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Race equality after Enoch Powell

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Race Equality After Enoch Powell

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> 'We won't able to say "boo" to a nigger without being reported'[i]

Fifty Years On

This is a year of race related anniversaries. While it is fifty years since Enoch Powell's infamous address to the West Midlands Area Conservative Political Association, it is seventy years since the Empire Windrush docked at Tilbury. It is forty years, meanwhile, since Rock Against Racism (RAR) emerged as a cultural movement in response to far right activity, and it is twenty-five years since the racist murder of Stephen Lawrence would eventually lead, after six years of campaigning, to a public inquiry finding the UK's largest Police Authority guilty of institutional racism. Moreover, and while Powell himself partly set his speech against international events, especially the US civil rights movement, his immediate catalyst was almost certainly the fifty-year-old Labour Government's Race Relations Bill 1968 which was due to receive its second reading only three days after his intervention.

That Bill now forms part of an incremental race equality architecture which tried to address some of the weaknesses of its more voluntarist 1965 predecessor, explicitly making unlawful forms of discrimination on grounds of colour, race, ethnic or national origins in employment, housing and the provision of commercial and other services. Importantly, when it came into effect, the 1968 Act also created a forerunner to the later Commission for Racial Equality (CRE) in the form of The Race Relations Board, which was charged with ensuring compliance with the legislation's provisions, but also investigating complaints of discriminatory behaviour and supporting legal proceedings. That the prospect of this legislation especially animated Powell was reflected in his characterisation of it as 'one-way privilege' and 'a match on to gunpowder'. 'The kindest thing that can be said about those who propose and support it', he continued, 'is that they know not what they do.'

It is safe to assume that Powell was not making a comment on the potential weaknesses in the proposed Bill relative to its stated ambition; for it was soon after considered insufficiently effective in the areas of labour market participation where indirect discrimination remained unchallenged. As such, a subsequent Labour Government committed to revising the legislation in the 1976 Race Relations Bill, stating: 'the Government is convinced, as a result of its review of race relations generally and of the working of the legislation, that a fuller strategy to deal with racial disadvantage will have to be deployed than has been attempted so far'.[ii]

Indeed, it is now over 40 years since the introduction of this third Race Relations Act 1976 cemented a state sponsorship of race equality by consolidating and then expanding the earlier, weaker legislative instruments (RRA 1965, 1968). Alongside a remit spanning public and private institutions, recognition of indirect discrimination and the imposition of a statutory public duty to promote good 'race relations', the 1976 Act also created the Commission for Racial Equality (CRE) to monitor implementation assist individual complainants. As such it marked an important moment in an evolving settlement in which Citizens of the United Kingdom and Commonwealth (CUKC), and subsequent British-born generations, became recognised as Black and Ethnic Minorities (BAME) requiring state support to overcome distinctive barriers in their exercise of citizenship.

Of course the year of Powell's speech was also the year of the Commonwealth Immigrants Bill 1968, which would specifically restrict entry to those who had a least one parent or grandparent born here. As a young Liberal Parliamentarian, Lord David Steel described this Bill as 'an attempt to write into British Law legislation that discriminated between citizens on the grounds of race, and which represented a grave breech of international and internal political obligations'[iii]. Of course Powell's speech was no less relevant to this Immigration Bill than the Race Relations Bill, and indeed the speech was even credited with setting the Labour government's immigration agenda. As *The Times* editorial put it on the morning of the passing of the Immigration Act 1968, 'What is the government so afraid of? Is it afraid of Mr Enoch Powell? [...] It is probably the most shameful measure that Labour members have ever been asked by their whips to support'[iv].

