all the stuff around asylum, and all of that sort of stuff, so there's something about it being identified or speaking about this stuff, drawing attention to yourself' (Rwj3).

It is an open question as to how race-equality organisations should respond to agendas that are related but not central to their focus. This will naturally range on a case by case basis but the general point is not of course unique to Scotland, even while the specific configuration in

contemporary Scotland means that issues of migration impinge in issue of race equality too.

Conclusion

This article has focused on the underexplored topic of race equality policy in Scotland. It has used original research data to consider the role of policy coalitions in holding and promoting a coherent set of positions, as well as the particularity of race as an idea or 'cognitive problem' to be addressed through a policy process. Relatedly, is has touched on how prevailing narratives about national identities feed into this process. In this respect it has considered how race equality policy developments in a devolved context bear both specific and generalizable qualities. Contrary to the model of a successful policy coalition, the article has shown that race equality stake holders and policy actors are neither 'clustered' as something like an 'epistemic community', nor in ways that can 'harness enough legitimacy around their policy ideas to avoid considering alternative approaches' (Carstenson and Schmidt, 2016: 327). This arguably impedes their ability to affect change. As a consequence, and while there may be burgeoning broader 'Scottish approach' underway, it is not yet necessarily discernible in the area of race equality policy. As the secondary data has already shown, racial inequalities in Scotland are profoundly structural in ways that bring together attitudes, behaviours and institutions. Convention is the key here, to the extent that individual motives and objectives become much less relevant to sustaining and proliferating racial inequalities. Policy actors therefore need a greater consensus on the underlying causes if effective policy change is to be successful, and distinctive Scottish approach to race equality is to prevail.

Table 1

Interviewees		
Sector	**Male**	**Female**
Policy Focused Researcher	3	5
Civil Servant	-	4
MSP	2	-
Civil Society Stakeholder	8	3
Total	13	12

Notes

[i] The underlying research was supported by the Royal Society of Edinburgh (RSE).
[ii] See for example MacEwen's (1980) question as to whether 'race-relations' in Scotland was best characterised by 'ignorance or apathy'.
[iii] In this article, Black and Ethnic Minority Group is used to refer to non-white groups, something that omits other racial minorities including so Gypsy/Travellers minorities, Irish Catholics and Eastern Europeans. See Clarke (2018).
[iv] It is worth remembering also that Scotland recognised Gypsy/Traveller communities as racial and ethnic groups even prior to the test case confirming this. The test case finally came in 2009, with Tribunal judgement in 2009, K McLellan v GTEIP.

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