An uneasy tension between the objectives of race equality and migration control therefore remains a characteristic of the UK story since Powell, a tension that is unsettled and periodically reveals itself, as illustrated by the recent Windrush scandal. Here, a number of the children of black people who came to Britain from the Caribbean between 1948 and 1973, and who are legally entitled to live here, have in recent years seen their right to stay challenged. Many of those affected moved to the UK as Commonwealth Citizens before their birth countries became independent, and for any number of reasons may not have applied for a British passport. Nonetheless, and despite some very challenging events over the years, the formal race equality legislation was never repealed but expanded, later incorporated, in a patchwork approach, into The Equality Act 2010 which brought together (occasionally levelled up) a number of protected 'grounds' of which race was one (e.g., race, gender, disability, age, sexuality, religion, marital status, etc). Four years earlier the Commission for Racial Equality (CRE) was incorporated into the Equality and Human Rights Commission (EHRC).

While most certainly not unproblematic, these kinds of developments set out a markedly different approach to that of neighbouring European countries with comparable colonial histories. For example, and during its experience of significant post-colonial settlement, France pursued a robustly assimilationist strategy in which equality was understood as uniformity and, until the beginning of this millennium,

Germany maintained a 'returnist' approach in which labour migrants were guest-workers (*gastarbeiter*) expected to return to their country of origin. In the UK, despite the traction of Powell and Powellites, and under the remit of the kinds of race equality legislation discussed above, there developed a formal approach to equal opportunity conceived as equal access to the labour market and other key spheres of British society (e.g., education, health and political participation).

Against this background, and in this 'anniversary' year, a relevant question is: have these approaches been successful? Much of course depends on the criteria of relevance. If the intended objective of the initial and later race equality Bills was to reduce ethnic and racial disparities to a marginal or 'negligible' level, then the answer is most certainly not. If the objective was slightly different, but not unrelated, and sought to reshape public conventions on racism (and ethnic and racial diversity more broadly), then the answer is more complicated and also unfinished. In the next section I discuss the former, the scale and extent of racial and ethnic discrimination in contemporary Britain, and in the subsequent section I discuss the ways in which race equality may be coterminous with shifting narratives on difference.

'Did You Know…?'

'If you're black, you're treated more harshly by the criminal justice system than if you're white', so Prime Minister Theresa May stated on the steps of 10 Downing Street as she assumed office in 2016[v]. Seems like a rather long time ago now, but one of May's first moves was to set up a Race Disparity Audit that would run from the Cabinet Office.[vi] As somebody who participated in this, and convened an expert group on Scotland to feed into it, with the best will in the world it confirmed what we already knew. Namely, very significant ethnic and racial disparities continue to feature across all key sectors of British society. As the Equality and Human Rights Commission (EHRC) elaborated[vii] the disparity includes, in the area of employment, significantly higher BAME unemployment rates (as an aggregate about 12.9% compared with 6.3 % for White people). Indeed, Trades Union Congress research highlights how 45% of black 16-24 year olds are unemployed, which is over double the level of unemployment of their white counterparts. and that this figure increased by 20% under early austerity measures since 2010 – did it increase more for black than white young people, and by 20% or 20 points? Meanwhile BAME employees with degrees earn 23.1% less on average than White workers with comparable education and training – confirming this is no longer a 'supply side' deficit (not sure what 'supply side deficit' means in this context).[viii]

In higher education, amongst Black-African and Black-Caribbean groups, just 6% of school leavers attended a Russell Group university, compared with 11% of White school leavers. As for employment in the university sector, the Equality Challenge Unit's audit shows that nearly 70 per cent of UK professorships are held by white men, while just under 22 per cent are held by white women[ix]. Some 7.3 per cent of

professors are BAME men, and just 1.9 per cent are BAME women. Among university senior managers, 67.5 per cent are white male, 28.3 per cent white female, 3.3 per cent are BAME male and only 0.9 per cent BAME female. In housing, meanwhile, Pakistani, Bangladeshi and Black adults are more likely to live in substandard accommodation than White people (around 30% compared with round 8%). Indeed, over a decade ago, the Joseph Rowntree Foundation reported that in Britain 20% of white people were living in income poverty, compared to 30% of people with a Black Caribbean heritage, 45% Black African, 55% Pakistani and 65% Bangladeshi. Given the disproportionate impact of austerity measures on BAME groups, there is every reason to anticipate that this disparity has increased. In the area of criminal Justice, meanwhile, rates of prosecution and sentencing for Black African and African Caribbean people are three times higher than for White people – 18 per thousand population compared with six per thousand for White people. For sentencing (I don't understand what 'sentencing' refers to here) it was 13 per thousand population for Black people and five per thousand population for White people.[x] As such, some 10% of the prison population is made up of black people, and the National Crime Intelligence DNA Database holds hold the records of 30% of all black men in Britain (10% for Whites and Asians), Black men are about four times more likely..than? figures given would suggest three times more likely than Whites and Asians, ie 30% cf 10%) to have their DNA stored).[xi]

As if to demonstrate the law of unintended consequences, the only marked improvement under Prime Minister May's tenure has been the increase of BAME Parliamentarians that came with the 2017 general election (an increase of 9 for Labour and 2 for the Conservatives, taking the total to 52). Beyond this there is reason to fear that most of the entrenched inequalities will remain in place; they might assume some prominence when events make them difficult to ignore, but a serious commitment to challenging institutional racism, for example, is likely to be politically unpalatable, if it is even recognised as a problem. This is not least because governing parties are often contributing to this. Home Secretary May's 'Go Home' campaign which was targeted at British BAME neighbourhoods as part of a 'hostile environment' approach to managing migration is not exceptional in this regard.

Reason for such pessimism might be confirmed in the present scale of experiences of racial discrimination in contemporary Britain, which would need to improve if the kinds of structural outcomes described above are to alter. For example, using the 2015 Business in the Community (BITC) survey of 24,457 ethnic minority and white employees aged 16 and over and currently in employment in the UK (England, Wales, Scotland and Northern Ireland – redundant - delete), Ashe (2018) reports that 30% of participants 'had witnessed or experienced racist harassment or bullying from managers, colleagues, customers or suppliers in the past year', a finding that marks an increase on previous years 2 and 3-5 years earlier. Drawing too on the Trades Union Council (TUC) survey of 5,191 people, '70% of Asian and Black workers

had experienced racial harassment at work in the last five years', and similar numbers reported unfair treatment because of their race and ethnicity.[xii]

What is true at the UK level is also reflected in specific parts of the UK that have not necessarily seen race as a central issue. This includes Scotland, a country in which Powell had little traction, and which is worth considering because of how the topic of anti-racism (broadly conceived) has assumed a tacit role within Scottish political discourse, and in ways that some political actors have argued marks Scotland out as different from the UK. Yet as recent survey work has shown, about a third of Black and Minority Ethnic (BAME) groups in Scotland continue to report experiences of racial discrimination, and a slightly higher number consider racial discrimination to be a widespread issue in Scotland[xiii]. 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. What this implies is that significant degrees of both low-level and more obvious experiences of racial discrimination can go under-reported.

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 microaggressions' is useful here. With a provenance in Critical Race Theory (CRT), the concept of racial microaggressions describe 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'[xiv]. If we accept that the understanding of race and racism cannot be reduced to a microaggressions alone, it might be adopted with caution to explain how BAME groups compartmentalise or bracket off racial experiences 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. Moreover, while we are talking here about subjectivity or people's perceptions, it equally tied to material and institutional inequalities, something quite easily demonstrated by pointing to structural outcomes in Scotland that are consistent with those outlined as being true of the UK too.

For example, a comprehensive analysis by the Scottish Parliament's Equal Opportunities Committee[xv] noted that, despite equivalent education and skills, BAME Scots were more likely to be unemployed or in low-paid work than White people. This was especially highlighted in the written submission from the Coalition of Racial Equality and Rights (CRER), which stated that 17.7% of BAME people interviewed for local authority jobs were appointed, compared to a figure of 31.9% for white interviewees. It is a finding that sits in a broader employment gap between BAME and white people in Scotland, and which Scottish Government data[xvi] have 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. Just 2.1% of people from BAME groups are in an apprenticeship, whereas 5.2% are qualified to be in receipt of one.[xvii] (?? check reformulation – and how does this compare with other groups – could it be the result of low takeup more widely?)

In different parts of the UK then, and across quite different sectors, fifty years on from Powell's 'foreboding', race equality legislation has not achieved its stated objectives, and nor does it appear close to doing so. It is surely plausible however to deem that such legislation has stemmed racial inequalities from becoming greater, and that it has certainly provided means for redress which may not otherwise have emerged.

More Than Legislation

Confining race quality to legislation, however, overlooks how it may also shape prevailing mores and conventions. Another way of putting this is to say that the public function of race-equality policy has been integral in cultivating what Bevir and Rhodes[xviii] have termed a 'web of beliefs' that can characterise certain polities. One way to think about race equality in this regard is to register that other things have flowed from it, including pluralised national identities and a wider set of multicultural accommodations that go beyond race equality in a narrow sense. In some respects, Powell understood and feared most that this would lead to greater change, specifically because race equality takes on a discursive character that goes beyond public policy and administration, and tips into debates about identity, belonging and community formation.

This was exemplified by the landmark report produced by the Commission on the Future of Multi-Ethnic Britain (CMEB)[xix], sponsored by the Runneymede Trust and chaired by the political philosopher, Lord Bhikhu Parekh. This report made over 140 policy recommendations to assist 'a confident and vibrant multicultural society' to take advantage of 'its rich diversity' in order that Britain should realise its full potential. Entitled *The Future of Multi-Ethnic Britain*, it strongly endorsed both the possibility and desirability of forging a meta-membership of 'Britishness' under which diversity could be sustained. To this end its recommendations not only sought to prevent discrimination or overcome its effects, but they simultaneously championed an approach that could move beyond conceptions of formal equality by recognising the substantive elements of 'real differences of experience, background and perception'. For example, the CMEB advocated a systematic type of ethnic monitoring that would 'go beyond racism and culture blind strategies', and could be implemented across public institutions to promote an awareness of cultural diversity in general, and unwitting discrimination in particular. It claimed that while high-profile statements of ideals by senior politicians and civil servants are important, 'they remain mere paper commitments or rhetoric, however, if they are not fully incorporated into all mainstream agendas and programmes'.

This was the post-Stephen Lawrence inquiry 'multicultural moment' when the New Labour government declared its commitment to creating a country where 'every colour is a good colour'; where 'everyone is treated according to their needs and rights' and where 'racial diversity is celebrated'[xx]. Individual politicians boasted that 'Britain's pluralism is not a burden we must reluctantly accept. It is an immense asset that contributes to the cultural and economic vitality of our nation'[xxi]. In a similar vein, while attending the annual and predominantly Caribbean-influenced Notting Hill Carnival, the former Tory leader (later Foreign Secretary) William Hague was moved to assert that 'Britain is a nation of immigrants'[xxii]. As the then prime minister insisted:

'This nation has been formed by a particularly rich complex of experiences ... How can we separate out the Celtic, the Roman, the Saxon, the Norman, the Huguenot, the Jewish, the Asian and the Caribbean and all the other nations [sic] that have come and settled here? Why should we want to? It is precisely this rich mix that has made all of us what we are today'[xxiii].

A great deal has happened between then and now, of course, but despite the increasingly negative rhetoric the alleged 'retreat' from multiculturalism is shown, on balance, not to be true of existing public policies[xxiv]. What has come to the fore is an increased insistence on something like a prescribed 'political culture, which includes its [society's] public or political values, ideals, practices, institutions, modes of political discourse, and self-understanding'[xxv]. Some have deemed this mode of integration – comprising at least partial assimilation, and even advocated as a solution to the sorts of societal disunity allegedly associated with ethnic minority separatism in general, and Muslim alienation, estrangement (and ultimately violent radicalism) in particular. The Coalition government (2010-2015) strategy document, *Creating the Conditions for Integration*, specifically emphasized integration as an antidote to extremism and intolerance. What has come to define integration talk since has been a focus on creeping change and dangers to the cohesiveness of the nation – precisely the issues Powell traded in.

For example, the idea of 'Fundamental British Values', now assumes a prominent place in the National Curriculum and elsewhere, and is promoted by the Department for Education (DfE) as 'not undermining the fundamental British values, including democracy, the rule of law and individual liberty'[xxvi] – a tautological but statutory guidance pursued in schools through 'Spiritual, Moral, Social and Cultural' development (SMSC)[xxvii]. This is linked to a broad expansion of counter terrorism approaches, especially the Prevent duty guidance[xxviii], which explicitly uses Fundamental British Values within the definition of extremism. Indeed, in the current Government Green Paper *Integrated Communities*, extremism is said to be anticipated where there are 'negative cultural norms'[xxix]. As a consequence, the government is presently promoting the idea that some minority communities are a security risk not because they incite or engage in violence or activities that might do so, but because they bear values that do not conform to those insisted upon by the government of the day.

What is true of the identity features of non-legal conventions around race equality is further complicated by the prospect of Brexit. In one respect it is difficult – although not impossible - to imagine that a post Brexit administration would actively unpick the domestication of the equality components of significant European legislation such as the Treaty of Amsterdam 1999, especially since the UK was already compliant with race equality provisions. The Equality Act 2010 is not merely about being compliant with EU directives, but reflects an endogenous trajectory in incorporating the existing race equality provisions discussed in part two. This means that the 'sunk costs', as Awesti[xxx] calls them, and which extend to wider patterns of societal level adaptation, are likely to be 'sticky' regardless of the 'current preferences of political leaders'– or what James Maddison memorably termed the 'mischief of faction'. What is less certain is whether Brexit will diminish the 'policy image' of race equality, as something associated with an EU imposition, rather than an endogenous creation. Race equality in these circumstances becomes much more contested by those seeking to uncouple as much as they can from the EU. Put in other terms, if race equality becomes part of the 'collateral rhetoric'[xxxi] of Brexit, rather than a longstanding – though unsettled and incomplete – British conversation, then the symbolic politics of this would do great harm.

Fifty Years Ahead

The prospect of Brexit and the anniversary of Powell's speech can therefore converge on the continuing challenge as to how best to help to ensure that race equality is able to meet its stated objectives. This should proceed, first, from continuing to name racial inequalities and not pretend these inequalities are an aberration in an otherwise race-less, meritocratic society. This runs counter to Powell's insistence that racial inequalities were a consequence of 'those personal circumstances and accidents which cause, and always will cause, the fortunes and experience of one man to be different from another's'. The emphasis needs to be structural disparities, but which also bring together attitudes and institutions. This involves recognising the ideational and discursive features of race equality, as well as its structural components. While this requires making the connections between economic, social and political features of race inequalities, it would also help if we could get beyond the plucky Brits and Dunkirk movie myths. As a set of nations, the UK has not done everything on its own not against the odds. The forebears of Black and Brown Brits often did the heavy lifting and that is why we are here. Or, as the late Sivanandan put it, 'we are here because you were there'[xxxii]. Finally, we need to take ownership of racial inequalities as part of our story as a society, and do so without being defensive. The population of Britain has changed, and many things we've got right. The UK leads Europe in burgeoning mixed racial and ethnic populations. At the last census nearly 1/10 of people in England and Wales were cohabiting or married in a mixed relationship (2.3million) (about 10 times the EU

average). How unfortunate then if the racial story of the near past should become the racial story of the future.

Notes

i A London docker marching in support of Powell speaking to an *Observer* reporter, cited in Hiro, D. (1991) *White British / Black British.* London: Grafton Books. p. 249).

ii Hansard Cmnd 6234, September 1976, para 13.

iii Steel, D. (1968) *No Entry.* London: Hurst. p. 156.

iv Steel p. 165.

v https://www.gov.uk/government/speeches/statement-from-the-new-prime-minister-theresa-may

vi https://www.gov.uk/government/publications/race-disparity-audit

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xxvii Department for Education (DfE) (2014) *Promoting fundamental British values as part of SMSC in schools: Departmental advice for maintained schools.* London: HMSO

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